

1 KAMALA D. HARRIS
Attorney General of California
2 MARK BRECKLER
Chief Assistant Attorney General
3 DIANA CALLAGHAN
Deputy Attorney General
4 State Bar No. 132460
KRISTOPHER S. YOUNG
5 Deputy Attorney General
State Bar No. 220013
6 300 South Spring Street, Suite 1702
Los Angeles, CA 90013



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9 *Attorneys for the People of the State of California*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF KERN

12
13 **THE PEOPLE OF THE STATE OF CALIFORNIA,**

14 Plaintiff,

15 v.

16
17 **1. PAUL MICHAEL BENZ**
(09/25/1944)

18 Defendant
19

DA: 821624

Case No.

BF 144213A

FELONY COMPLAINT

20
21 The undersigned is informed and believes that:

22 **COUNT 1**

23 On and between January 1, 2008 and September 1, 2012, in the County of Kern, the crime
24 of PRESENTING A FRAUDULENT CLAIM, in violation of Penal Code section 72, a Felony
25 was committed by **PAUL MICHAEL BENZ**, who did unlawfully and with intent to defraud,
26 present for allowance and payment a false and fraudulent claim, bill, account, voucher and writing, to
27 wit: misrepresenting the origin of and failing to disclose imported Los Angeles County waste being
28

ENDORSED

FILED
SUPERIOR COURT, METROPOLITAN DIVISION
COUNTY OF KERN

SEP 26 2012

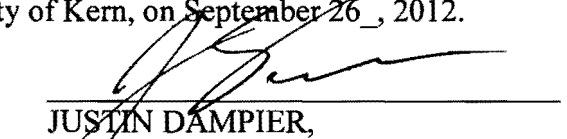
TERRY McNALLY, CLERK
BY _____ DEPUTY

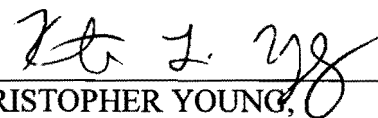
1 dumped in Kern County landfills; misrepresenting commercial and construction waste as residential
2 in order to avoid paying waste disposal fees.

3 It is further alleged as to count 1 that the above violation was not discovered until December 1,
4 2011 by City of Ridgecrest Police Sergeant Justin Dampier after following a trash truck from Los
5 Angeles County to the Material Recovery Facility in Tehachapi, CA. On March 12, 2012 Police
6 Sergeant Justin Dampier reviewed the Kern County landfill scale ticket for the trash truck that was
7 followed and was able to determine that the origin of the waste was falsely reported as being from
8 Kern County, and that no victim of said violation and no law enforcement agency chargeable with the
9 investigation and prosecution of said violation had actual and constructive knowledge of said
10 violation prior to said date because no other person brought the matter to their attention, within the
11 meaning of Penal Code section 803(c).

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
14 CORRECT AND THAT THIS COMPLAINT, CASE NUMBER _____
15 CONSISTS OF 1 COUNT.

16 Executed at Bakersfield, County of Kern, on September 26, 2012.

17 
18 JUSTIN DAMPIER,
19 DECLARANT AND COMPLAINANT
20 KAMALA HARRIS,
21 ATTORNEY GENERAL

22 BY: 
23 KRISTOPHER YOUNG,
24 DEPUTY ATTORNEY GENERAL

25 AGENCY: RIDGECREST POLICE DEPARTMENT

26 PRELIM. TIME. EST.: 1 day

<u>DEFENDANT</u>	<u>CII</u>	<u>DOB</u>	<u>BOOKING</u> <u>NO.</u>	<u>BAIL</u> <u>RECOM'D</u>	<u>CUSTODY</u> <u>RTN DATE</u>
PAUL MICHAEL BENZ		09/25/1944		\$1,000	

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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 DEFENDANTS GUILTY THEREOF, TO WIT:

(STRIKE OUT OR ADD AS APPLICABLE)

PAUL MICHAEL BENZ

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect</u>
1	PC 72	16-2-3		

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

PAUL MICHAEL BENZ _____ DOLLARS

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

PAUL MICHAEL BENZ _____ in Dept _____

at: _____ A.M.

Date _____

Committing Magistrate

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DECLARATION IN SUPPORT OF ARREST WARRANT
(Made under Code of Civil Procedure section 2015.5)

The undersigned hereby declares:

That your declarant is currently employed as a Sergeant with the Ridgecrest Police Department. That pursuant to said employment, your declarant has been assigned to investigate allegations that PAUL MICHAEL BENZ, did commit the crime(s) set forth in the attached complaint.

That pursuant to said assignment, your declarant has contacted persons having knowledge of said offenses and who have prepared written reports and/or statements, and/or have received and read written reports and/or statements prepared by others known by your declarant to be law enforcement officers, whose reports and/or statements are attached hereto and incorporated by reference.

That each of these documents is presently an official record of a law enforcement agency.

WHEREFORE, your declarant prays that a warrant issue for the arrest of the herein above-named defendants and that said defendants be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 2012, in Bakersfield, California.


JUSTIN DAMPIER

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ORDER

It appearing to the Court that probable cause exists for the issuance of a warrant of arrest for **PAUL MICHAEL BENZ**, the Warrant is so ordered:

PAUL MICHAEL BENZ.

Bail: \$1,000

DATE: _____

Judge of the Superior Court of Kern

