

TULARE COUNTY SUPERIOR COURT DISTRICT
TULARE COUNTY SUPERIOR COURT DIVISION, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

JOHN DEWAYNE YOUNG DOB:12/02/1972
AKA: JOHN DWAYNE YOUNG DOB:12/02/1972

Defendant(s).

DA No. 13-019681

Court No.

**FELONY COMPLAINT
TWO STRIKES**

The undersigned is informed and believes that:

COUNT 1

On or about November 10, 2013, in the County of Tulare, the crime of SALE OF A CONTROLLED SUBSTANCE, in violation of Health and Safety Code section 11379(a), a FELONY, was committed by **JOHN DEWAYNE YOUNG**, did unlawfully transport, import into the State of California, sell, furnish, administer, and give away, and offer to transport, import into the State of California, sell, furnish, administer, and give away, and attempt to import into the State of California and transport a controlled substance, to wit, METHAMPHETAMINE.

“NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and safety Code section 11594.”

SPECIAL ALLEGATION-PUNISHMENT BY QUANTITY

It is further alleged, as to the above count, that the substance containing METHAMPHETAMINE exceeded 10 KILOGRAMS within the meaning of section 11370.4(b)(3) of the Health and Safety Code.

SPECIAL ALLEGATION-2/3 STRIKES (ONE PRIOR)

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i), as to the above count, that the DEFENDANT, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

SPECIAL ALLEGATION-PRIOR-ANY FELONY

It is further alleged, as to the above count, pursuant to Penal Code section 667.5(b) that the DEFENDANT, has suffered the following prior conviction(s):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
C11111	HS11350	12-22-93	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

SPECIAL ALLEGATION-PRIOR-ANY FELONY

It is further alleged, as to the above count, pursuant to Penal Code section 667.5(b) that the DEFENDANT, has suffered the following prior conviction(s):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
96CM2257	HS11350	11-26-96	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

SPECIAL ALLEGATION-PRIOR-ANY FELONY

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05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

It is further alleged, as to the above count, that said DEFENDANT, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
C11111	HS11350	12-22-93	KINGS	CA	SUPERIOR
96CM2257	HS11350	11-26-96	KINGS	CA	SUPERIOR
05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

COUNT 2

On or about November 10, 2013, in the County of Tulare, the crime of POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, in violation of Health and Safety Code section 11378, a FELONY, was committed by **JOHN DEWAYNE YOUNG**, who did unlawfully possess for purpose of sale a controlled substance, to wit, METHAMPHETAMINE.

“NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and safety Code section 11594.”

SPECIAL ALLEGATION-PUNISHMENT BY QUANTITY

It is further alleged, as to the above count, that the substance containing METHAMPHETAMINE exceeded 10 KILOGRAMS within the meaning of section 11370.4(b)(3) of the Health and Safety Code.

SPECIAL ALLEGATION-2/3 STRIKES (ONE PRIOR)

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i), as to the above count, that the DEFENDANT, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

SPECIAL ALLEGATION-PRIOR-ANY FELONY

It is further alleged, as to the above count, pursuant to Penal Code section 667.5(b) that the DEFENDANT, has suffered the following prior conviction(s):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
C11111	HS11350	12-22-93	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

SPECIAL ALLEGATION-PRIOR-ANY FELONY

It is further alleged, as to the above count, pursuant to Penal Code section 667.5(b) that the DEFENDANT, has suffered the following prior conviction(s):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
96CM2257	HS11350	11-26-96	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

SPECIAL ALLEGATION-PRIOR-ANY FELONY

It is further alleged, as to the above count, pursuant to Penal Code section 667.5(b) that the DEFENDANT, has suffered the following prior conviction(s):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the DEFENDANT did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

It is further alleged, as to the above count, that said DEFENDANT, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
C11111	HS11350	12-22-93	KINGS	CA	SUPERIOR
96CM2257	HS11350	11-26-96	KINGS	CA	SUPERIOR
05CM7856	PC459/1 ST	05-30-06	KINGS	CA	SUPERIOR

COUNT 3

On or about November 10, 2013, in the County of Tulare, the crime of UNDER INFLUENCE OF A CONTROLLED SUBSTANCE, in violation of Health and Safety Code section 11550(a), a MISDEMEANOR, was committed by **JOHN DEWAYNE YOUNG**, who did willfully and unlawfully use or was under the influence of a controlled substance, to wit, METHAMPHETAMINE.

“NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and safety Code section 11594.”

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.

Pursuant to People v. Cunningham, the People hereby put the defendant on notice that the aggravated sentence may be sought in this case.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 3 COUNT(S).

Executed at VISALIA DIVISION, California, on November 13, 2013.

BENJAMIN TAKSA
DEPUTY DISTRICT ATTORNEY

Agency: TCSO

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>COURT DATE</u>	<u>INTAKE STATUS</u>
JOHN DEWAYNE YOUNG	M	B	603	210	BRO	BLK	11/13/2013	IC

COMPLAINT PROCESSED BY: JLD