

SUPERIOR COURT OF THE STATE OF CALIFORNIA ^{sh} MAR 27 2001

CITY AND COUNTY OF SAN FRANCISCO

GORDON PARK-LI, Clerk
BY: Dorothy A. Greenwood
Deputy Clerk

PEOPLE OF THE STATE OF CALIFORNIA)
)
 Plaintiff,)
)
 vs.)
)
 MARJORIE KNOLLER and ROBERT NOEL,)
)
 Defendants.)
 _____)

NO. **181813-1 & 2**
INDICTMENT FOR FELONIES,
TO WIT:
187 2nd PC/Felony (1 Count)
192(b) PC/Felony (1 Count)
399 PC/Felony (1 Count)

COUNT I

AS TO DEFENDANT MARJORIE KNOLLER ONLY:

The said defendant, MARJORIE KNOLLER, is accused by the Grand Jury of the City and County of San Francisco, State of California, by this Indictment, of the crime of felony, to wit: VIOLATION OF SECTION 187 OF THE PENAL CODE, MURDER IN THE SECOND DEGREE, committed as follows: the said defendant, on or about the 26th day of January, 2001, in the City and County of San Francisco, State of California, did wilfully, unlawfully and with malice aforethought murder DIANE WHIPPLE, a human being.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c)(1).

COUNT II

AS TO BOTH DEFENDANTS:

The said defendants, MARJORIE KNOLLER and ROBERT NOEL, are further accused by the Grand Jury of the City and County of San Francisco, State of California, by this Indictment, of the crime of felony, to wit: VIOLATION OF SECTION 192(b) OF THE PENAL CODE, committed as follows: The said defendants, on or about the 26th day of January, 2001, in the City and County of San Francisco, State of California, did

unlawfully kill a human being, to wit: DIANE WHIPPLE, in the commission of a lawful act which might produce death in an unlawful manner and without due caution and circumspection.


COUNT III

AS TO BOTH DEFENDANTS:

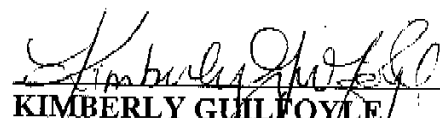
The said defendants, MARJORIE KNOLLER and ROBERT NOEL, are further accused by the Grand Jury of the City and County of San Francisco, State of California, by this Indictment, of the crime of felony, to wit: VIOLATION OF SECTION 399 OF THE PENAL CODE, committed as follows: The said defendants, on or about the 26th day of January, 2001, in the City and County of San Francisco, State of California, being the owners of a mischievous animal and knowing said animal's propensities, did wilfully suffer it to go at large and keep it without ordinary care, and such animal, while so at large, and when not kept with ordinary care, did kill a human being, to wit: DIANE WHIPPLE, who had taken all the precautions which the circumstances permitted and which a reasonable person would ordinarily take in the same situation.

A True Bill


TERENCE HALLINAN
District Attorney


FILMORE ROSE
Foreperson of the Grand Jury


JAMES HAMMER
Assistant District Attorney


KIMBERLY GUILFOYLE
Assistant District Attorney