

**STANISLAUS COUNTY SUPERIOR COURT**  
**STATE OF CALIFORNIA**

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
)  
vs. )  
)  
**GABRIEL URBIETA RODRIGUEZ** )  
(DOB: 3/13/39) )  
(AT LARGE) )  
**IN CHA SAY** )  
(DOB: 5/10/52) )  
(AT LARGE) )  
**ROBERT YOUNAN** )  
(DOB: 10/10/63) )  
(AT LARGE) )  
DEFENDANT(S) )  
)  
No. 1422678 )  
)

**COMPLAINT -- CRIMINAL**

CAL BGSA1046

State of California )  
County of Stanislaus ) ss.

On September 7, 2010, M. MEDINA, CALIFORNIA DEPARTMENT OF JUSTICE, complains and alleges, upon information and belief, that said defendants did commit the following crimes in the County of Stanislaus, State of California.

**COUNT I:** On or about July 12, 2010, defendant(s), **GABRIEL URBIETA RODRIGUEZ and IN CHA SAY** did commit a felony, BURGLARY IN THE SECOND DEGREE, violation of Section 459 of the California Penal Code, in that the defendant(s) did willfully, unlawfully, and feloniously enter a building or locked motor vehicle, belonging to another, located in the County and State aforesaid, with the intent then and there and therein to commit theft or any other felony offense.

**COUNT II:** On or about July 12, 2010, defendant(s) did commit a felony, GRAND THEFT, violation of Section 487(a) of the California Penal Code, in that the defendant(s) did willfully, unlawfully and feloniously take the property of another of a value exceeding Four Hundred Dollars (\$400.00).

**COUNT III:** On or about July 12, 2010, defendant(s) did commit a felony, CONSPIRACY, violation of Section 182 of the California Penal Code, in that the defendant(s) did willfully, unlawfully, and feloniously conspire, combine and agree together to commit the crime of GRAND THEFT, that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid combination, agreement and conspiracy, the defendant(s) committed the following overt act(s) at and in the County of Stanislaus, State of California. Each of the following overt acts were committed in order to further the defendants agreement and conspiracy.

OVERT ACT NO. 1

Obtain 12 deck of cards from Turlock Poker Room .

OVERT ACT NO. 2

Marked those cards.

OVERT ACT NO. 3

Brought cards to poker room.

OVERT ACT NO. 4

Gave cards to the floor manager.

OVERT ACT NO. 5

Put cards in play.

OVERT ACT NO. 6

Placed bets at optimum time.

OVERT ACT NO. 7

Cashed out chips once parked cards were taken out of play.

**COUNT IV:** On or about July 12, 2010, defendant(s) did commit a felony, FRAUDULENTLY OBTAIN MONEY BY USE OF MARKED CARDS, violation of Section 332(a) of the California Penal Code, in that the defendant(s) did willfully, unlawfully, and feloniously and fraudlently obtain money from another person by use of marked check.

**THE FOLLOWING BELONG TO GABRIEL URBIETA RODRIGUEZ FOR ALL COUNTS:**

**SPECIAL ALLEGATION:** It is further alleged pursuant to Penal Code Section 1203(e)(4), that the defendant has twice or more times prior to the commission of the above offense been convicted of a felony in the State of California.

**PRIOR:** [PC §667.5(b)] That before the commission of the offense(s) set forth, said defendant was convicted of the crime(s) of: **1)** Violation of Section 459 of the California Penal Code, a felony, in the Superior Court, County of Yolo, State of California, and the judgment of said court against said defendant in said connection was, on or about the 18th day of April, 2008, pronounced and rendered (Docket No. CRF056811); **2)** Violation of Section 1320.5 of the California Penal Code, a felony, in the Superior Court, County of Yolo, State of California, and the judgment of said court against said defendant in said connection was, on or about the 18th day of April, 2008, pronounced and rendered (Docket No. CRF056811); and said defendant served a term of imprisonment therefor in state prison of the State of California, the defendant having not remained free of prison custody or the commission of an offense that resulted in a felony conviction for more than five years.

All of which is contrary to law in such cases made and provided, and against the peace and dignity of the People of the State of California.

Said Complaint therefore prays that a warrant be issued for the arrest of said defendant(s) and that said defendant(s) be dealt with according to law.

I certify under penalty of perjury, at Modesto, California, that the foregoing is true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_

Complainant