

STATE OF CALIFORNIA

TRAFFIC COLLISION REPORT


PAGE 1 OF 7

SPECIAL CONDITIONS		NUMBER INJURED	HIT & RUN FELONY	CITY	JUDICIAL DISTRICT	LOCAL REPORT NUMBER	
DUI		1	<input type="checkbox"/>	Sunnyvale	Sunnyvale-Cupertino	CR12-7573	
NUMBER KILLED		0	HIT & RUN MISC. <input type="checkbox"/>	COUNTY	REPORTING DISTRICT	BEAT	DAY OF WEEK
				Santa Clara	14	1	Saturday
LOCATION	COLLISION OCCURRED ON			MO. DAY YEAR	TIME (2400)	NCIC #	OFFICER I.D.
	DUANE AVENUE			9/8/2012	2335	4316	14457
	MILEPOST INFORMATION			GPS COORDINATES		PHOTOGRAPHS BY: <input type="checkbox"/> NONE	
	FEET OF			LATITUDE LONGITUDE		CSI ISAACS	
AT INTERSECTION WITH		STATE HWY REL.					
<input checked="" type="checkbox"/> OR 70 FEET E OF WORLEY AVENUE		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
PARTY	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YR.	MAKE / MODEL / COLOR
1	UNLICENSED	CA	U	L	H	1992	CADILLAC STS MAROON
DRIVER	NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME	
<input checked="" type="checkbox"/>	SERGIO LOPEZ-JIMENEZ					<input checked="" type="checkbox"/> SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS					OWNER'S ADDRESS	
<input type="checkbox"/>	550 N. FAIR OAKS #15					<input checked="" type="checkbox"/> SAME AS DRIVER	
PARKED VEHICLE	CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF:	
<input type="checkbox"/>	SUNNYVALE CA 94086					<input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER	
BICYCLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE
<input type="checkbox"/>	M	BRO	BRO	5'06"	160	9/8/1987	H
OTHER	HOME PHONE					PRIOR MECHANICAL DEFECTS:	
<input type="checkbox"/>	(408) 736-2739					NONE APPARENT <input checked="" type="checkbox"/> REFER TO NARRATIVE <input type="checkbox"/>	
INSURANCE CARRIER		POLICY NUMBER		VEHICLE IDENTIFICATION NUMBER:			
ACCESS GENERAL		ACA002530307		01			
DIR. OF TRAVEL		ON STREET OR HIGHWAY		SPEED LIMIT		VEHICLE TYPE	
W		DUANE AVENUE		25		01	
PARTY	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YR.	MAKE / MODEL / COLOR
2						2001	CHEVROLET SUBURBAN GREY
DRIVER	NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME	
<input type="checkbox"/>						<input type="checkbox"/> SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS					OWNER'S ADDRESS	
<input type="checkbox"/>						<input type="checkbox"/> SAME AS DRIVER	
PARKED VEHICLE	CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF:	
<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER	
BICYCLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE
<input type="checkbox"/>							
OTHER	HOME PHONE					PRIOR MECHANICAL DEFECTS:	
<input type="checkbox"/>						NONE APPARENT <input checked="" type="checkbox"/> REFER TO NARRATIVE <input type="checkbox"/>	
INSURANCE CARRIER		POLICY NUMBER		VEHICLE IDENTIFICATION NUMBER:			
				07			
DIR. OF TRAVEL		ON STREET OR HIGHWAY		SPEED LIMIT		VEHICLE TYPE	
W		DUANE AVENUE		25		07	
PARTY	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YR.	MAKE / MODEL / COLOR
3						2004	DODGE DURANGO GREY
DRIVER	NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME	
<input type="checkbox"/>						<input type="checkbox"/> SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS					OWNER'S ADDRESS	
<input type="checkbox"/>						<input type="checkbox"/> SAME AS DRIVER	
PARKED VEHICLE	CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF:	
<input checked="" type="checkbox"/>						<input type="checkbox"/> OFFICER <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OTHER	
BICYCLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE
<input type="checkbox"/>							
OTHER	HOME PHONE					PRIOR MECHANICAL DEFECTS:	
<input type="checkbox"/>						NONE APPARENT <input checked="" type="checkbox"/> REFER TO NARRATIVE <input type="checkbox"/>	
INSURANCE CARRIER		POLICY NUMBER		VEHICLE IDENTIFICATION NUMBER:			
				07			
DIR. OF TRAVEL		ON STREET OR HIGHWAY		SPEED LIMIT		VEHICLE TYPE	
W		DUANE AVENUE		25		07	
PREPARED BY NAME		DISPATCH NOTIFIED		REVIEWER'S NAME		DATE REVIEWED	
PHILLIPS, AVA		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		PHILLIPS, AVA 14457		9/19/2012	

STATE OF CALIFORNIA

TRAFFIC COLLISION CODING

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DATE OF COLLISION (MO. DAY YEAR)		TIME	NCIC #	OFFICER I.D.	NUMBER
9/8/2012		2335	4316	14457	CR12-7573
PROPERTY DAMAGE	OWNER'S NAME ERNST MAHNEL		OWNER'S ADDRESS 484 E. DUANE		NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DESCRIPTION OF DAMAGE DAMAGE TO THE FRONT PORCH, ENTRY WAY, AND GARAGE OF HIS RESIDENCE.					
SEATING POSITION 		OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP / SHOULDER HARNESS USED H - LAP / SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED		SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	
INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER					
ITEMS MARKED BELOW WHICH ARE FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE					
PRIMARY COLLISION FACTOR LIST NUMBER OF PARTY AT FAULT		TRAFFIC CONTROL DEVICES		SPECIAL INFORMATION	
1 A VC SECTION VIOLATED Cited Yes 23152 A		A CONTROLS FUNCTIONING		A HAZARDOUS MATERIAL	
B OTHER IMPROPER DRIVING:		B CONTROLS NOT FUNCTIONING		B CELL PHONE HANDHELD IN USE	
C OTHER THAN DRIVER		C CONTROLS OBSCURED		C CELL PHONE HANDSFREE IN USE	
D UNKNOWN		D NO CONTROLS PRESENT/FACTOR		D CELL PHONE NOT IN USE	
WEATHER (MARK 1 TO 2 ITEMS)		TYPE OF COLLISION		E SCHOOL BUS RELATED	
A CLEAR		A HEAD-ON		F 75 FT MOTORTRUCK COMBO	
B CLOUDY		B SIDESWIPE		G 32 FT TRAILER COMBO	
C RAINING		C REAR END		H	
D SNOWING		D BROADSIDE		I	
E FOG / VISIBILITY FT.		E HIT OBJECT		J	
F OTHER*		F OVERTURNED		K	
G WIND		G VEHICLE PEDESTRIAN		L	
LIGHTING		H OTHER:		M	
A DAYLIGHT		MOTOR VEHICLE INVOLVED WITH		N	
B DUSK - DAWN		A NON-COLLISION		O	
C DARK - STREET LIGHTS		B PEDESTRIAN		OTHER ASSOCIATED FACTOR (MARK 1 TO 2 ITEMS)	
D DARK - NO STREET LIGHTS		C OTHER MOTOR VEHICLE		A VC SECTION VIOLATION: Cited No 22107	
E DARK - STREET LIGHTS NOT FUNCTIONING		D MOTOR VEH ON OTHER ROADWAY		B VC SECTION VIOLATION: Cited	
ROADWAY SURFACE		E PARKED MOTOR VEHICLE		C VC SECTION VIOLATION: Cited	
A DRY		F TRAIN		1 2 3 SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS)	
B WET		G BICYCLE		A HAD NOT BEEN DRINKING	
C SNOWY - ICY		H ANIMAL:		B HBD - UNDER INFLUENCE	
D SLIPPERY (MUDDY, OILY, ETC.)		I FIXED OBJECT:		C HBD - NOT UNDER INFLU.*	
ROADWAY CONDITIONS (MARK 1 TO 2 ITEMS)		J OTHER OBJECT:		D HBD - IMPAIRMENT UNK.*	
A HOLES, DEEP RUTS		PEDESTRIAN'S ACTION		E UNDER DRUG INFLU.*	
B LOOSE MATERIAL ON RDWY		A NO PEDESTRIAN INVOLVED		F IMPAIRMENT - PHYSICAL*	
C OBSTRUCTION ON ROADWAY		B CROSSING IN CROSSWALK AT INTERSECTION		G IMPAIRMENT NOT KNOWN	
D CONSTRUCTION-REPAIR ZONE		C CROSSING IN CROSSWALK NOT AT INTERSECTION		H NOT APPLICABLE	
E REDUCED ROADWAY WIDTH		D CROSSING - NOT IN CROSSWALK		I SLEEPY / FATIGUED	
F FLOODED		E IN ROAD - INCLUDES SHOULDER		L UNINVOLVED VEHICLE	
G OTHER		F NOT IN ROAD		M OTHER*: 22350 CVC	
H NO UNUSUAL CONDITIONS		G APPROACH/LEAVING SCHOOL BUS		N NONE APPARENT	
				O RUNAWAY VEHICLE	
MISCELLANEOUS					

STATE OF CALIFORNIA

INJURED / WITNESSES / PASSENGERS

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DATE OF COLLISION		TIME		NGIC NUMBER		OFFICER ID		NUMBER									
9/8/2012		2335		4316		14457		CR12-7573									
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ("X" ONE)				INJURED WAS ("X" ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJ.	COMPLAINT OF PAIN	DRIVER	PASS.	PEO.	BICYCLIST	OTHER					
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	25	M	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	L	H	
NAME / D.O.B. / ADDRESS SERGIO LOPEZ-JIMENEZ 9/8/1987, 550 N. FAIR OAKS #15, SUNNYVALE, CA, 94086																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY: County EMS								TAKEN TO: Stanford Medical Center									
DESCRIBE INJURIES LARGE LACERATION TO FOREHEAD.																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	25		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS FELICIA SOSA 2/23/1987, 553 E. DUANE, SUNNYVALE, CA, 94086 (408) 680-4771																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY:								TAKEN TO:									
DESCRIBE INJURIES																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	38		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS JOHN HERNANDEZ 4/16/1974, 555 E. DUANE, SUNNYVALE, CA, 94086 (408) 655-4107																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY:								TAKEN TO:									
DESCRIBE INJURIES																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	19		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS EVERARDO HUERTA JR. 3/14/1993, 558 E DUANE, SUNNYVALE, CA, 94086 (408) 480-9216																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY:								TAKEN TO:									
DESCRIBE INJURIES																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	18		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS MIGUEL GARCIA 10/2/1993, 558 E. DUANE, SUNNYVALE, CA, 94086 (408) 701-7039																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY:								TAKEN TO:									
DESCRIBE INJURIES																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS																	TELEPHONE
(INJURED ONLY) TRANSPORTED BY:								TAKEN TO:									
DESCRIBE INJURIES																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
PREPARED BY NAME PHILLIPS, AVA		I.D. NUMBER 14457		MO. DAY YEAR 9/10/2012		REVIEWER'S NAME PHILLIPS, AVA 14457		MO. DAY YEAR 9/19/2012									

STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL
CHP 556 (Rev 7-90) OPI 042

Date of Incident/Occurrence 9/8/2012	Time(2400) 2335	NCIC NUMBER 4316	OFFICER ID # 14457	NUMBER CR12-7673
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FACTS:

NOTIFICATION: On 09/8/12, at approximately 2336 hours, Sunnyvale Department of Public Safety Personnel responded to the area of Duane and Worley on a report of a major injury traffic collision. Upon arrival, Sunnyvale Police and Fire units found a solo vehicle collision with major front end damage. The driver appeared to have severe injuries. The vehicle had been traveling westbound on Duane at a high rate of speed. The vehicle sideswiped a parked Chevy Suburban before rear ending a parked Dodge Durango. The force of the impact sent the Durango across westbound and eastbound lanes of traffic, over a curb, through a front yard, and into the residence located at 484 E. Duane.

Initial arriving police units contacted the driver, who was seated in the driver's seat. Upon contacting the subject, officers noticed an odor of an alcoholic beverage coming from the driver's breath and person. The driver was transported to Stanford Hospital.

Due to the severity of the collision, police personnel requested the Major Accident Investigation Team (M.A.I.T.) respond to investigate the collision. As a part of M.A.I.T., I responded from out of the city and arrived on scene at approximately 0120 hours. All times, speeds and measurements in this investigation are approximate. Measurements were taken by total station and Lidar Laser, except where otherwise indicated.

*Note: CSI Isaacs and CSI Cortese's supplemental reports are located in the ARS system.

SCENE: At the scene of this collision, Duane Avenue is an eastbound/westbound residential roadway consisting of 2 lanes. The eastbound and westbound lanes are delineated by a double yellow painted divider. The roadway is curved and level. The surface is composed primarily of asphalt. Worley Avenue is a northbound/southbound residential roadway consisting of 2 lanes. Worley terminates at Duane creating a T intersection. Traffic traveling northbound on Worley is controlled by a stop sign at Duane. Traffic traveling eastbound and westbound on Duane is uncontrolled. The roadway is relatively straight and level. The surface is composed primarily of asphalt. Refer to the Factual Diagram for further details.

At the time of the collision the roadway was dry and traffic was light. It was dark out and the street was illuminated by street lamps.

PARTIES:

Driver #1 (Lopez-Jimenez) was initially located by K9 Pistor sitting in the driver's seat of his vehicle. He had a large laceration to his forehead and was bleeding heavily from his wound. CSI Isaacs and PSO Werner identified Lopez-Jimenez by a Mexican ID card found inside his wallet. Lopez-Jimenez (9/8/87) was matched in CJIC via his tattoos with a PFN of EBI063. (refer to CSI Isaacs supplemental ARS report) CJIC also confirmed an address of 550 N. Fair Oaks #15 for the driver Sergio Lopez-Jimenez. Additionally, the vehicle involved in the collision returned to Sergio Jimenez with an address of 550 N. Fair Oaks #15, with a release of liability and transfer date of 07/16/12.

PREPARER'S NAME AND I.D. NUMBER PHILLIPS, AVA 14457	DATE 9/10/2012	REVIEWER'S NAME	DATE
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STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL
CHP 556 (Rev 7-90) OPI 042

Date of Incident/Occurrence 9/8/2012	Time(2400) 2335	NCIC NUMBER 4316	OFFICER ID # 14457	NUMBER CR12-7573
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V1 Cadillac STS Lic# 2XXG383, Driver #1's vehicle, a maroon Cadillac STS CA lic #2XXG383, was located facing westbound along the north curb line of Duane near the intersection of Worley. V1 sustained total front end damage. The driver's side airbag deployed during the collision. There was a large amount of blood throughout the passenger compartment. (See CSI Isaacs Photographs)

V2 Chevy Suburban Lic# 4NMU752, was found parked on the street, facing westbound along the north curb of Duane. V2 sustained moderate to major damage to the front driver's side wheel assembly, fender and bumper.

V3 Dodge Durango Lic#6CGK079, was found facing southbound on the front porch area of 484 E. Duane. V3 was intruding slightly into the front door and garage area of the residence. The Durango sustained moderate to major front and rear end damage.

PHYSICAL EVIDENCE:

Skid marks, tracks and gouges, debris, and vehicle parts were located throughout the roadway at the scene of the collision. Evidence was documented by photograph and total station.

I observed a bottle of Listerine mouthwash underneath the front passenger seat of V1. I also observed an empty bottle of Skyy vodka in the trunk of V1. I left the items in place and showed them to CSI Isaacs. CSI Isaacs photographed and collected the items as evidence.

OTHER FACTUAL INFORMATION:

D1 was unlicensed, in violation of 12500(a) CVC. D1's criminal history showed a prior D.U.I. arrest and conviction in 2011, Docket PA 43460-B1157499. D1 has a DMV license number of X3746020. D1 is on court probation for D.U.I. through 12-18-14.

STATEMENTS:

Party-1 (Lopez-Jimenez, Sergio): D1 was contacted while in the driver's seat of his vehicle by K9 Pistor. Upon initial contact, D1 was unconscious. As K9 Pistor checked D1's vital signs, D1 became alert and began talking to him. D1 claimed he had not been driving or drinking alcohol prior to the collision. (See K9 Pistor's DUI report for further details).

Witness Felicia Sosa (408-680-4771): On 09/10/12, I contacted Witness Felicia Sosa (02/23/87) in front of her residence. Sosa lives at 553 E. Duane. This residence is directly in front of where the collision occurred. Sosa related that the evening of the collision she entered the garage just prior to the collision. After closing the garage door she heard the sound of an engine revving and tires "squealing" followed by a big crashing sound. She went outside and saw that V1 had collided with the Dodge Durango, which had been parked in front of her house. V1 was smoking and the driver was attempting to get out of the vehicle. She said he was unable to exit the vehicle

PREPARER'S NAME AND I.D. NUMBER PHILLIPS, AVA 14457	DATE 9/10/2012	REVIEWER'S NAME	DATE
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STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL

CHP 556 (Rev 7-90) OPI 042

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91 due to his injuries and bystanders were telling him to not to move because he was seriously hurt.
92 The driver spoke in Spanish, stating that he didn't know what had happened.

93
94 The police arrived on scene shortly after the collision and contacted the driver, who was still
95 seated in the driver's seat.

96
97 Sosa stated prior to entering the garage, the roadway was quiet with no other vehicles speeding or
98 driving erratically. She did not see or hear any other vehicles on the roadway at the time of the
99 collision or following the incident.

100
101 **Witness (Garcia, Miguel):** I spoke with Miguel on 09/10/12 at his residence, 558 E. Duane.
102 Miguel stated he was sitting at the kitchen table eating at the time of the collision. He heard a
103 loud crashing impact, followed by a secondary thudding impact. He went outside and saw
104 bystanders assisting D1 who was in the driver's seat of V1. Miguel looked over and saw the
105 Dodge Durango crashed into the front of 484 E. Duane. He ran over to the Durango to check on
106 the occupants and render aid. He found the vehicle unoccupied.

107
108 Miguel did not see or hear the sound of any other vehicles at the time of the collision.

109
110 **Other (Huerta Jr., Everardo):** I spoke with Everardo on 09/10/12 at his residence at 558 E.
111 Duane. Everardo stated his mother is the owner of V2, Chevy Suburban Lic# 4NMM752.
112 Everardo is normally the only person who drives the vehicle and he uses the vehicle occasionally,
113 on average once a month. Everardo parked the vehicle along the north curb of Duane earlier in
114 the week. The vehicle was parked in the place he had left it on the north curb of Duane at the
115 time of the collision. There was no previous damage to the vehicle prior to the collision.
116 Everardo was not home at the time of the collision.

117
118 **Witness (Hernandez, John):** I spoke with Hernandez on 09/10/12 at his residence at 555 E.
119 Duane. Hernandez stated he was in his living room at the time of the collision. He heard the loud
120 sound of an engine from a vehicle traveling westbound. It sounded as if the driver had "floored
121 it", or stepped on the accelerator all the way to the floor. He heard the first small sound of the
122 impact with the suburban, immediately followed by the loud impact into the Durango followed by
123 the impact of the Durango into the house. Hernandez immediately exited his residence; the
124 maroon vehicle was "smoking". Hernandez went to check on the driver sitting in the driver's seat.
125 D1 remained in the Driver's seat until police officers arrived a short time later.

126
127 Hernandez did not believe the driver of the vehicle had hit his brakes prior to impact, explaining
128 that the engine revving sound directly preceded the impact. There was no apparent sound of
129 braking and the vehicle may have been accelerating at the time of impact. Hernandez did not see
130 or hear any other vehicles on the roadway before or after the collision.

PREPARER'S NAME AND I.D. NUMBER PHILLIPS, AVA 14457	DATE 9/10/2012	REVIEWER'S NAME	DATE
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STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL
CHP 556 (Rev 7-90) OPI 042

Date of Incident/Occurrence 9/8/2012	Time(2400) 2335	NCIC NUMBER 4316	OFFICER ID # 14457	NUMBER CR12-7573
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OPINIONS AND CONCLUSIONS

SUMMARY: V1 was traveling westbound on Duane approaching Worley. D1 depressed the accelerator causing the vehicle engine to rev and the vehicle to increase in speed. V1 was traveling at a high rate of speed and failed to negotiate the curve in the roadway. V1 sideswiped V2 (parked). V1 then struck the rear end of V3 (parked). The impact from V1 caused V3 to travel across the westbound and eastbound lanes of Duane at which point it left the roadway. V3 drove over the front lawn and landscaping of 484 E. Duane, colliding into the front door and garage of the residence.

DUI NARRATIVE:

D1 was found to be Driving while Under the Influence. D1 was issued a citation for the violation. Refer to K9 Pistor's D.U.I. report.

AREA OF IMPACT:

AOI #1: AOI #1 was the initial impact of V1 into V2. AOI #1 was located 70 feet east of the east curb prolongation of Worley and 5 feet south of the north curb line of Duane.

AOI #2: AOI #2 was the impact of V1 into V3. AOI#2 was 40 feet east of the east curb prolongation of Worley and 3 feet south of the north curb line of Duane.

AOI #3: AOI #3 was the impact of V3 into the south curb of Duane. AOI#3 was 25 feet west of the west curb prolongation of Worley. The AOI was on the south curb of Duane.

AOI #4: AOI #4 was the impact of V3 into the residence located at 484 E. Duane. AOI#4 was 57 feet west of the west curb of Worley and 32 feet south of the south curb of Duane.

CAUSE: D1 caused the collision by Driving while under the influence. D1 also made an unsafe turning movement, veering from the roadway while traveling at an unsafe speed. Both of these are associated factors to the collision.

RECOMMENDATIONS

I recommend that charges be filed against D1, Sergio Lopez-Jimenez for Driving while Under the Influence while on probation for DUI and for being an unlicensed driver. Lopez-Jimenez was cited on Citation T447359 by PSO Werner.

PREPARER'S NAME AND I.D. NUMBER PHILLIPS, AVA 14457	DATE 9/10/2012	REVIEWER'S NAME	DATE
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FACTS:

NOTIFICATION: On 09/8/12, at approximately 2336 hours, Sunnyvale Department of Public Safety Personnel responded to the area of Duane and Worley on a report of a major injury traffic collision. Upon arrival, Sunnyvale Police and Fire units found a solo vehicle collision with major front end damage. The driver appeared to have severe injuries. The vehicle had been traveling westbound on Duane at a high rate of speed. The vehicle sideswiped a parked Chevy Suburban before rear ending a parked Dodge Durango. The force of the impact sent the Durango across westbound and eastbound lanes of traffic, over a curb, through a front yard, and into the residence located at 484 E. Duane.

Initial arriving police units contacted the driver, who was seated in the driver's seat. Upon contacting the subject, officers noticed an odor of an alcoholic beverage coming from the driver's breath and person. The driver was transported to Stanford Hospital.

Due to the severity of the collision, police personnel requested the Major Accident Investigation Team (M.A.I.T.) respond to investigate the collision. As a part of M.A.I.T., I responded from out of the city and arrived on scene at approximately 0120 hours. All times, speeds and measurements in this investigation are approximate. Measurements were taken by total station and Lidar Laser, except where otherwise indicated.

***Note:** CSI Isaacs and CSI Cortese's supplemental reports are located in the ARS system.

SCENE: At the scene of this collision, Duane Avenue is an eastbound/westbound residential roadway consisting of 2 lanes. The eastbound and westbound lanes are delineated by a double yellow painted divider. The roadway is curved and level. The surface is composed primarily of asphalt. Worley Avenue is a northbound/southbound residential roadway consisting of 2 lanes. Worley terminates at Duane creating a T intersection. Traffic traveling northbound on Worley is controlled by a stop sign at Duane. Traffic traveling eastbound and westbound on Duane is uncontrolled. The roadway is relatively straight and level. The surface is composed primarily of asphalt. Refer to the Factual Diagram for further details.

At the time of the collision the roadway was dry and traffic was light. It was dark out and the street was illuminated by street lamps.

PARTIES:

Driver #1 (Lopez-Jimenez) was initially located by K9 Pistor sitting in the driver's seat of his vehicle. He had a large laceration to his forehead and was bleeding heavily from his wound. CSI Isaacs and PSO Werner identified Lopez-Jimenez by a Mexican ID card found inside his wallet. Lopez-Jimenez (9/8/87) was matched in CJIC via his tattoos with a PFN of EBI063. (refer to CSI Isaacs supplemental ARS report) CJIC also confirmed an address of 550 N. Fair Oaks #15 for the driver Sergio Lopez-Jimenez. Additionally, the vehicle involved in the collision returned to Sergio Jimenez with an address of 550 N. Fair Oaks #15, with a release of liability and transfer date of 07/16/12.

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STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL

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V1 Cadillac STS Lic# 2XXG383, Driver #1's vehicle, a maroon Cadillac STS CA lic #2XXG383, was located facing westbound along the north curb line of Duane near the intersection of Worley. V1 sustained total front end damage. The driver's side airbag deployed during the collision. There was a large amount of blood throughout the passenger compartment. (See CSI Isaacs Photographs)

V2 Chevy Suburban Lic# 4NMU752, was found parked on the street, facing westbound along the north curb of Duane. V2 sustained moderate to major damage to the front driver's side wheel assembly, fender and bumper.

V3 Dodge Durango Lic#6CGK079, was found facing southbound on the front porch area of 484 E. Duane. V3 was intruding slightly into the front door and garage area of the residence. The Durango sustained moderate to major front and rear end damage.

PHYSICAL EVIDENCE:

Skid marks, tracks and gouges, debris, and vehicle parts were located throughout the roadway at the scene of the collision. Evidence was documented by photograph and total station.

I observed a bottle of Listerine mouthwash underneath the front passenger seat of V1. I also observed an empty bottle of Skyy vodka in the trunk of V1. I left the items in place and showed them to CSI Isaacs. CSI Isaacs photographed and collected the items as evidence.

OTHER FACTUAL INFORMATION:

D1 was unlicensed, in violation of 12500(a) CVC. D1's criminal history showed a prior D.U.I. arrest and conviction in 2011, Docket PA 43460-B1157499. D1 has a DMV license number of X3746020. D1 is on court probation for D.U.I. through 12-18-14.

STATEMENTS:

Party-1 (Lopez-Jimenez, Sergio): D1 was contacted while in the driver's seat of his vehicle by K9 Pistor. Upon initial contact, D1 was unconscious. As K9 Pistor checked D1's vital signs, D1 became alert and began talking to him. D1 claimed he had not been driving or drinking alcohol prior to the collision. (See K9 Pistor's DUI report for further details).

Witness Felicia Sosa (408-680-4771): On 09/10/12, I contacted Witness Felicia Sosa (02/23/87) in front of her residence. Sosa lives at 553 E. Duane. This residence is directly in front of where the collision occurred. Sosa related that the evening of the collision she entered the garage just prior to the collision. After closing the garage door she heard the sound of an engine revving and tires "squealing" followed by a big crashing sound. She went outside and saw that V1 had collided with the Dodge Durango, which had been parked in front of her house. V1 was smoking and the driver was attempting to get out of the vehicle. She said he was unable to exit the vehicle

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91 due to his injuries and bystanders were telling him to not to move because he was seriously hurt.
92 The driver spoke in Spanish, stating that he didn't know what had happened.

93
94 The police arrived on scene shortly after the collision and contacted the driver, who was still
95 seated in the driver's seat.

96
97 Sosa stated prior to entering the garage, the roadway was quiet with no other vehicles speeding or
98 driving erratically. She did not see or hear any other vehicles on the roadway at the time of the
99 collision or following the incident.

100
101 **Witness (Garcia, Miguel):** I spoke with Miguel on 09/10/12 at his residence, 558 E. Duane.
102 Miguel stated he was sitting at the kitchen table eating at the time of the collision. He heard a
103 loud crashing impact, followed by a secondary thudding impact. He went outside and saw
104 bystanders assisting D1 who was in the driver's seat of V1. Miguel looked over and saw the
105 Dodge Durango crashed into the front of 484 E. Duane. He ran over to the Durango to check on
106 the occupants and render aid. He found the vehicle unoccupied.

107
108 Miguel did not see or hear the sound of any other vehicles at the time of the collision.

109
110 **Other (Huerta Jr., Everardo):** I spoke with Everardo on 09/10/12 at his residence at 558 E.
111 Duane. Everardo stated his mother is the owner of V2, Chevy Suburban Lic# 4NMU752.
112 Everardo is normally the only person who drives the vehicle and he uses the vehicle occasionally,
113 on average once a month. Everardo parked the vehicle along the north curb of Duane earlier in
114 the week. The vehicle was parked in the place he had left it on the north curb of Duane at the
115 time of the collision. There was no previous damage to the vehicle prior to the collision.
116 Everardo was not home at the time of the collision.

117
118 **Witness (Hernandez, John):** I spoke with Hernandez on 09/10/12 at his residence at 555 E.
119 Duane. Hernandez stated he was in his living room at the time of the collision. He heard the loud
120 sound of an engine from a vehicle traveling westbound. It sounded as if the driver had "floored
121 it", or stepped on the accelerator all the way to the floor. He heard the first small sound of the
122 impact with the suburban, immediately followed by the loud impact into the Durango followed by
123 the impact of the Durango into the house. Hernandez immediately exited his residence; the
124 maroon vehicle was "smoking". Hernandez went to check on the driver sitting in the driver's seat.
125 D1 remained in the Driver's seat until police officers arrived a short time later.

126
127 Hernandez did not believe the driver of the vehicle had hit his brakes prior to impact, explaining
128 that the engine revving sound directly preceded the impact. There was no apparent sound of
129 braking and the vehicle may have been accelerating at the time of impact. Hernandez did not see
130 or hear any other vehicles on the roadway before or after the collision.

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OPINIONS AND CONCLUSIONS

SUMMARY: V1 was traveling westbound on Duane approaching Worley. D1 depressed the accelerator causing the vehicle engine to rev and the vehicle to increase in speed. V1 was traveling at a high rate of speed and failed to negotiate the curve in the roadway. V1 sideswiped V2 (parked). V1 then struck the rear end of V3 (parked). The impact from V1 caused V3 to travel across the westbound and eastbound lanes of Duane at which point it left the roadway. V3 drove over the front lawn and landscaping of 484 E. Duane, colliding into the front door and garage of the residence.

DUI NARRATIVE:

D1 was found to be Driving while Under the Influence. D1 was issued a citation for the violation. Refer to K9 Pistor's D.U.I. report.

AREA OF IMPACT:

AOI #1: AOI #1 was the initial impact of V1 into V2. AOI #1 was located 70 feet east of the east curb prolongation of Worley and 5 feet south of the north curb line of Duane.

AOI #2: AOI #2 was the impact of V1 into V3. AOI#2 was 40 feet east of the east curb prolongation of Worley and 3 feet south of the north curb line of Duane.

AOI #3: AOI #3 was the impact of V3 into the south curb of Duane. AOI#3 was 25 feet west of the west curb prolongation of Worley. The AOI was on the south curb of Duane.

AOI #4: AOI #4 was the impact of V3 into the residence located at 484 E. Duane. AOI#4 was 57 feet west of the west curb of Worley and 32 feet south of the south curb of Duane.

CAUSE: D1 caused the collision by Driving while under the influence. D1 also made an unsafe turning movement, veering from the roadway while traveling at an unsafe speed. Both of these are associated factors to the collision.

RECOMMENDATIONS

I recommend that charges be filed against D1, Sergio Lopez-Jimenez for Driving while Under the Influence while on probation for DUI and for being an unlicensed driver. Lopez-Jimenez was cited on Citation T447359 by PSO Werner.

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