

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE OF THE STATE OF CALIFORNIA  
v.  
**TEAUNTE BAILEY**  
Also Known As TEAUNTE DWAYNE BAILEY  
Defendant(s)

NO. 21-CR-003247  
FIRST AMENDED COMPLAINT  
PFN:BJB203 CEN:1368370

CLERK OF THE SUPERIOR COURT  
/s/ Marie Mui

E-FILED  
ALAMEDA COUNTY  
3/11/2021

The undersigned, being sworn says, on information and belief, that TEAUNTE BAILEY did, in the County of Alameda, on or about **March 09, 2021**, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder PAK CHUNG HO, a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**SPECIAL CIRCUMSTANCE - FELONY MURDER IN THE COURSE OF ROBBERY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the murder of PAK CHUNG HO was committed by TEAUNTE BAILEY while the said defendant was/were engaged in the commission of the crime of ROBBERY, within the meaning of Penal Code section 190.2(a)(17)(A).

**SPECIAL ALLEGATION: FELONY MURDER AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged within the meaning of Penal Code section 189(e)(1) that TEAUNTE BAILEY was a participant in the perpetration and attempted perpetration of the crime of ROBBERY that resulted in the death of PAK CHUNG HO, and that the said defendant was the actual killer.

**SPECIAL ALLEGATION-ON FELONY PROBATION AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed the above offense while on felony probation within the meaning of Penal Code section 1203(k).

**SPECIAL ALLEGATION-ON PAROLE-"SERIOUS OR VIOLENT FELONY" AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense while on state prison parole pursuant to Penal Code section 3000, following a term of imprisonment imposed for having committed a serious or violent felony, to wit: RESIDENTIAL BURGLARY within the meaning of Penal Code section 1203.085(a).

**SPECIAL ALLEGATION-NEW OFFENSE-"SERIOUS OR VIOLENT" FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense, a serious or violent felony, while on state prison parole pursuant to Penal Code Section 3000, within the meaning of Penal Code Section 1203.085(b).

**SPECIAL ALLEGATION-OFFENSE WHILE ON BAIL OR O.R. AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that at the time of the commission of the above offense, the said TEAUNTE BAILEY was released from custody on bail or Own Recognizance in SAN FRANCISCO Case Number 20004446 within the meaning of Penal Code section 12022.1.

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**SECOND COUNT**

The undersigned further deposes and says on information and belief, that said TEAUNTE BAILEY did, in the County of Alameda, on or about **March 09, 2021**, commit a FELONY, to wit: SECOND DEGREE ROBBERY, a violation of section 211 of the PENAL CODE of California, in that said defendant(s) did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of PAK CHUNG HO.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

**SPECIAL ALLEGATION- GBI - BRAIN INJURY, PARALYSIS AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged pursuant to Penal Code section 12022.7(b) that in the commission of the above offense the said TEAUNTE BAILEY personally inflicted great bodily injury upon PAK CHUNG HO, not an accomplice, and that said injury caused PAK CHUNG HO to become comatose due to brain injury and to suffer paralysis.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)." "NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

**SPECIAL ALLEGATION- GBI - ELDERLY VICTIM AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged pursuant to Penal Code section 12022.7(c) that in the commission of the above offense the said TEAUNTE BAILEY personally inflicted great bodily injury upon PAK CHUNG HO, not an accomplice, who was 70 years of age and older.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)." "NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

**SPECIAL ALLEGATION-ON FELONY PROBATION AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed the above offense while on felony probation within the meaning of Penal Code section 1203(k).

**SPECIAL ALLEGATION-ON PAROLE-"SERIOUS OR VIOLENT FELONY" AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense while on state prison parole pursuant to Penal Code section 3000, following a term of imprisonment imposed for having committed a serious or violent felony, to wit: RESIDENTIAL BURGLARY within the meaning of Penal Code section 1203.085(a).

**SPECIAL ALLEGATION-NEW OFFENSE-"SERIOUS OR VIOLENT" FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense, a serious or violent felony, while on state prison parole pursuant to Penal Code Section 3000, within the meaning of Penal Code Section 1203.085(b).

**SPECIAL ALLEGATION-OFFENSE WHILE ON BAIL OR O.R. AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that at the time of the commission of the above offense, the said TEAUNTE BAILEY was released from custody on bail or Own Recognizance in SAN FRANCISCO Case Number 20004446 within the meaning of Penal Code section 12022.1.

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**THIRD COUNT**

The undersigned further deposes and says on information and belief, that said TEAUNTE BAILEY did, in the County of Alameda, on or about **March 09, 2021**, commit a FELONY, to wit: EVADING AN OFFICER, WILLFUL DISREGARD, a violation of section 2800.2(a) of the VEHICLE CODE of California, in that said defendant(s) did willfully and unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a pursuing peace officer's motor vehicle while all of the following conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front and the defendant saw and reasonably should have seen the lamp, the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the peace officer's motor vehicle was distinctively marked, the peace officer's motor vehicle was operated by a peace officer. It is further alleged that the defendant drove with a willful wanton disregard for the safety of persons and property.

**SPECIAL ALLEGATION-ON PAROLE-"SERIOUS OR VIOLENT FELONY" AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense while on state prison parole pursuant to Penal Code section 3000, following a term of imprisonment imposed for having committed a serious or violent felony, to wit: RESIDENTIAL BURGLARY within the meaning of Penal Code section 1203.085(a).

**SPECIAL ALLEGATION-OFFENSE WHILE ON BAIL OR O.R. AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that at the time of the commission of the above offense, the said TEAUNTE BAILEY was released from custody on bail or Own Recognizance in SAN FRANCISCO Case Number 20004446 within the meaning of Penal Code section 12022.1.

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY AS TO  
DEFENDANT TEAUNTE BAILEY**

The defendant is hereby notified that the above felony offense is not governed by Penal Code section 1170(h) and that an executed sentence for the offenses herein charged shall be served in the state prison pursuant to Penal Code section 1170.1(a).

**FOURTH COUNT**

The undersigned further deposes and says on information and belief, that said TEAUNTE BAILEY did, in the County of Alameda, on or about **February 19, 2021**, commit a FELONY, to wit: 1ST DEGREE RESIDENTIAL ROBBERY, a violation of section 211 of the PENAL CODE of California, in that said defendant(s) did unlawfully and by means of force and fear take personal property from the person, possession and immediate presence of ZHI CHENG SHI and said offense was perpetrated in an inhabited dwelling house, trailer coach and inhabited portion of a building.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**SPECIAL ALLEGATION-ON FELONY PROBATION AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed the above offense while on felony probation within the meaning of Penal Code section 1203(k).

**SPECIAL ALLEGATION-ON PAROLE-"SERIOUS OR VIOLENT FELONY" AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense while on state prison parole pursuant to Penal Code section 3000, following a term of imprisonment imposed for having committed a serious or violent felony, to wit: RESIDENTIAL BURGLARY within the meaning of Penal Code section 1203.085(a).

**SPECIAL ALLEGATION-NEW OFFENSE-"SERIOUS OR VIOLENT" FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense, a serious or violent felony, while on state prison parole pursuant to Penal Code Section 3000, within the meaning of Penal Code Section 1203.085(b).

**SPECIAL ALLEGATION-OFFENSE WHILE ON BAIL OR O.R. AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that at the time of the commission of the above offense, the said TEAUNTE BAILEY was released from custody on bail or Own Recognizance in SAN FRANCISCO Case Number 20004446 within the meaning of Penal Code section 12022.1.

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**FIFTH COUNT**

The undersigned further deposes and says on information and belief, that said TEAUNTE BAILEY did, in the County of Alameda, on or about **February 19, 2021**, commit a FELONY, to wit: ASSAULT WITH FORCE LIKELY TO PRODUCE GREAT BODILY INJURY, a violation of section 245(a)(4) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully commit an assault on ZHI CHENG SHI by means of force likely to produce great bodily injury.

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**SPECIAL ALLEGATION-ON PAROLE-"SERIOUS OR VIOLENT FELONY" AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the said TEAUNTE BAILEY committed said offense while on state prison parole pursuant to Penal Code section 3000, following a term of imprisonment imposed for having committed a serious or violent felony, to wit: RESIDENTIAL BURGLARY within the meaning of Penal Code section 1203.085(a).

**SPECIAL ALLEGATION-OFFENSE WHILE ON BAIL OR O.R. AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that at the time of the commission of the above offense, the said TEAUNTE BAILEY was released from custody on bail or Own Recognizance in SAN FRANCISCO Case Number 20004446 within the meaning of Penal Code section 12022.1.

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY AS TO  
DEFENDANT TEAUNTE BAILEY**

The defendant is hereby notified that the above felony offense is not governed by Penal Code section 1170(h) and that an executed sentence for the offenses herein charged shall be served in the state prison pursuant to Penal Code section 1170.1(a).

**FIRST PRIOR CONVICTION AS TO  
DEFENDANT TEAUNTE BAILEY**

The undersigned further alleges that before the commission of the offense specified above, said defendant TEAUNTE BAILEY, on or about October 23, 2013, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: FIRST DEGREE RESIDENTIAL BURGLARY, a violation of section 459 of the PENAL CODE of California, and received a Probation term therefor.

**SPECIAL ALLEGATION-3 STRIKES (TWO OR MORE PRIORS) AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged as to all charged counts that, having suffered the above prior conviction, defendant must be sentenced pursuant to Penal Code sections 1170.12(c)(2) and 667(e)(2). It is further alleged that defendant is ineligible for probation pursuant to Penal Code sections 1170.12(a) and 667(c).

**SPECIAL ALLEGATION-CAL PRIOR-SERIOUS FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the above prior conviction is within the purview of Penal Code section 667(a)(1).

**NOTICE PROVISION-RE STATE PRISON - VIOLENT/SERIOUS FELONY PRIOR AS TO  
DEFENDANT TEAUNTE BAILEY**

The defendant is hereby notified that the above felony conviction is for a violent felony within the meaning of Penal Code section 667.5(c) and a serious felony within the meaning of Penal Code section 1192.7(c). Accordingly, an executed sentence for the present felony charges shall be served in the state prison pursuant to Penal Code section 1170(h)(3).

**SECOND PRIOR CONVICTION AS TO  
DEFENDANT TEAUNTE BAILEY**

The undersigned further alleges that before the commission of the offense specified above, said defendant TEAUNTE BAILEY, on or about December 12, 2012, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: FIRST DEGREE RESIDENTIAL BURGLARY, a violation of section 459 of the PENAL CODE of California, and received a Prison term therefor.

**SPECIAL ALLEGATION-3 STRIKES (TWO OR MORE PRIORS) AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged as to all charged counts that, having suffered the above prior conviction, defendant must be sentenced pursuant to Penal Code sections 1170.12(c)(2) and 667(e)(2). It is further alleged that defendant is ineligible for probation pursuant to Penal Code sections 1170.12(a) and 667(c).

**SPECIAL ALLEGATION-CAL PRIOR-SERIOUS FELONY AS TO  
DEFENDANT TEAUNTE BAILEY**

It is further alleged that the above prior conviction is within the purview of Penal Code section 667(a)(1).

**NOTICE PROVISION-RE STATE PRISON - VIOLENT/SERIOUS FELONY PRIOR AS TO  
DEFENDANT TEAUNTE BAILEY**

The defendant is hereby notified that the above felony conviction is for a violent felony within the meaning of Penal Code section 667.5(c) and a serious felony within the meaning of Penal Code section 1192.7(c). Accordingly, an executed sentence for the present felony charges shall be served in the state prison pursuant to Penal Code section 1170(h)(3).

**THIRD PRIOR CONVICTION AS TO  
DEFENDANT TEAUNTE BAILEY**

The undersigned further alleges that before the commission of the offense specified above, said defendant TEAUNTE BAILEY, on or about August 03, 2020, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: ASSAULT WITH FORCE LIKELY TO PRODUCE GREAT BODILY INJURY, a violation of section 245(a)(4) of the PENAL CODE of California, and received a Probation term therefor.

**FOURTH PRIOR CONVICTION AS TO  
DEFENDANT TEAUNTE BAILEY**

The undersigned further alleges that before the commission of the offense specified above, said defendant TEAUNTE BAILEY, on or about May 01, 2019, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: RESISTING EXECUTIVE OFFICER, a violation of section 69 of the PENAL CODE of California, and received a Probation term therefor.

**FIFTH PRIOR CONVICTION AS TO  
DEFENDANT TEAUNTE BAILEY**

The undersigned further alleges that before the commission of the offense specified above, said defendant TEAUNTE BAILEY, on or about September 20, 2012, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: SECOND DEGREE BURGLARY, a violation of section 459 of the PENAL CODE of California, and received a Prison term therefor.

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Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Subscribed and sworn to before me,  
Thursday, March 11, 2021

This document was filed electronically in  
compliance with Penal Code section 959.1



MELISSA DOOHER  
DEPUTY DISTRICT ATTORNEY  
State Bar #198206  
Alameda County, California

OPD 21-010947; OPD 21-011042; OPD 21-008057