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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA CLARA

INDICTMENT

NO. 213441

"NUESTRA FAMILIA"  
SANTA CLARA COUNTY REGIMENT  
2010 - 2013

**FILED**

MAY 31 2013

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk  
Superior Court of CA County of Santa Clara  
BY DAVID R. WALKER DEPUTY

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

LARRY JAMES LUCERO ("CONEJO")  
ALBERTO JOSE LAREZ ("BIRD")  
MARTIN VASQUEZ MARTINEZ ("CYCS")  
ANGEL KIKO MARTINEZ ("YOUNG BUCK"/"YB")  
JOSEPH LUIS VEJAR ("FAT JOE")  
JOSEF RYAN OAKES ("JOE")  
RUBEN CRUZ  
LEONARD MARTIN RODRIGUEZ ("GORDO")  
ROBERT GEORGE PACHECO ("CREEPER")  
JOSE RICARDO GARCIA ("LARGO")  
JEFFERY MICHAEL OROZCO ("SOLDIER BOY")  
JOSEPH SALAZAR ("PAYASO"/"SILENT")  
JUAN CARRASCO ("RICO"/"JUANITO")  
ANGEL SOLOMON ESPINOZA ("BABY ANGEL")  
BRIAN CODY CHAVEZ ("CREEPER")  
BRANDON ROSS BRACAMONTE ("BOLO")  
JOSE LOUIS GARCIA ("LOONEY")  
MARIO MARTIN SORIA ("GREEN EYES")  
MATHILDE MARIO RAMOS ("DREAMER")  
ANTHONY ROSS CHAVEZ ("NIGHTMARE")  
TOODY BOBBY ZAMUDIO ("MONEY")  
MOSES JOSEPH RODRIGUEZ ("MO")  
ANDREW LUIS RODRIGUEZ ("TURTLE")  
ISAAC GUY MONTIEL ("TEMO"/ "RASCAL")  
HENRY BEJARANO ("SILENT")  
MARYANN BEJARANO (aka MARYANN LOPEZ)  
MANUEL PAUL MONTIEL ("TWEETY")  
ALFRED APAIZ ("DOPEY"/"CROW")  
FRANCISCO GUZMAN ("JUNEBUG")  
ALEX DANIEL BETTENCOURT ("SMOKEY")  
RICHARD TORRES ARTEAGA ("FLACO")  
EMILIANO FRANCISCO ONTIVEROS ("LUNATIC")  
EDMUND CARLOS DEJESUS ("EDMUND")  
CRISTIAN KANTUN  
JESUS TAPIA ACEVEDO ("CHUY")  
CHARLIE RIVERA  
ANDREA YVONNE MIRGOLI ("DREA")  
MARTHA FRANCES CASTRO  
MONICA RENEE OROZCO  
DAVID CHARLES MARQUARDT ("BOOTS")  
ALICIA MARIE MONTIEL  
MAURA RODRIGUEZ (aka MAURA HERNANDEZ)

PFN#CBU973  
PFN#ECE540  
PFN#DLX525  
PFN#DQO583  
PFN#ECE605  
PFN#ECE541  
PFN#ECG895  
PFN#CNP192  
PFN#DSK070  
PFN#BVO727  
PFN#DVW340  
PFN#DPV607  
PFN#DNL417  
PFN#DTI306  
PFN#DOA090  
PFN#EAR452  
PFN#DTN243  
PFN#DTK409  
PFN#DHX053  
PFN#DWQ702  
PFN#DUP873  
PFN#DUF137  
PFN#DSI804  
PFN#DSJ554  
PFN#CQA718  
PFN#DBO834  
PFN#DNQ303  
PFN#DSW687  
PFN#DUN665  
PFN#DPJ975  
PFN#DJD978  
PFN#DTC699  
PFN#DOL994  
PFN#ECG976  
PFN#DNR343  
PFN#DUA002  
PFN#DQJ603  
PFN#DUE453  
PFN#DMG033  
PFN#DUJ515  
PFN#DLH956  
PFN#DUU970

SHEILA MARIE FRANCO  
NAOMI PEARL MARTINEZ  
JOHN PAGE  
ANTONIO GARCIA  
BRIAN KEVIN FAULTNER (aka BRIAN DUNN)  
VALERIE MARIE BERGARA

PFN#DUU933  
PFN#ECC514  
PFN#DQZ878  
PFN#EBY129  
PFN#CLN108  
PFN#DUB832

Defendants.

### COUNT 1

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LARRY JAMES LUCERO, ALBERTO JOSE LAREZ, MARTIN VASQUEZ MARTINEZ, ANGEL KIKO MARTINEZ, JOSEPH LUIS VEJAR, JOSEF RYAN OAKES, RUBEN CRUZ, LEONARD MARTIN RODRIGUEZ, ROBERT GEORGE PACHECO, JOSE RICARDO GARCIA, JEFFERY MICHAEL OROZCO, JOSEPH SALAZAR, JUAN CARRASCO, ANGEL SOLOMON ESPINOZA, BRIAN CODY CHAVEZ, BRANDON ROSS BRACAMONTE, JOSE LOUIS GARCIA, MATHILDE MARIO RAMOS, MARIO MARTIN SORIA, ANTHONY ROSS CHAVEZ, TOODY BOBBY ZAMUDIO, MOSES JOSEPH RODRIGUEZ, ANDREW LUIS RODRIGUEZ, ISAAC GUY MONTIEL, HENRY BEJARANO, MARYANN BEJARANO, MANUEL PAUL MONTIEL, ALFRED APAIZ, FRANCISCO GUZMAN, ALEX DANIEL BETTENCOURT, RICHARD TORRES ARTEAGA, EMILIANO FRANCISCO ONTIVEROS, EDMUND CARLOS DEJESUS, CRISTIAN KANTUN, JESUS TAPIA ACEVEDO, CHARLIE RIVERA, ANDREA YVONNE MIRGOLI, MARTHA FRANCES CASTRO, MONICA RENEE OROZCO, DAVID CHARLES MARQUARDT, ALICIA MARIE MONTIEL, MAURA RODRIGUEZ, SHEILA MARIE FRANCO, NAOMI PEARL MARTINEZ, JOHN PAGE, ANTONIO GARCIA, BRIAN KEVIN FAULTNER, AND VALERIE MARIE BERGARA of a felony, to wit: a violation of California Penal Code Section 186.22(a) (PARTICIPATING IN A CRIMINAL STREET GANG), in that on or about and between June 10, 2010, and May 30, 2013, in the County of Santa Clara, State of California, who did actively participate in a criminal street gang with knowledge that its members engage in and have engaged in a pattern of criminal gang activity, and did willfully promote, further, and assist in felonious criminal conduct by members of that gang.

## COUNT 2

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LARRY JAMES LUCERO, MARTIN VASQUEZ MARTINEZ, ANGEL KIKO MARTINEZ, JOSEPH LUIS VEJAR, LEONARD MARTIN RODRIGUEZ, ROBERT GEORGE PACHECO, JOSE RICARDO GARCIA, JEFFERY MICHAEL OROZCO, JOSEPH SALAZAR, JUAN CARRASCO, BRIAN CODY CHAVEZ, BRANDON ROSS BRACAMONTE, JOSE LOUIS GARCIA, MATHILDE MARIO RAMOS, MARIO MARTIN SORIA, TOODY BOBBY ZAMUDIO, ANDREW LUIS RODRIGUEZ, ISAAC GUY MONTIEL, HENRY BEJARANO, MARYANN BEJARANO, MANUEL PAUL MONTIEL, FRANCISCO GUZMAN, RICHARD TORRES ARTEAGA, EDMUND CARLOS DEJESUS, CRISTIAN KANTUN, JESUS TAPIA ACEVEDO, CHARLIE RIVERA, MARTHA FRANCES CASTRO, DAVID CHARLES MARQUARDT, ALICIA MARIE MONTIEL, SHEILA MARIE FRANCO, ANTONIO GARCIA, BRIAN KEVIN FAULTNER, AND VALERIE MARIE BERGARA of a felony, to wit: a violation of California Penal Code Section 182(a)(1) (CONSPIRACY BETWEEN DEFENDANT AND OTHERS), in that on or about and between June 10, 2010, and May 30, 2013, in the County of Santa Clara, State of California, who did conspire together and with others to commit a crime: a violation of Health and Safety Code Section 11379 (SALE OF METHAMPHETAMINE).

## OVERT ACT ONE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, the Nuestra Familia Organziation, prior to June 10, 2010, established active street regiments for the purpose of carrying out criminal activities for the gang, including selling controlled substances.

## OVERT ACT TWO

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member MARTIN VASQUEZ MARTINEZ on or after June 10, 2010, turned over control of the Santa Clara County Nuestra Familia street regiment to his brother, ANGEL KIKO MARTINEZ after MARTIN VASQUEZ MARTINEZ was taken into custody.

### OVERT ACT THREE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member Antonio "Sombra" Villagrana, on or after January 1, 2011, directed Luis "Wicked" Barrios to to run the Santa Clara County Nuestra Familia street regiment upon his release from Corcoran State Prison.

### OVERT ACT FOUR

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis "Wicked" Barrios, on or after July 1, 2011, arrived in Gilroy, California, to run the Santa Clara County Nuestra Familia street regiment.

### OVERT ACT FIVE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member LARRY JAMES LUCERO, on or about November 1, 2011, was released from state prison and took control of the Santa Clara County Nuestra Familia street regiment from Luis "Wicked" Barrios.

### OVERT ACT SIX

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, members of Nuestra Familia, including but not limited to Antonio "Sombra" Villagrana, LARRY JAMES LUCERO, MARTIN VASQUEZ MARTINEZ, AND ROBERT GEORGE PACHECO, on or about and between June 10, 2010 and November 30, 2013, sent written and verbal communications and directives to Santa Clara County regarding criminal activities of Nuestra Familia, including but not limited to the sale of controlled substances.

### OVERT ACT SEVEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, LARRY JAMES LUCERO, ALBERTO JOSE LAREZ, MARTIN VASQUEZ MARTINEZ, ANGEL KIKO MARTINEZ, JOSEPH LUIS VEJAR, JOSEF RYAN OAKES, RUBEN CRUZ, LEONARD MARTIN RODRIGUEZ, ROBERT GEORGE PACHECO, JOSE RICARDO GARCIA, JEFFERY MICHAEL OROZCO, JOSEPH SALAZAR,

JUAN CARRASCO, ANGEL SOLOMON ESPINOZA, BRIAN CODY CHAVEZ, BRANDON ROSS BRACAMONTE, JOSE LOUIS GARCIA, MATHILDE MARIO RAMOS, MARIO MARTIN SORIA, ANTHONY ROSS CHAVEZ, TOODY BOBBY ZAMUDIO, MOSES JOSEPH RODRIGUEZ, ANDREW LUIS RODRIGUEZ, ISAAC GUY MONTIEL, HENRY BEJARANO, MARYANN BEJARANO, MANUEL PAUL MONTIEL, ALFRED APAIZ, FRANCISCO GUZMAN, ALEX DANIEL BETTENCOURT, RICHARD TORRES ARTEAGA, EMILIANO FRANCISCO ONTIVEROS, EDMUND CARLOS DEJESUS, CRISTIAN KANTUN, JESUS TAPIA ACEVEDO, CHARLIE RIVERA, ANDREA YVONNE MIRGOLI, MARTHA FRANCES CASTRO, MONICA RENEE OROZCO, DAVID CHARLES MARQUARDT, ALICIA MARIE MONTIEL, MAURA RODRIGUEZ, SHEILA MARIE FRANCO, NAOMI PEARL MARTINEZ, JOHN PAGE, ANTONIO GARCIA, BRIAN KEVIN FAULTNER, AND VALERIE MARIE BERGARA, and others, on or about and between June 10, 2010 and May 30, 2013, sold methamphetamine in association with the Nuestra Familia street regiment.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LARRY JAMES LUCERO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MARTIN VASQUEZ MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JOSEPH LUIS VEJAR, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street

gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JOSE RICARDO GARCIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JEFFERY MICHAEL OROZCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JOSEPH SALAZAR, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JUAN CARRASCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN CODY CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JOSE LUIS GARCIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MATHILDE MARIO RAMOS, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MARIO MARTIN SORIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANDREW LUIS RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a



criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ISAAC GUY MONTIEL, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, HENRY BEJARANO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MARYANN BEJARANO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MANUEL PAUL MONTIEL, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, FRANCISCO GUZMAN, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, RICHARD TORRES ARTEAGA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, EDMUND CARLOS DEJESUS, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, CRISTIAN KANTUN, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JESUS TAPIA ACEVEDO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, CHARLIE RIVERA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, DAVID CHARLES MARQUARDT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ALICIA MARIE MONTIEL, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, SHEILA MARIE FRANCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANTONIO GARCIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN KEVIN FAULTNER, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, VALERIE MARIE BERGARA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 3**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LARRY JAMES LUCERO, MARTIN VASQUEZ MARTINEZ, ANGEL KIKO MARTINEZ, ROBERT GEORGE PACHECO, JEFFERY MICHAEL OROZCO AND TOODY BOBBY ZAMUDIO of a felony, to wit: a violation of California Penal Code Section 182(a)(1) (CONSPIRACY BETWEEN DEFENDANT AND OTHERS) in that on or about and between June 10, 2010, and May 30, 2013, in the County of Santa

Clara, State of California, who did conspire together and with to commit a crime: a violation of Health and Safety Code Section 11352 (SALE OF COCAINE).

#### OVERT ACT ONE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, the Nuestra Familia Organziation, prior to June 10, 2010, established active street regiments for the purpose of carrying out criminal activities for the gang, including selling controlled substances.

#### OVERT ACT TWO

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member MARTIN VASQUEZ MARTINEZ on or after June 10, 2010, turned over control of the Santa Clara County Nuestra Familia street regiment to his brother, ANGEL KIKO MARTINEZ after MARTIN VASQUEZ MARTINEZ was taken into custody.

#### OVERT ACT THREE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member Antonio "Sombra" Villagrana, on or after January 1, 2011, directed Luis "Wicked" Barrios to to run the Santa Clara County Nuestra Familia street regiment upon his release from Corcoran State Prison.

#### OVERT ACT FOUR

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis "Wicked" Barrios on or after July 1, 2011, arrived in Gilroy, California, to run the Santa Clara County Nuestra Familia street regiment.

#### OVERT ACT FIVE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Nuestra Familia member LARRY JAMES LUCERO, on or about November 1, 2011, was released from state prison and took control of the Santa Clara County Nuestra Familia street regiment from Luis "Wicked" Barrios.

### OVERT ACT SIX

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, members of Nuestra Familia, including but not limited to Antonio "Sombra" Villagrana, LARRY JAMES LUCERO, MARTIN VASQUEZ MARTINEZ, AND ROBERT GEORGE PACHECO, on or about and between June 10, 2010 and November 30, 2013, sent written and verbal communications and directives to Santa Clara County regarding criminal activities of Nuestra Familia, including but not limited to the sale of controlled substances.

### OVERT ACT SEVEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, LARRY JAMES LUCERO, MARTIN VASQUEZ MARTINEZ, ANGEL KIKO MARTINEZ, ROBERT GEORGE PACHECO, JEFFERY MICHAEL OROZCO AND TOODY BOBBY ZAMUDIO, and others, on or about and between June 10, 2010 and May 30, 2013, sold cocaine in association with the Nuestra Familia street regiment.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LARRY JAMES LUCERO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MARTIN VASQUEZ MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JEFFERY MICHAEL OROZCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 4**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO, ALFRED APAIZ, MARTHA FRANCES CASTRO, BRANDON ROSS BRACAMONTE, JOHN PAGE AND ANTHONY ROSS CHAVEZ of a felony, to wit: a violation of California Penal Code Section 182(a)(1) (CONSPIRACY BETWEEN DEFENDANT AND OTHERS) in that on or about and between December 23, 2011, and January 12, 2012, in the County of Santa Clara, State of California, who did conspire together and with others to commit a crime: a violation of Penal Code section 211-212.5(C) (ROBBERY).

#### **OVERT ACT ONE**

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about December 23, 2011, drove to the Pacific Postal Credit Union located on Leigh Avenue in San Jose.

#### **OVERT ACT TWO**

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, BRANDON ROSS BRACAMONTE on or about

December 23, 2011, drove a vehicle to the vicinity of the Pacific Postal Credit Union located on Leigh Avenue in San Jose.

#### OVERT ACT THREE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, ANTHONY ROSS CHAVEZ on or about December 23, 2011, went inside Pacific Postal Credit Union with a gun and used it to make threats and demand cash.

#### OVERT ACT FOUR

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, BRANDON ROSS BRACAMONTE, Martha Frances Castro and Luis Barrios on or about December 29, 2011, went to the US Bank branch located at 2875 The Villages Parkway in San Jose.

#### OVERT ACT FIVE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about December 29, 2011, walked up to the US Bank branch located at 2875 The Villages Parkway in San Jose to enter the bank, but did not enter the bank because too many people were present.

#### OVERT ACT SIX

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, BRANDON ROSS BRACAMONTE, Martha Frances Castro and Luis Barrios on or about December 29, 2011, went to Alliance Federal Credit Union located on Snell Avenue in San Jose.

#### OVERT ACT SEVEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, MARTHA FRANCES CASTRO on or about December 29, 2011, went inside Alliance Federal Credit Union with a fake bomb and used it to make threats and demand cash.

#### OVERT ACT EIGHT

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about December 29, 2011, went inside Alliance Federal Credit Union with a gun and used it to make threats and demand cash.

#### OVERT ACT NINE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, ROBERT GEORGE PACHECO on or about January 5, 2012, drove to the vicinity of Chase Bank on Capitol Expressway in San Jose.

#### OVERT ACT TEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about January 5, 2012, went inside Chase Bank with a handgun and demanded cash.

#### OVERT ACT ELEVEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios, Alfred Apaiz and Robert Pacheco on or about January 10, 2012, went in a stolen vehicle to Bank of the West located on Business Circle in San Jose.

#### OVERT ACT TWELVE

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about January 10, 2012, drove a white Cadillac and parked it in a neighborhood near the Bank of America on McKee Road.

#### OVERT ACT THIRTEEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, ALFRED APAIZ on or about January 12, 2012, drove to the Bank of America located on Snell Avenue in San Jose and parked.



#### OVERT ACT FOURTEEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Luis Barrios on or about January 12, 2012, went inside the Bank of America and used a fake bomb to make threats and demand cash.

#### OVERT ACT FIFTEEN

(CJIC-OTH) That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, ROBERT GEORGE PACHECO on or about and between December 23, 2011 to January 12, 2012, permitted storage of handguns, an imitation bomb, and cash at his home located at 80 Pala Avenue, San Jose, CA.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, JOHN PAGE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANTHONY ROSS CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### COUNT 5

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALBERTO JOSE LAREZ, ANGEL KIKO MARTINEZ, JOSEF RYAN OAKES AND RUBEN CRUZ of a felony, to wit: a violation of California Penal Code Section 187 (MURDER) in that on or about August 13, 2012, in the County of Santa Clara, State of California, who did unlawfully and with malice aforethought, kill Martin Chacon, a human being.

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, ALBERTO JOSE LAREZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members of that gang, within the meaning of Penal Code section 186.22(b)(5).

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, ALBERTO JOSE LAREZ, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) 9mm and .25 caliber handguns, and proximately caused the death of Martin Chacon, a person other than an accomplice within the meaning of Penal Code section 12022.53(d) and (e)(1) [and 12022.53(c) and 12022.53(b)].

(CJIC-SPC) It is further alleged that the defendant, ALBERTO JOSE LAREZ, intentionally killed Martin Chacon while the defendant was an active participant in a criminal street gang, known as Nuestra Familia Organization, and the murder was carried out to further the activities of the criminal street gang within the meaning of Penal Code section 190.2(a)(22).

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members of that gang, within the meaning of Penal Code section 186.22(b)(5).

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) 9mm and .25 caliber handguns, and proximately caused the death of Martin Chacon, a person other than an accomplice within the meaning of Penal Code section 12022.53(d) and (e)(1) [and 12022.53(c) and 12022.53(b)].

(CJIC-SPC) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, intentionally killed Martin Chacon while the defendant was an active participant in a criminal street gang, known as Nuestra Familia Organization, and the murder was carried out to further the activities of the criminal street gang within the meaning of Penal Code section 190.2(a)(22).

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, JOSEF RYAN OAKES, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members of that gang, within the meaning of Penal Code section 186.22(b)(5).

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, JOSEF RYAN OAKES, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) 9mm and .25 caliber handguns, and proximately caused the death of Martin Chacon, a person other than an accomplice within the meaning of Penal Code section 12022.53(d) and (e)(1) [and 12022.53(c) and 12022.53(b)].

(CJIC-SPC) It is further alleged that the defendant, JOSEF RYAN OAKES, intentionally killed Martin Chacon while the defendant was an active participant in a criminal street gang, known as Nuestra Familia Organization, and the murder was carried out to further the activities of the criminal street gang within the meaning of Penal Code section 190.2(a)(22).

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, RUBEN CRUZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members of that gang, within the meaning of Penal Code section 186.22(b)(5).

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, RUBEN CRUZ, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) 9mm and .25 caliber handguns, and proximately caused the death of Martin Chacon, a person other than an accomplice within the meaning of Penal Code section 12022.53(d) and (e)(1) [and 12022.53(c) and 12022.53(b)].

(CJIC-SPC) It is further alleged that the defendant, RUBEN CRUZ, intentionally killed Martin Chacon while the defendant was an active participant in a criminal street gang, known as Nuestra Familia Organization, and the murder was carried out to further the activities of the criminal street gang within the meaning of Penal Code section 190.2(a)(22).

#### **COUNT 6**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ AND ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 664(a)-187 (ATTEMPTED MURDER) in that on or about January 11, 2012, in the County of Santa Clara, State of California, who did unlawfully and with malice aforethought, attempt to kill a human being, John Doe.

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) handgun, within the meaning of Penal Code section 12022.53(c) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VW) It is further alleged that the defendant, ROBERT GEORGE PACHECO, was a principal in the offense charged above, and, in the commission of a felony specified in subdivision (a), at least one principal intentionally and personally discharged a firearm, a(n) handgun, within the meaning of Penal Code section 12022.53(c) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 7**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ AND ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 245(a)(2) (ASSAULT WITH A FIREARM) in that on or about January 11, 2012, in the County of Santa Clara, State of California, who did commit an assault upon the person of John Doe with a firearm, a(n) handgun.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

### COUNT 8

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ AND ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 664(a)-187 (ATTEMPTED MURDER) in that on or about January 11, 2012, in the County of Santa Clara, State of California, who did unlawfully and with malice aforethought, attempt to kill a human being, Michael Rodriguez.

(CJIC-GBI, JRS-PL) It is further alleged that in the commission and attempted commission of the offense charged above, the defendant, ROBERT GEORGE PACHECO, personally inflicted great bodily injury upon Michael Rodriguez, a person not an accomplice to the offense, within the meaning of Penal Code sections 12022.7(a) and 1203(e)(3).

(CJIC-AADW, JRS-VS) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, ROBERT GEORGE PACHECO, personally used a deadly and dangerous weapon, a(n) knife, within the meaning of Penal Code section 12022(b)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### COUNT 9

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ AND ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 245(a)(1) (ASSAULT WITH A DEADLY WEAPON) in that on or about January 11, 2012, in the County of Santa Clara, State of California, who did commit an assault upon the person of Michael Rodriguez with a deadly weapon and instrument other than a firearm, a(n) knife.

(CJIC-GBI, JRS-PL) It is further alleged that in the commission and attempted commission of the offense charged above, the defendant, ROBERT GEORGE PACHECO, personally inflicted great bodily injury upon Michael Rodriguez, a person not an accomplice to the offense, within the meaning of Penal Code sections 12022.7(a) and 1203(e)(3).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

#### **COUNT 10**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses BRANDON ROSS BRACAMONTE AND ANTHONY ROSS CHAVEZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE ) in that on or about December 23, 2011, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Merle Lansang, a teller at Pacific Postal Credit Union located at 1040 Leigh Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ANTHONY ROSS CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a

criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

#### **COUNT 11**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MARTHA FRANCES CASTRO AND BRANDON ROSS BRACAMONTE of a felony, to wit: a violation of California Penal Code Section 664-211-212.5(c) (ATTEMPTED ROBBERY IN THE SECOND DEGREE) in that on or about December 29, 2011, in the County of Santa Clara, State of California, who did attempt to take personal property, cash, in the possession of the employees of US Bank located at 2875 Village Parkway, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

#### **COUNT 12**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MARTHA FRANCES CASTRO AND BRANDON ROSS BRACAMONTE of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about December 29, 2011, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Brandy Martinez, a teller at Alliance Federal Credit Union located at 5681 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.



(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, MARTHA FRANCES CASTRO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

### COUNT 13

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MARTHA FRANCES CASTRO AND BRANDON ROSS BRACAMONTE of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about December 29, 2011, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Jeffrey Riedman, a teller at Alliance Federal Credit Union located at 5681 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a

criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, MARTHA FRANCES CASTRO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

#### **COUNT 14**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MARTHA FRANCES CASTRO AND BRANDON ROSS BRACAMONTE of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about December 29, 2011, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Catherine Paragas-Lee, a teller at Alliance Federal Credit Union located at 5681 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, MARTHA FRANCES CASTRO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

#### **COUNT 15**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MARTHA FRANCES CASTRO AND BRANDON ROSS BRACAMONTE of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE ) in that on or about December 29, 2011, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Albert Lee, a manager at Alliance Federal Credit Union located at 5681 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, BRANDON ROSS BRACAMONTE, was a principal in the felony charged above, and in the commission of the felony specified in

subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MARTHA FRANCES CASTRO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, MARTHA FRANCES CASTRO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

#### **COUNT 16**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 5, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Stephanie Castaneda, a teller at Chase Bank located at 1705 East Capitol Expressway, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, ROBERT GEORGE PACHECO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

### **COUNT 17**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE ) in that on or about January 5, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Darakshan Malik, a teller at Chase Bank located at 1705 East Capitol Expressway, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-AAFA, JRS-VX) It is further alleged that the defendant, ROBERT GEORGE PACHECO, was a principal in the felony charged above, and in the commission of the felony specified in subdivision (a), at least one principal personally used a firearm, a(n) handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

### **COUNT 18**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO AND ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 664-211-212.5(c) (ATTEMPTED ROBBERY IN THE SECOND DEGREE) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did attempt to take personal property, cash, in the possession of employee of Bank of the West, located at Business Circle, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

#### **COUNT 19**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Truc Nguyen, a teller at Bank of America located at 3491 McKee Road, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

#### **COUNT 20**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Oscar Maciel, a teller at the Bank of America located at 3491 McKee Road, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 21**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE ) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of April Ruiz, a teller at the Bank of America located at 3491 McKee Road, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 22**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 422 (THREATS TO COMMIT A CRIME RESULTING IN DEATH OR GREAT BODILY INJURY) ) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did willfully threaten to commit a crime which would have resulted in death and great bodily injury to another person, with the specific intent that the statement, made verbally, in writing, and by means of an electronic communication device, was to be taken as a threat, even if there was no intent of actually carrying it out, which, on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, Elias Torres, a gravity of purpose and an immediate prospect of execution of the threat and caused him or her reasonably to be in sustained fear for his or her own safety and for his or her immediate family's safety.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

### **COUNT 23**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Barika Smith, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 24**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Regina Park, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).



### **COUNT 25**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Chaulinh Nguyen, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 26**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Laila Sorensen, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 27**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Kimberly Torres, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 28**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALFRED APAIZ of a felony, to wit: a violation of California Penal Code Section 211-212.5(c) (ROBBERY IN THE SECOND DEGREE) in that on or about January 12, 2012, in the County of Santa Clara, State of California, who did take personal property, cash, in the possession of Diane Jin, a teller at the Bank of America located at 5615 Snell Avenue, San Jose, CA, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, ALFRED APAIZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### COUNT 29

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MOSES JOSEPH RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 422 (THREATS TO COMMIT A CRIME RESULTING IN DEATH OR GREAT BODILY INJURY) in that on or about September 16, 2012, in the County of Santa Clara, State of California, who did willfully threaten to commit a crime which would have resulted in death and great bodily injury to another person, with the specific intent that the statement, made verbally, in writing, and by means of an electronic communication device, was to be taken as a threat, even if there was no intent of actually carrying it out, which, on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, Jose Rangel, a gravity of purpose and an immediate prospect of execution of the threat and caused him or her reasonably to be in sustained fear for his or her own safety and for his or her immediate family's safety.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MOSES JOSEPH RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

### COUNT 30

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MOSES JOSEPH RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 422 (THREATS TO COMMIT A CRIME RESULTING IN DEATH OR GREAT BODILY INJURY) in that on or about September 16, 2012, in the County of Santa Clara, State of California, who did willfully threaten to commit a crime which would have resulted in death and great bodily injury to another person, with the specific intent that the statement, made verbally, in writing, and by means of an electronic communication device, was to be taken as a threat, even if there was no intent of actually carrying it out, which, on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, Marian Campos, a gravity of purpose and an immediate prospect of execution of the threat and caused him or her reasonably to be in sustained fear for his or her own safety and for his or her immediate family's safety.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MOSES JOSEPH RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(B).

### **COUNT 31**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MOSES JOSEPH RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 664-211-212.5(c) (ATTEMPTED ROBBERY IN THE SECOND DEGREE) in that on or about September 16, 2012, in the County of Santa Clara, State of California, who did ATTEMPT TO take personal property, water bottle, in the possession of Jose Rangel, from his/her person and immediate presence and against his/her will by means of force and fear.

(CJIC-GANG, JRS-YG) It is further alleged that the defendant, MOSES JOSEPH RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(C).

### **COUNT 32**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MOSES JOSEPH RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 236-237 (FELONY FALSE IMPRISONMENT) in that on or about September 16, 2012, in the County of Santa Clara, State of California, who did unlawfully violate the personal liberty of Jose Rangel, the violation being effected by violence, menace, fraud and deceit.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MOSES JOSEPH RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 33**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MOSES JOSEPH RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 236-237 (FELONY FALSE IMPRISONMENT) in that on or about September 16, 2012, in the County of Santa Clara, State of California, who did unlawfully violate the personal liberty of Marion Campos, the violation being effected by violence, menace, fraud and deceit.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MOSES JOSEPH RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 34**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MANUEL PAUL MONTIEL AND ANDREA YVONNE MIRGOLI of a felony, to wit: a violation of California Penal Code Section 136.1(c)(1) (DISSUADING OR ATTEMPTING TO DISSUADE A WITNESS BY USE OF FORCE OR THREAT OF FORCE) in that on about May 1, 2012 and July 4, 2012, in the County of Santa Clara, State of California, who did knowingly and maliciously prevent and dissuade and attempt to prevent and dissuade a witness and victim, Tanya Barrios, from causing a complaint, indictment, information, probation and parole violation to be sought and prosecuted and from assisting in the prosecution thereof, where such act was accompanied by an express and implied threat of force and violence upon the person and property of a witness, a victim and any third person.

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, MANUEL PAUL MONTIEL, committed an offense, a violation of Penal Code Section 136.1, for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members that gang, within the meaning of Penal Code section 186.22(b)(4).

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, ANDREA YVONNE MIRGOLI, committed an offense, a violation of Penal Code Section 136.1, for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members that gang, within the meaning of Penal Code section 186.22(b)(4).

### **COUNT 35**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL SOLOMON ESPINOZA AND NAOMI PEARL MARTINEZ a felony, to wit: a violation of California Penal Code Section 136.1(c)(1) (DISSUADING OR ATTEMPTING TO DISSUADE A WITNESS BY USE OF FORCE OR THREAT OF FORCE) in that on or about January 10, 2012, in the County of Santa Clara, State of California, who did knowingly and maliciously prevent and dissuade and attempt to prevent and dissuade a witness and victim, Teresa Zabala, from causing a complaint, indictment, information, probation and parole violation to be sought and prosecuted and from assisting in the prosecution thereof, where such act was accompanied by an express and implied threat of force and violence upon the person and property of a witness, a victim and any third person.

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, ANGEL SOLOMON ESPINOZA, committed an offense, a violation of Penal Code Section 136.1, for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members that gang, within the meaning of Penal Code section 186.22(b)(4).

(CJIC-Gang, JRS-VM) It is further alleged that the defendant, NAOMI PEARL MARTINEZ, committed an offense, a violation of Penal Code Section 136.1, for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by members that gang, within the meaning of Penal Code section 186.22(b)(4).

### **COUNT 36**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses BRIAN CODY CHAVEZ AND BRIAN KEVIN FAULTNER of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about August 22, 2011, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN CODY CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN KEVIN FAULTNER, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 37**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses BRIAN CODY CHAVEZ AND BRIAN KEVIN FAULTNER of a felony, to wit: a violation of California Health and Safety Code Section 11379(a) (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about August 22, 2011, in the County of Santa Clara, State of California, who did transport and offer to transport methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN CODY CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN KEVIN FAULTNER, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 38**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses HENRY BEJARANO, of a Felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about September 27, 2011, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, HENRY BEJARANO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street

gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 39**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses HENRY BEJARANO of a felony, to wit: a violation of California Health and Safety Code Section 11379 (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about September 27, 2011, in the County of Santa Clara, State of California, who did transport and offer to transport methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, HENRY BEJARANO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 40**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses BRIAN CODY CHAVEZ AND VALERIE MARIE BERGARA of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about November 15, 2011, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN CODY CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, VALERIE MARIE BERGARA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).



#### **COUNT 41**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses BRIAN CODY CHAVEZ AND VALERIE MARIE BERGARA of a felony, to wit: a violation of California Health and Safety Code Section 11379(a) (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about November 15, 2011, in the County of Santa Clara, State of California, who did transport and offer to transport methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, BRIAN CODY CHAVEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, VALERIE MARIE BERGARA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 42**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses VALERIE MARIE BERGARA of a felony, to wit: a violation of California Penal Code Section 4573.6 (POSSESSION OF A CONTROLLED SUBSTANCE OR PARAPHERNALIA IN THE JAIL) in that on or about November 15, 2011, in the County of Santa Clara, State of California, who did knowingly have in his/her possession in a city jail, county jail, farm and other place and institution where prisoners and inmates were being held under the custody of a sheriff, chief of police, peace officer, probation officer, and employees, and within the grounds, methamphetamine.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, VALERIE MARIE BERGARA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 43**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about May 30, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 44**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Health and Safety Code Section 11379 (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about May 30, 2012, in the County of Santa Clara, State of California, who did transport and offer to transport methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 45**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LARRY JAMES LUCERO of a felony, to wit: a violation of California Health and Safety Code Section 11378(a) (POSSESSION FOR SALE OR PURCHASE FOR SALE OF CONTROLLED SUBSTANCE) in that on or about July 13, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for purposes of sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LARRY JAMES LUCERO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 46**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ of a felony, to wit: a violation of California Health and Safety Code Section 11379(a) (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about June 26, 2012, in the County of Santa Clara, State of California, who did sell and offer to sell methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 47**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANGEL KIKO MARTINEZ of a felony, to wit: a violation of California Health and Safety Code Section 11379(a) (TRANSPORTATION, SALE, DISTRIBUTION OF CONTROLLED SUBSTANCE) in that on or about July 26, 2012, in the County of Santa Clara, State of California, who did sell and offer to sell methamphetamine, a controlled substance.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANGEL KIKO MARTINEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 48**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about January 13, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Deadly Weapon, a felony, in violation of Penal Code section 245(a)(1) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a handgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### **COUNT 49**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about January 13, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 245(a)(1) (Santa Clara County CC304339).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 50

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ROBERT GEORGE PACHECO of a felony, to wit: a violation of California Penal Code Section 30605(a) (POSSESSION OF AN ASSAULT WEAPON) in that on or about January 13, 2012, in the County of Santa Clara, State of California, who did unlawfully possess an assault weapon, a(n) MAC-11.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ROBERT GEORGE PACHECO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 51

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALEX DANIEL BETTENCOURT of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about August 24, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Possession of a Controlled Substance, a felony, in violation of Health and Safety Code section 11377 of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a shotgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ALEX DANIEL BETTENCOURT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 52**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANDREW LUIS RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) ) in that on or about August 24, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Possession of a Controlled Substance, a felony, in violation of Penal Code section 11377 of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a shotgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANDREW LUIS RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 53**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALEX DANIEL BETTENCOURT of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about August 24, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Health and Safety Code Section 11377(a) (Santa Clara County FF719269).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ALEX DANIEL BETTENCOURT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### COUNT 54

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ANDREW LUIS RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about August 24, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 12020(a)(1) (Santa Clara County FF405074). (CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANDREW LUIS RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

#### COUNT 55

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALEX DANIEL BETTENCOURT AND ANDREW LUIS RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 33210 (POSSESSION OF SHORT-BARRELED RIFLE OR SHORT-BARRELED SHOTGUN) in that on or about August 24, 2012, in the County of Santa Clara, State of California, who did possess an instrument and weapon of the kind commonly known as any short-barreled rifle or short-barreled shotgun.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ALEX DANIEL BETTENCOURT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANDREW LUIS RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 56

The Grand Jury of the County of Santa Clara, State of California, hereby accuses TOODY BOBBY ZAMUDIO AND DAVID CHARLES MARQUARDT of a felony, to wit: a violation of California Health and Safety Code Section 11351 (POSSESSION FOR SALE OR PURCHASE FOR SALE OF CONTROLLED SUBSTANCE) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did possess cocaine, a controlled substance, for purposes of sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, TOODY BOBBY ZAMUDIO, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, DAVID CHARLES MARQUARDT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, DAVID CHARLES MARQUARDT, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

### COUNT 57

The Grand Jury of the County of Santa Clara, State of California, hereby accuses TOODY BOBBY ZAMUDIO AND DAVID CHARLES MARQUARDT of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.



(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, TOODY BOBBY ZAMUDIO, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, DAVID CHARLES MARQUARDT, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, TOODY DAVID CHARLES MARQUARDT, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

#### **COUNT 58**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses TOODY BOBBY ZAMUDIO of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Deadly Weapon, a felony, in violation of Penal Code section 245(a)(1) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a handgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 59

The Grand Jury of the County of Santa Clara, State of California, hereby accuses TOODY BOBBY ZAMUDIO of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 245(a)(1) (Santa Clara County CC753135).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, TOODY BOBBY ZAMUDIO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 60

The Grand Jury of the County of Santa Clara, State of California, hereby accuses EDMUND CARLOS DEJESUS of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, EDMUND CARLOS DEJESUS, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, EDMUND CARLOS DEJESUS, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

### COUNT 61

The Grand Jury of the County of Santa Clara, State of California, hereby accuses EDMUND CARLOS DEJESUS of a felony, to wit: a violation of California Health and Safety Code Section 11359 (POSSESSION FOR SALE OF MARIJUANA) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did possess marijuana, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, EDMUND CARLOS DEJESUS, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, EDMUND CARLOS DEJESUS, was armed with a handgun, a firearm, within the meaning of Penal Code section 12022(c).

### COUNT 62

The Grand Jury of the County of Santa Clara, State of California, hereby accuses ALICIA MARIE MONTIEL AND ANTONIO GARCIA of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ALICIA MARIE MONTIEL, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, ANTONIO GARCIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 63**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses JEFFERY MICHAEL OROZCO of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Deadly Weapon, a felony, in violation of Penal Code section 245(a)(1) of the State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a handgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JEFFERY MICHAEL OROZCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 64**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses JEFFERY MICHAEL OROZCO of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 245(a)(1) (San Joaquin County SF083147E).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JEFFERY MICHAEL OROZCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 65**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MONICA RENEE OROZCO of a felony, to wit: a violation of California Penal Code Section 32 (ACCESSORY) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did harbor, conceal, and aid Jeffery Orozco, a principal in a felony, Owning, Purchasing, Receiving, and Possession of a Firearm by a Felon, in violation of Section 29800(a)(1) of the Penal Code of the State of California, after the felony had been committed, and with knowledge that Jeffery Orozco had committed the felony with the intent that s/he might avoid and escape arrest, trial, conviction, and punishment.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MONICA RENEE OROZCO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 66**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses JESUS TAPIA ACEVEDO of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Battery on a Peace Officer, a felony, in violation of Penal Code section 243(c) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a handgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JESUS TAPIA ACEVEDO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 67**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses JESUS TAPIA ACEVEDO of a felony, to wit: a violation of California Penal Code Section 30305(a)(1) (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about October 23, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 243(c) (Santa Clara County CC261265).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JESUS TAPIA ACEVEDO, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 68**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses JOSE LOUIS GARCIA of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about December 15, 2011, in the County of Santa Clara, State of California, who did, having been convicted of Possession of Firearm by Former Juvenile Offender, a felony, in violation of Penal Code section 12021(e) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a handgun, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, JOSE LOUIS GARCIA, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 69

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Health and Safety Code Section 11378 (POSSESSION FOR SALE OF CONTROLLED SUBSTANCE) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did possess methamphetamine, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was armed with a bolt-action rifle, a firearm, within the meaning of Penal Code section 12022(c).

### COUNT 70

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Health and Safety Code Section 11359 (POSSESSION FOR SALE OF MARIJUANA) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did possess marijuana, a controlled substance, for sale.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-AA, JRS-TO) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was armed with a bolt-action rifle, a firearm, within the meaning of Penal Code section 12022(c).

### COUNT 71

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Firearm, a felony, in violation of Penal Code section 245(a)(2) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a .22 caliber rifle, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### COUNT 72

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Firearm, a felony, in violation of Penal Code section 245(a)(2) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a 308 rifle, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).



### **COUNT 73**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 29800(a)(1) (OWNING, PURCHASING, RECEIVING, AND POSSESSION OF A FIREARM BY A FELON) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did, having been convicted of Assault with a Firearm, a felony, in violation of Penal Code section 245(a)(2) of the State of State of California, own, purchase, receive and have in his or her possession, and under his or her custody and control a AK-47 assault rifle, a firearm.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 74**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 30305(a)(1)- (POSSESSION OF AMMUNITION BY PROHIBITED PERSON) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did own, possess, and have under his or her custody and control, ammunition and reloaded ammunition, while prohibited from owning and possessing a firearm under section 29800(a)(1) or 12021(a)(1) of the Penal Code, because of a previous conviction for a felony violation of Penal Code Section 245(a)(2) (Santa Clara County 169320).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 75**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 33410 (POSSESSION OF SILENCER) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did possess a silencer.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

It is further alleged that probation shall not be granted except in an unusual case where the interests of justice would best be served, within the meaning of Penal Code section 1203(e)(11).

### **COUNT 76**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses LEONARD MARTIN RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 30605(a) (POSSESSION OF AN ASSAULT WEAPON) in that on or about November 20, 2012, in the County of Santa Clara, State of California, who did unlawfully possess an assault weapon, a(n) AK-47 Assault Rifle.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, LEONARD MARTIN RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

### **COUNT 77**

The Grand Jury of the County of Santa Clara, State of California, hereby accuses MAURA RODRIGUEZ of a felony, to wit: a violation of California Penal Code Section 32 (ACCESSORY) in that on or about March 31, 2013, in the County of Santa Clara, State of California, who did harbor, conceal, and aid Andrew Rodriguez, a principal in a felony, Owning, Purchasing, Receiving, and Possession of a Firearm by a Felon, in violation of Section 29800(a)(1) of the Penal Code of the State of California, after the felony had been committed, and with knowledge that Andrew Rodriguez had committed the felony with the intent that he might avoid and escape arrest, trial, conviction, and punishment.

(CJIC-GANG, JRS-YH) It is further alleged that the defendant, MAURA RODRIGUEZ, committed the offense charged above for the benefit of, at the direction of, and in association with a criminal street gang, with the specific intent to promote, further, and assist in criminal conduct by gang members, within the meaning of Penal Code section 186.22(b)(1)(A).

## **PRIOR CONVICTIONS**

**LARRY JAMES LUCERO ("CONEJO")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LARRY JAMES LUCERO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court, Santa Clara County (139217), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LARRY JAMES LUCERO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court, Santa Clara County (139217), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LARRY JAMES LUCERO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court, Santa Clara County (139217), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LARRY JAMES LUCERO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court, Santa Clara County

(139217), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LARRY JAMES LUCERO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon, Penal Code section 245, Superior Court, Santa Clara County (113497), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3 and 45, the defendant, LARRY JAMES LUCERO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court, Santa Clara County (139217), California.

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3 and 45, the defendant, LARRY JAMES LUCERO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Deadly Weapon, Penal Code section 245, Superior Court, Santa Clara County (113497), California.

**PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3 and 45, the defendant, LARRY JAMES LUCERO, was convicted of a violent felony specified in Penal Code section 667.5(c): Assault with a Deadly Weapon with Personal Infliction of Great Bodily Injury, Penal Code section 245/12022.7, Superior Court of California, Santa Clara County (139217), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the

defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant LARRY JAMES LUCERO is eligible for a three strike life sentence.

### **ALBERTO JOSE LAREZ ("BIRD")**

#### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ALBERTO JOSE LAREZ, was convicted of a felony offense, specifically: First Degree Burglary, Penal Code section 459-460(a), Superior Court, Monterey County (CR18415), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

#### **PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 5, the defendant, ALBERTO JOSE LAREZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: First Degree Burglary, Penal Code section 459-460(a), Superior Court, Monterey County (CR18415), California.

### **MARTIN VASQUEZ MARTINEZ ("CYCS")**

#### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MARTIN VASQUEZ MARTINEZ, was convicted of a felony offense, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Conspiracy to Sell Methamphetamine for the Benefit of or in Association with a Criminal Street Gang, PC182/HS11379/PC186.22, California

Superior Court, Santa Clara County (210960), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MARTIN VASQUEZ MARTINEZ, was convicted of a felony offense, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Felon in Possession of Ammunition for the Benefit of/in Association with a Criminal Street Gang, Penal Code Sections 12316(b)/186.22, California Superior Court, Santa Clara County (210960), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2 and 3, the defendant, MARTIN VASQUEZ MARTINEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Conspiracy to Sell Methamphetamine for the Benefit of/in Association with a Criminal Street Gang, Penal Code Sections 182/186.22, Health and Safety Code Section 11379(a), California Superior Court, Santa Clara County (210960), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MARTIN VASQUEZ MARTINEZ, was convicted of a felony: Conspiracy, Penal Code section 182, California Superior Court, Santa Clara County (210960) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.



### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MARTIN VASQUEZ MARTINEZ, was convicted of a felony: Inflict Corporal Injury on Spouse or Cohabitant, Penal Code section 273.5, California Superior Court, Santa Clara County (210234) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant MARTIN VASQUEZ MARTINEZ is eligible for a three strike life sentence.

### **ANGEL KIKO MARTINEZ ("YOUNG BUC"/"YB")**

### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ANGEL KIKO MARTINEZ, was convicted of a felony offense, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (CC452659), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ANGEL KIKO MARTINEZ, was convicted of a felony offense, specifically: Attempted Robbery, Penal Code section 664-211-212.5(c), Superior Court, Santa Clara County (CC452659), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

### **PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3, 5, 6, 7, 8, 9, 46 and 47, the defendant, ANGEL KIKO MARTINEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (CC452659), California.

### **PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3, 5, 6, 7, 8, 9, 46 and 47, the defendant, ANGEL KIKO MARTINEZ, was convicted of a violent felony specified in Penal Code section 667.5(c): Robbery, Penal Code section 211-212.5(c), Superior Court of California, Santa Clara County (CC452659), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant ANGEL KIKO MARTINEZ is eligible for a three strike life sentence.

### **JOSEPH LUIS VEJAR ("FAT JOE")**

### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JOSEPH LUIS VEJAR, was convicted of a felony offense, specifically: Shooting at Inhabited Dwelling or Vehicle, Penal Code section 246, Superior Court, Alameda County (H22221), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JOSEPH LUIS VEJAR, was convicted of a felony offense, specifically: Robbery, Penal Code section 211, Superior Court, Alameda County (H33699B), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, JOSEPH LUIS VEJAR, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Shooting at Inhabited Dwelling or Vehicle, Penal Code section 246, Superior Court, Alameda County (H22221), California.

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, JOSEPH LUIS VEJAR, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Robbery, Penal Code section 211, Superior Court, Alameda County (H33699B), California.

**PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, JOSEPH LUIS VEJAR, was convicted of a violent felony specified in Penal Code section 667.5(c): Robbery, section 211 Penal Code, California Superior Court, Alameda County (H33699B), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSEPH LUIS VEJAR, was convicted of a felony:

Shooting at Inhabited Dwelling or Vehicle, Penal Code section 246, California Superior Court, Alameda County (H22221) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant JOSEPH LUIS VEJAR is eligible for a three strike life sentence.

### **RUBEN CRUZ**

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, RUBEN CRUZ, was convicted of a felony: Burglary, Penal Code section 459-460(b), California Superior Court, Tehama County (67063), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **LEONARD MARTIN RODRIGUEZ ("GORDO")**

### **PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of a felony offense, specifically: Assault with a Firearm, Penal Code section 245(a)(2), Superior Court, Santa Clara County (169320), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 43, 44, 69, 70, 71, 72, 73, 74, 75, and 76, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Firearm, Penal Code section 245(a)(2), Superior Court, Santa Clara County (169320), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of a felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (FF304438) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of a felony: Possession of a Controlled Substance, Health and Safety Code section 11350(a), California Superior Court, Santa Clara County (187797) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of a felony: Assault with a Firearm, Penal Code section 245(a)(2), California Superior Court, Santa Clara County (169320), and, for that offense, the defendant served a prison term, which was separate from any

other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 43, 44, and 69, the defendant, LEONARD MARTIN RODRIGUEZ, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (FF304438).

**ROBERT GEORGE PACHECO ("CREEPER")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ROBERT GEORGE PACHECO, was convicted of a felony offense, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Penal Code sections 245(a)(1)/186.22, California Superior Court, Santa Clara County (CC304339), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3, 4, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 22, 48, 49, and 50, the defendant, ROBERT GEORGE PACHECO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Penal Code sections 245(a)(1)/186.22, California Superior Court, Santa Clara County (CC304339).

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ROBERT GEORGE PACHECO, was convicted of a

felony: Assault by Means of Force Likely to Inflict Great Bodily Injury in violation of Penal Code Section 245(a)(1), California Superior Court, Santa Clara County (CC304339) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**JOSE RICARDO GARCIA ("LARGO")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JOSE RICARDO GARCIA, was convicted of a felony offense, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (187516), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, JOSE RICARDO GARCIA, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (187516), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSE RICARDO GARCIA, was convicted of a felony: Assault on Peace Officer with a Deadly Weapon, Penal Code Section 245(c), California Superior Court, Santa Clara County (187516), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under

subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSE RICARDO GARCIA, was convicted of a felony: Possession of Methamphetamine for Sale, Health and Safety Code section 11378, California Superior Court, Santa Clara County (FF618468) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSE RICARDO GARCIA, was convicted of a felony: Driving Under the Influence with Felony Prior, Vehicle Code section 23152/23550.5(a), California Superior Court, Santa Clara County (FF194092) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSE RICARDO GARCIA, was convicted of a felony: Possession for Sale of PCP, Health and Safety Code section 11378.5, California Superior Court, Santa Clara County (138004) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.



**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSE RICARDO GARCIA, was convicted of the following felony: Possession of Methamphetamine for Sale, Health and Safety Code section 11378, California Superior Court, Santa Clara County (FF618468).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSE RICARDO GARCIA, was convicted of the following felony: Possession for Sale of PCP, Health and Safety Code section 11378.5, California Superior Court, Santa Clara County (138004).

**JEFFERY MICHAEL OROZCO ("SOLDIER BOY")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JEFFERY MICHAEL OROZCO, was convicted of a felony offense, specifically: a felony offense that would also constitute a violation of Penal Code Section 186.22, Assault with a Deadly Weapon/Force Likely to Inflict Great Bodily Injury for the Benefit of/in Association with a Criminal Street Gang, Penal Code Sections 245/186.22, Superior Court, San Joaquin County (SF083147), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR JUVENILE ADJUDICATION (PC 667(b)-(i)/1170.12)**

(STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JEFFERY MICHAEL OROZCO, suffered a juvenile adjudication pursuant to Welfare and Institutions Code section 602 for an offense listed in Welfare and Institutions Code section 707(b), specifically: Robbery, Penal Code section 211, Superior Court, Santa Clara County (115210), California and the defendant committed the offense when he/she was 16 years old and older.

### **PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3, 63 and 64, the defendant, JEFFERY MICHAEL OROZCO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: a felony offense that would also constitute a violation of Penal Code Section 186.22, Assault with a Deadly Weapon/Force Likely to Inflict Great Bodily Injury for the Benefit of/in Association with a Criminal Street Gang, Penal Code Sections 245/186.22, Superior Court, San Joaquin County (SF083147), California.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant JEFFERY MICHAEL OROZCO is eligible for a three strike life sentence.

### **JOSEPH SALAZAR ("PAYASO"/"SILENT")**

### **PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC071173).

### **PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC071173).

### **PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Transport/Sell a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Transport/Sell a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Transport/Sell a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Transport/Sell a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC071173).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JOSEPH SALAZAR, was convicted of the following felony: Transport/Sell a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC071173).

**JUAN CARRASCO ("RICO"/"JUANITO")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, JUAN CARRASCO, was convicted of a felony offense, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (CC086681), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, JUAN CARRASCO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (CC086681), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JUAN CARRASCO, was convicted of a felony: Assault on Peace Officer with a Deadly Weapon, Penal Code Section 245(c), California Superior Court, Santa Clara County (CC086681), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JUAN CARRASCO, was convicted of a felony: Evading Police Officer in violation of Vehicle Code Section 2800.2, California Superior Court, Santa Clara County (CC456955), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JUAN CARRASCO, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC086681).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, JUAN CARRASCO, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC456955).

**ANGEL SOLOMON ESPINOZA ("BABY ANGEL")**

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ANGEL SOLOMON ESPINOZA, was convicted of a felony: Vehicle Theft, Vehicle Code section 10851, California Superior Court, Santa Clara County (FF929912) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ANGEL SOLOMON ESPINOZA, was convicted of a felony: Possession of a Firearm by a Felon, Penal Code section 12021(a)(1), California Superior Court, Santa Clara County (FF723237) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ANGEL SOLOMON ESPINOZA, was convicted of a felony: Assault with Force Likely to Inflict Great Bodily Injury, Penal Code section 245(a)(1), California Superior Court, Santa Clara County (FF512839) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**BRIAN CODY CHAVEZ ("CREEPER")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRIAN CODY CHAVEZ, was convicted of a felony offense, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC770132), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRIAN CODY CHAVEZ, was convicted of a felony offense, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (C9953036), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 36, 37, 40, and 41, the defendant, BRIAN CODY CHAVEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC770132), California.

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 36, 37, 40, and 41, the defendant, BRIAN CODY CHAVEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (C9953036), California.

### **PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 37, 38, 40 and 41 the defendant, BRIAN CODY CHAVEZ, was convicted of a violent felony specified in Penal Code section 667.5(c): Robbery, Penal Code section 211-212.5(c), California Superior Court, Santa Clara County (C9953036), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, BRIAN CODY CHAVEZ, was convicted of a felony: Assault with a Deadly Weapon, Penal Code section 245(a)(1), California Superior Court, Santa Clara County (CC770132), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, BRIAN CODY CHAVEZ, was convicted of a felony: Possession of Controlled Substance, Health and Safety Code section 11377(a), California Superior Court, Santa Clara County (CC103389), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant BRIAN CODY CHAVEZ is eligible for a three strike life sentence.



**BRANDON ROSS BRACAMONTE ("BOLO")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a felony offense, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Sacramento County (02F10833), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a felony offense, specifically: Intimidation of a Witness, Penal Code section 136.1(c), Superior Court, Sacramento County (02F10833), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a felony offense, specifically: Felony Attempt to Elude a Peace Officer Causing Serious Bodily Injury, Vehicle Code section 2800.3, Superior Court, Sacramento County (02F10833), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a felony offense, specifically: Felony Assault with Personal Infliction of Great Bodily Injury, Penal Code sections 245(a)(1) and 12022.7(a), Superior Court, Sacramento County (02F10833), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

### **PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 4, 10, 11, 12, 13, 14, and 15, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Sacramento County (02F10833), California.

### **PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 4, 10, 11, 12, 13, 14, and 15, the defendant, BRANDON ROSS BRACAMONTE, was convicted of a violent felony specified in Penal Code section 667.5(c): Felony Assault with Personal Infliction of Great Bodily Injury, sections 245(a)(1) and 12022.7(a) Penal Code, California Superior Court, Sacramento County (02F10833) and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant BRANDON ROSS BRACAMONTE is eligible for a three strike life sentence.

### **JOSE LOUIS GARCIA ("LOONEY")**

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOSE LOUIS GARCIA, was convicted of a felony: Possession of Firearm by Former Juvenile Offender, Penal Code section 12021(e), Superior Court, Santa Clara County (CC508711), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**MARIO MARTIN SORIA ("GREEN EYES")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MARIO MARTIN SORIA, was convicted of a felony offense, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (CC819582), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, MARIO MARTIN SORIA, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Robbery, Penal Code section 211-212.5(c), Superior Court, Santa Clara County (CC819582), California.

**PRIOR CONVICTION (PC 667.5(a))**

It is further alleged, within the meaning of Penal Code section 667.5(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, MARIO MARTIN SORIA, was convicted of a violent felony specified in Penal Code section 667.5(c): Robbery, Penal Code section 211-212.5(c), Superior Court of California, Santa Clara County (CC819582), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody and the commission of an offense resulting in a felony conviction for a period of ten years.

**MATHILDE MARIO RAMOS ("DREAMER")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MATHILDE MARIO RAMOS, was convicted of a felony offense, specifically: Voluntary Manslaughter, Penal Code section 192(a), Superior Court, Santa Clara County (176069), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, MATHILDE MARIO RAMOS, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Voluntary Manslaughter, Penal Code section 192(a), Superior Court, Santa Clara County (176069), California.

**TOODY BOBBY ZAMUDIO ("MONEY")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, TOODY BOBBY ZAMUDIO, was convicted of a felony offense, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC753135), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 3, 56, 57, 58, and 59, the defendant, TOODY BOBBY ZAMUDIO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC753135), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, TOODY BOBBY ZAMUDIO, was convicted of a felony: Possession of a Controlled Substance in Jail, Penal Code section 4573.6, California Superior Court, Santa Clara County (CC807120) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**MOSES JOSEPH RODRIGUEZ ("MO")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MOSES JOSEPH RODRIGUEZ, was convicted of a felony offense, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Conspiracy to Sell Methamphetamine for the Benefit of or in Association with a Criminal Street Gang, Penal Code Sections 182/186.22, Health and Safety Code Section 11379(a), California Superior Court, Santa Clara County (211398), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 29, 30, 31, 32, and 33, the defendant, MOSES JOSEPH RODRIGUEZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: a felony offense which would also constitute a violation of Penal Code Section 186.22, Conspiracy to Sell Methamphetamine for the Benefit of/in Association with a Criminal Street Gang, Penal Code Sections 182/186.22(b)(1)(A), Health and Safety Code Section 11379(a), California Superior Court, Santa Clara County (211398), which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**ANDREW LUIS RODRIGUEZ ("TURTLE")**

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ANDREW LUIS RODRIGUEZ, was convicted of a felony: Possession of a Deadly Weapon, Penal Code section 12020(a)(1), California Superior Court, Santa Clara County (FF405074), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**ISAAC GUY MONTIEL ("RASCAL")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ISAAC GUY MONTIEL, was convicted of a felony offense, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (CC598349), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, ISAAC GUY MONTIEL, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault on Peace Officer with a Deadly Weapon, Penal Code section 245(c), Superior Court, Santa Clara County (C598349), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ISAAC GUY MONTIEL, was convicted of a felony:

Assault on Peace Officer with a Deadly Weapon, Penal Code Section 245(c), California Superior Court, Santa Clara County (C598349), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ISAAC GUY MONTIEL, was convicted of a felony: Battery on Peace Officer, Penal Code Section 243(c), California Superior Court, Santa Clara County (CC310176), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**HENRY JOE BEJARANO ("SILENT")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, HENRY JOE BEJARANO, was convicted of a felony offense, specifically: Murder, Penal Code section 187, Superior Court, Santa Clara County (130158), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, HENRY JOE BEJARANO, was convicted of a felony offense, specifically: Felony Assault with Personal Use of a Deadly or Dangerous Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County

(130158), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2, 38 and 39, the defendant, HENRY JOE BEJARANO, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Murder, Penal Code section 187, Superior Court, Santa Clara County (130158), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, HENRY JOE BEJARANO, was convicted of a felony: Felon in Possession of a Firearm, Penal Code section 120121(a), California Superior Court, Santa Clara County (206071) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, HENRY JOE BEJARANO, was convicted of a felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC805908) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.



### **PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 38 and 39, the defendant, HENRY JOE BEJARANO, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC805908).

### **THREE STRIKE ADVISEMENT**

Pursuant to Penal Code sections 667(e)(2)(C) and 1170.12(c)(2)(C) the defendant HENRY JOE BEJARANO is eligible for a three strike life sentence.

### **MARYANN BEJARANO**

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MARYANN BEJARANO, was convicted of a felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC94102) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

### **PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MARYANN BEJARANO, was convicted of a felony: Sale/Transportation of a Controlled Substance, Health and Safety Code section 11379(a), California Superior Court, Santa Clara County (CC325497) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MARYANN BEJARANO, was convicted of a felony: Felon in Possession of a Firearm, Penal Code section 12021(a)(1), California Superior Court, Santa Clara County (CC234885) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, MARYANN BEJARANO, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC94102).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, MARYANN BEJARANO, was convicted of the following felony: Sale/Transportation of a Controlled Substance, Health and Safety Code section 11379, California Superior Court, Santa Clara County (CC325497).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, MARYANN BEJARANO, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC122783).

**MANUEL PAUL MONTIEL ("TWEETY")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, MANUEL PAUL MONTIEL, was convicted of a felony offense, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC077704), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 2 and 34, the defendant, MANUEL PAUL MONTIEL, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Deadly Weapon, Penal Code section 245(a)(1), Superior Court, Santa Clara County (CC077704), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, MANUEL PAUL MONTIEL, was convicted of a felony: Assault with a Deadly Weapon, Penal Code section 245(a)(1), California Superior Court, Santa Clara County (CC077704), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**ALFRED APAIZ ("DOPEY")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, ALFRED APAIZ, was convicted of a felony offense, specifically: Assault with a Firearm, Penal Code section 245(a)(2), Superior Court, Santa Clara County (Docket FF723030), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, 4, 18, 23, 24, 25, 26, 27, and 28, the defendant, ALFRED APAIZ, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Assault with a Firearm, Penal Code section 245(a)(2), Superior Court, Santa Clara County (Docket FF723030), California.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ALFRED APAIZ, was convicted of a felony: Assault with a Firearm, Penal Code section 245(a)(2), California Superior Court, Santa Clara County (Docket FF723030), and for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**FRANCISCO GUZMAN ("JUNEBUG")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, FRANCISCO GUZMAN, was convicted of a felony offense, specifically: Attempted Carjacking, Penal Code Section 664-215, Superior Court, Santa Clara County (CC458131), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1 and 2, the defendant, FRANCISCO GUZMAN, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: Attempted Carjacking, Penal Code section 664-215, Superior Court, Santa Clara County (CC458131), California.

**ALEX DANIEL BETTENCOURT ("SMOKEY")**

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, ALEX DANIEL BETTENCOURT, was convicted of a felony: Possession of a Concealed Dirk or Dagger, Penal Code section 12020(a)(4), California Superior Court, Santa Clara County (FF512728) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**RICHARD TORRES ARTEAGA ("FLACO")**

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, the defendant, RICHARD TORRES ARTEAGA, was convicted of the following felony: Possession for Sale of a Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (C9933944).

**EMILIANO FRANCISCO ONTIVEROS ("LUNATIC")**

**PRIOR CONVICTION (PC 667(b)-(i)/1170.12)**

(CJIC-STRK) It is further alleged within the meaning of Penal Code sections 667(b) through 667(i) and 1170.12 that prior to the commission of the offense(s) charged above, the defendant, EMILIANO FRANCISCO ONTIVEROS, was convicted of a felony offense, specifically: First Degree Burglary, Penal Code section 459-460(a), Superior Court, Santa Clara County (CC939056), California, which offense includes all of the elements of a violent or serious felony as defined in Penal Code sections 667.5(c)/1192.7(c).

**PRIOR CONVICTION (PC 667(a))**

It is further alleged, within the meaning of Penal Code sections 667(a), that prior to the commission of the offense(s) charged in Count(s) 1, the defendant, EMILIANO FRANCISCO ONTIVEROS, was convicted of a serious felony described in Penal Code sections 667(a)/1192.7, on charges brought and tried separately, specifically: First Degree Burglary, Penal Code section 459-460(a), Superior Court, Santa Clara County (CC939056), California.

**MAURA RODRIGUEZ**

**PROBATION INELIGIBILITY (PC 1203(k))**

It is further alleged within the meaning of Penal Code section 1203(k) that at the time of the commission of serious and violent felony (ies) charged in Count(s) 1 and 77, the defendant, MAURA RODRIGUEZ, was on probation for a felony offense, specifically: Burglary, Penal Code section 459-460(b), California Superior Court, Santa Clara County (F1242193).

**SHEILA MARIE FRANCO**

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, SHEILA MARIE FRANCO, was convicted of a felony: Welfare Fraud, Welfare & Institutions Code 10980(c)(2), California Superior Court, Santa Clara County (CC818992) and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**JOHN PAGE**

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOHN PAGE, was convicted of a felony: Assault with Force Likely to Inflict Great Bodily Injury, Penal Code section 245(a)(1), California Superior Court, Santa Clara County (CC300921), and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**PRIOR CONVICTION (PC 667.5(b))**

It is further alleged within the meaning of Penal Code section 667.5(b) that prior to the commission of the offense(s) charged above, the defendant, JOHN PAGE, was convicted of a felony: Possession of a Controlled Substance for Sale, Health and Safety Code section 11378, California Superior Court, Santa Clara County (CC809724), and, for that offense, the defendant served a prison term, which was separate from any other prison term alleged in this pleading, and since serving that term, the defendant has not remained free of both prison custody or the imposition of a term of jail custody imposed under

subdivision (h) of Section 1170 or any felony sentence that is not suspended and the commission of an offense resulting in a felony conviction for a period of five years.

**BRIAN KEVIN FAULTNER**

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 36 and 37, the defendant, BRIAN KEVIN FAULTNER, was convicted of the following felony: Possession for Sale of Controlled Substance, Health and Safety Code section 11378, California Superior Court, Santa Clara County (188554).

**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 36 and 37, the defendant, BRIAN KEVIN FAULTNER, was convicted of the following felony: Sale/Transportation of Controlled Substance, Health and Safety Code section 11379(a), California Superior Court, Santa Clara County (188554).

**PRIOR CONVICTION (HS 11370.2(c))**

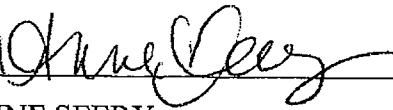
It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 36 and 37, the defendant, BRIAN KEVIN FAULTNER, was convicted of the following felony: Sale/Transportation of Controlled Substance, Health and Safety Code section 11379(a), California Superior Court, Santa Clara County (188555).

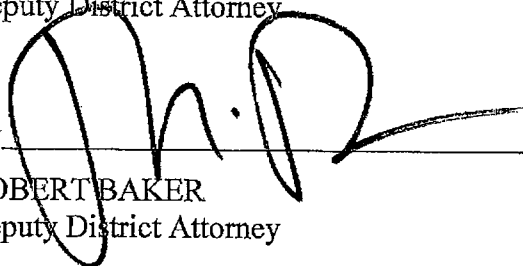
**PRIOR CONVICTION (HS 11370.2(c))**

It is further alleged within the meaning of Health and Safety Code sections 11370.2(c) that prior to the commission of the offense charged in Count(s) 2, 36 and 37, the defendant, BRIAN KEVIN FAULTNER, was convicted of the following felony: Sale/Transportation Controlled Substance, Health and Safety Code section 11379(a), California Superior Court, Santa Clara County (188555).



JEFFREY F. ROSEN  
District Attorney

By   
ANNE SEERY  
Deputy District Attorney

By   
ROBERT BAKER  
Deputy District Attorney

"A TRUE BILL"

*JUROR Information  
Redacted*

FOREMAN OF THE GRAND JURY

Dated: 5/31/2013

## GRAND JURY WITNESSES

Sean Ancelet  
Ivan Barragan  
Luis Barrios  
Tanya Barrios  
Erik Bass  
Isaias Becerril  
Michael Beebe  
Doug Bell  
Steve Brown  
Steven Bustillos  
Marian Campos  
Stephanie Castaneda  
Juan Ceballos  
Jesus Cervantes  
Ryan Chan  
Albert Chung-Cheng Lee  
Ian Cooley  
Darren Cooner  
Yvonne De La Cruz  
Vincent Deitchman  
Danielle Farrell  
Vidal Fonseca  
Rea Fontanilla  
Irene Freitas  
Barbara Fujii  
Trevor Gillis  
Geoffrey Guerin  
Erwin Harris  
Michael Hoopes  
Seiharith Huy  
Patricia Jaime  
Mike Jeffrey  
Todd Jennings  
Jaime Jimenez  
Diane Jin  
Hans Jorgensen  
Alexander Keller  
Gerald Kepler  
Kenneth Klingbeil  
Merle Lansang  
Gregory Lindh  
Dan Livingston

David Livingston  
Oscar Maciel  
Darakhshan Malik  
Wendell Martin  
Brandy Martinez  
Mike McMahon  
Barbara Melloch  
Dave Mendez  
John Mendoza  
Christiana Moreno  
Henry Nguyen  
Huy Nguyen  
Truc Nguyen  
Chaulinh Nguyen  
Regina Park  
Geoff Peroutka  
Mark Pineda  
Daniel Pineda  
Cassandra Raimond  
Fabian Ramirez  
Jose Luis Rangel  
Jason Reid  
Michael Rodriguez  
Paco Rodriguez  
Tanaya Rose  
Jack Rousseau  
April Ruiz  
Brian Sessions  
Nicole Shaffer  
Barika Smith  
Vincent Smith  
Laila Sorensen  
Joseph Stewart  
Jeffrey Thomason  
Elias Adaz Torres  
Kimberly Torres  
Melecio Ubarre  
Adam Vitale  
Todd Wellman  
Michael White  
April Williams  
Matthew Williams

### **DNA SAMPLE ADVISEMENT**

Any defendant who is convicted of and pleads guilty and no contest to any felony offense, including any attempt to commit the offense, charged in this indictment is required to provide buccal swab samples, right thumbprints and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to the DNA and Forensic Identification Database and Data Bank Act of 1998 and Penal Code section 296, et seq.

### **DISCOVERY REQUEST**

Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within 15 days, the defendant and/or his/her attorney disclose: (A) The names and addresses of persons, other than the defendant, he/she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or reports of the statements of those persons, including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial; (B) Any real evidence which the defendant intends to offer in evidence at the trial. This request is a continuing request, to cover not only all such material currently in existence, but all material which comes into existence to the conclusion of this case.