



BUTTE COUNTY DISTRICT ATTORNEY



MICHAEL L. RAMSEY
District Attorney

MARK MURPHY
Chief Deputy District Attorney

JASON WINES
Chief Investigator

PRESS RELEASE

For Immediate Release
June 3, 2022

Oroville Man Sentenced to 12 Years in State Prison on Plea to Drive-by Shooting

An Oroville man was in court today on the eve of a jury trial for his participation in a 2020 drive-by shooting that occurred at a Thermalito area home.

Johnny Thao, 27, of Oroville, appeared in Butte County Superior Court to prepare for his jury trial this Monday when he changed his previous not guilty plea and plead guilty to charges of assault with a semi-automatic firearm. A part of his plea, he agreed to a stipulated 12-year state prison sentence.

District Attorney Mike Ramsey said the charges stemmed from a November 7, 2020 drive-by shooting at a Mountain Vista Drive home in the Thermalito area of Oroville. A 34-year old Sacramento man who was visiting the home was struck in the back by one of rounds fired by Thao.

Ramsey said the victim and several other siblings from the Sacramento area had gathered at their mother's house on Mountain Vista Drive to celebrate a family birthday. While several of his adult brothers socialized with the victim on the front porch, they noticed a white Honda Accord, with several unknown subjects inside, drive slowly by the house multiple times. At 6:19 p.m., as the men were still outside the house, the Honda sped northbound toward the house. As the Honda passed the house, seven shots were fired from the vehicle toward the house. The men scattered back into the house and none saw who in the vehicle fired the shots. The Honda sped away into the night.

Ramsey said one shot hit the 34-year-old victim in the back and exited through his chest. However, because of the extensive work of the initial Butte County Sheriff's deputies on scene, the paramedics and the doctors at Enloe Hospital and UC Medical Center, the man survived.

According to Ramsey, three of the shots hit the house, with two penetrating the exterior wall and entering the house. Crime scene investigators found both bullets in a bedroom, near where several children had just been sitting at the time of the shooting. "It was an absolute miracle that nobody was killed and only one person was injured in this incident. This could have been a senseless tragedy," according to Ramsey.

Ramsey said the additional shots hit vehicles parked in front of the residence.

According to Ramsey, bullets recovered from the bedroom and shell casings found in the roadway in front of the residence were sent to the California Department of Justice Criminalistics

Laboratory for analysis. At the lab, ballistics experts were able to determine the caliber and type of firearm used in the shooting and provide investigators with a list of possible manufacturers of the firearm.

After Butte County Sheriff's detectives identified Thao as a possible suspect, a search warrant was served at his residence 12 days after the shooting. Thao was found to be in possession of a large amount of ammunition, including ammunition that matched the shell casings found on Mountain Vista Drive. Although the firearm used in the shooting was never found, detectives found magazines and a holster for a gun that was the same make and caliber as the gun believed to be used in the shooting. Also in a cell phone seized during the search, the detectives located videos of Thao shooting and cleaning a gun that was the same make and caliber of the gun believed to be used in the shooting.

Ramsey said the motive for the shooting was not known, but investigators believed the shooting was the result of mistaken identity. Evidence showed Thao to be a long-time member of an Oroville area criminal street gang. One of the victim's brothers, who had come to Oroville from out of the area for the birthday party, was believed to have been mistaken by Thao for a rival gang member and was the actual target of the drive-by shooting. Because of the gang nature of the case, Ramsey said the identities of the victim and his family members was not being released.

Thao was remanded from the courtroom to be transported to state prison. The judge also ordered that restitution for the medical expenses for the victim and for the damage to the home and vehicles be determined so that Thao can be ordered to pay.

