



# Office of the District Attorney Stanislaus County

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## PRESS RELEASE

### For Immediate Release

Date: March 29, 2019  
Re: Samuel Miramontes  
Felony DUI conviction and prison term

### For More Information Contact:

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**Modesto, California** - Stanislaus County District Attorney Birgit Fladager announced today that on March 15, 2019 Samuel Miramontes, age 54, of San Jose, California, was convicted of felony driving under the influence causing great bodily injury and sentenced to state prison. Deputy District Attorney Patrick Hogan prosecuted the case on behalf of the People.

On February 14, 2016, at approximately 11:00 p.m., California Highway Patrol officers were dispatched to northbound Interstate 5 in the area of Indian Creek Road, north of Patterson for a reported vehicle collision. Law enforcement and emergency personnel arrived within minutes and located two vehicles with major damage.

One vehicle was occupied by five longtime friends who were driving back home after spending the day at Pismo Beach. The driver suffered devastating injuries and had to be airlifted to the hospital. He suffered major head trauma that has since left him permanently paralyzed. Three of his four passengers also sustained injuries, including one who would later lose the full use of one of his arms.

Miramontes was identified as the driver responsible for the crash. An investigation by the California Highway Patrol showed that Miramontes was driving home from a barbeque where he had been drinking. He apparently fell asleep at the wheel, crossed the I-5 median directly into oncoming traffic and hit the other car driving in the opposite direction. A chemical test showed his blood alcohol level to be .11%.

On March 15<sup>th</sup>, as part of plea agreement, Miramontes, who had no prior criminal record, pled to felony driving under the influence while having a blood alcohol content over .08% and admitted an enhancement for causing great bodily injury for causing his victim to suffer a major brain injury leading to paralysis.

At the time of his sentencing, Miramontes apologized for his actions, telling the court, "If there was any way I could possibly remove all of the injuries that every single one of the victims encountered, every scratch, every bruise, I would gladly take them all myself." He added, "My dad taught me to be respectful of others, to always obey the law, and know right from wrong, and I've always tried my best to do so. Unfortunately, in this case, I failed."

Judge Thomas Zeff sentenced Miramontes to serve the agreed upon term of seven years in state prison.

This conviction counts as a “strike” under California’s “Three Strikes” law that may be used to enhance a sentence for any future felony convictions. This is also a conviction for a violent felony meaning Miramontes must serve at least 85% of his sentence in actual prison custody.

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