

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

01 DIONICIO GARCIA (8/22/1981)

Defendant(s).

CASE NO. NA050552

FELONY COMPLAINT

The undersigned is informed and believes that:

COUNT 1

On or about October 16, 2001, in the County of Los Angeles, the crime of THREATS TO USE A WEAPON OF MASS DESTRUCTION, in violation of PENAL CODE SECTION 11418.5(a), a Felony, was committed by DIONICIO GARCIA, who did unlawfully and knowingly threaten to use a weapon of mass destruction causing a person to reasonably be in sustained fear for his safety.

* * * * *

COUNT 2

On or about October 16, 2001, in the County of Los Angeles, the crime of ATTEMPTED CRIMINAL THREATS, in violation of PENAL CODE SECTION 664/422, a Felony, was committed by DIONICIO GARCIA, who did willfully and unlawfully threaten to commit a crime which would result in death and great bodily injury to MICHAEL CLEVELAND, with the specific intent that the statement be taken as a threat. It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to MICHAEL CLEVELAND a gravity of purpose and an immediate prospect of execution. It is further alleged that the said MICHAEL CLEVELAND was reasonably in sustained fear of his/her safety and the safety of his/her immediate family.

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

* * * * *

COUNT 3

On or about October 16, 2001, in the County of Los Angeles, the crime of TERRORISM, in violation of PENAL CODE SECTION 11411(a), a Misdemeanor, was committed by DIONICIO GARCIA, who placed and displayed a sign, mark, symbol, emblem, and other physical impression on the private property of another, without authorization, for the purpose of, and in reckless disregard of the risk of, terrorizing the owner and occupant of that private property.

* * * * *

COUNT 4

On or about October 16, 2001, in the County of Los Angeles, the crime of FALSE REPORT OF EMERGENCY, in violation of PENAL CODE SECTION 148.3(a), a Misdemeanor, was committed by DIONICIO GARCIA, who did unlawfully report and cause a report to be made to a city, county, city and county, and state department, district, agency, division, commission and board, of the existence of an emergency, knowing such report of emergency to be false, thereby violating Section 148.3(a) of the Penal Code, a Misdemeanor.

* * * * *

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER NA050552, CONSISTS OF 4 COUNT(S).

Executed at LONG BEACH, County of Los Angeles, on October 18, 2001.

DECLARANT AND COMPLAINANT

.....
STEVE COOLEY, DISTRICT ATTORNEY

BY: _____
MARC MERRICK, DEPUTY

AGENCY: LONG BEACH PD
DR NO.: 010083826

L/O: W. THOMAS
OPERATOR: WY

ID NO.: 5190 PHONE : 310-570-7444
PRELIM. TIME EST.: 1 HOUR(S)

<u>DEFENDANT</u>	<u>CU NO.</u>	<u>DOB</u>	<u>BOOKING NO.</u>	<u>BAIL RECOMD</u>	<u>CUSTODY RTN DATE</u>
GARCIA, DIONICIO	023177224	8/22/1981	7050684	\$500,000	10/18/2001

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

FELONY COMPLAINT - ORDER HOLDING TO ANSWER - P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

DIONICIO GARCIA

<u>Count</u> <u>No.</u>	<u>Charge</u>	<u>Charge</u> <u>Range</u>	<u>Special</u> <u>Allegation</u>	<u>Alleg.</u> <u>Effect</u>
1	PC 11418.5(a)	3-4-5		
2	PC 664/422	Check PC664		
3	PC 11411(a)	1 Yr.		
4	PC 148.3(a)	1 Yr.		

I order that the defendant(s) be held to answer therefor and be admitted to bail in the sum of:

DIONICIO GARCIA _____ Dollars

and be committed to the custody of the Sheriff of Los Angeles County until such bail is given. Date of arraignment in Superior Court will be:

DIONICIO GARCIA _____ in Dept _____

at: _____ A.M.

~~Judge~~
to whom this case is assigned for all
purposes

Date: _____

Committing Magistrate