

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,
WILEY W. MANUEL COURTHOUSE 2011 MAY 13 PM 3 32

PEOPLE OF THE STATE OF CALIFORNIA

NO.
COMPLAINT

v.

MISHEL DENESE CAVINESS ~~325~~ 325

PFN: ATA814 CEN: 1323429

Defendant(s).

RESTITUTION

The Undersigned, being sworn says, on Information and belief, that MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

SECOND COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

THIRD COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

FOURTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

FIFTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

SIXTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

SEVENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about January 3, 2011, commit a Felony, to wit: FORGERY, a violation of section 476 of the PENAL CODE of California, in that said defendant(s) made, passed, uttered, and published, and attempted to do so, with intent to defraud a person, and possessed, with like intent, to utter, pass and publish, a fictitious and altered bill, note, and check, purporting to be the bill, note, and check, and other instrument in writing for the payment of money and property of a real and fictitious financial institution.

EIGHTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

NINTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

TENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHEL DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

ELEVENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

TWELFTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 29, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

THIRTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about December 31, 2010, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

FOURTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about January 31, 2011, commit a Felony, to wit: IDENTITY THEFT, a violation of section 530.5(a) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully obtain personal identifying information of LESLIE NGUYEN PHAM and used that information for an unlawful purpose and to obtain, and attempt to obtain, credit, goods, services, real property and medical and information in the name of LESLIE NGUYEN PHAM without consent.

FIFTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about May 11, 2011, commit a Felony, to wit: FORGERY OF A DRIVER'S LICENSE, a violation of section 470a of the PENAL CODE of California, in that said defendant(s) did unlawfully alter, falsify, forge, duplicate, reproduce and counterfeit a governmental agency driver's license and identification card with the intent that said document be used to facilitate the commission of a forgery.

SIXTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about May 11, 2011, commit a Felony, to wit: FORGERY OF A DRIVER'S LICENSE, a violation of section 470a of the PENAL CODE of California, in that said defendant(s) did unlawfully alter, falsify, forge, duplicate, reproduce and counterfeit a governmental agency driver's license and identification card with the intent that said document be used to facilitate the commission of a forgery.

SEVENTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about May 11, 2011, commit a Felony, to wit: FORGERY OF A DRIVER'S LICENSE, a violation of section 470a of the PENAL CODE of California, in that said defendant(s) did unlawfully alter, falsify, forge, duplicate, reproduce and counterfeit a governmental agency driver's license and identification card with the intent that said document be used to facilitate the commission of a forgery.

EIGHTEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about May 11, 2011, commit a Felony, to wit: FORGERY OF A DRIVER'S LICENSE, a violation of section 470a of the PENAL CODE of California, in that said defendant(s) did unlawfully alter, falsify, forge, duplicate, reproduce and counterfeit a governmental agency driver's license and identification card with the intent that said document be used to facilitate the commission of a forgery.

NINETEENTH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, on or about May 11, 2011, commit a Felony, to wit: FORGERY OF A DRIVER'S LICENSE, a violation of section 470a of the PENAL CODE of California, in that said defendant(s) did unlawfully alter, falsify, forge, duplicate, reproduce and counterfeit a governmental agency driver's license and identification card with the intent that said document be used to facilitate the commission of a forgery.

TWENTIETH COUNT

The Undersigned further deposes and says on Information and belief, that said MISHel DENESE CAVINESS did, in the County of Alameda, State of California, between December 29, 2010 and January 3, 2011, commit a Felony, to wit: GRAND THEFT OF PERSONAL PROPERTY, a violation of section 487(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit checking account numbers the property of LESLIE NGUYEN PHAM.

FIRST PRIOR CONVICTION AS TO DEFENDANT CAVINESS

The undersigned further alleges that before the commission of the offense specified above, said defendant MISHel DENESE CAVINESS, on or about September 27, 2000, was convicted in the Superior Court of the State of California, in and for the County of ALAMEDA, of the crime of a Felony, to wit: AID BY MISREPRESENTATION - OVER \$950, a violation of section 10980(c)(2) of the WELFARE AND INSTITUTIONS CODE of California, and received a sentence of probation therefor.

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

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,
Friday, May 13, 2011

/s/ Oakland PD-11-023446

JEFFREY P. STARK
Senior Deputy District Attorney
State Bar #104926 nw
Alameda County, California