

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION**

THE PEOPLE OF THE STATE OF CALIFORNIA, <p style="text-align: center;">v.</p> MONIQUE MARIE GARCIA, <i>dob 02/01/70;</i>	Plaintiff, Defendant
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CT No. CD285104
DA No. AEP770

COMPLAINT-FELONY

INFORMATION Date: _____
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PC296 DNA TEST STATUS SUMMARY

Defendant

DNA Testing Requirements

GARCIA, MONIQUE MARIE

DNA sample required upon conviction

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	HS11361(a) GARCIA, MONIQUE MARIE	Felony	3-5-7		
2	HS11361(b) GARCIA, MONIQUE MARIE	Felony	3-4-5		
3	BP25658(a) GARCIA, MONIQUE MARIE	Misdemeanor	6 Mos		
4	PC273a(b) GARCIA, MONIQUE MARIE	Misdemeanor	6 Mos\Fine		
5	PC272(a)(1) GARCIA, MONIQUE MARIE	Misdemeanor	Fine\1 Yr		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - EMPLOYMENT OF A MINOR TO SELL OR CARRY CANNABIS

On or about and between February 15, 2019 and February 18, 2019, MONIQUE MARIE GARCIA, being a person 18 years of age and older, did hire, employ and use a minor to unlawfully transport, carry, sell, give away, prepare for sale, and peddle cannabis, in violation of HEALTH AND SAFETY CODE SECTION 11361(a).

COUNT 2 - FURNISHING CANNABIS TO MINOR OVER 14

On or about and between February 15, 2019 and February 18, 2019, MONIQUE MARIE GARCIA, being a person 18 years and older, did unlawfully furnish, administer, give and offer to furnish, administer and give cannabis to a minor over the age of 14 years, in violation of HEALTH AND SAFETY CODE SECTION 11361(b). (to wit: students 1-12)

COUNT 3 - SALE OF ALCOHOLIC BEVERAGE TO A MINOR

On or about and between February 15, 2019 and February 18, 2019, MONIQUE MARIE GARCIA did unlawfully sell, furnish, give, and cause to be sold, furnished, and given away, to a person under the age of twenty-one years, an alcoholic beverage containing one-half of one percent and more of alcohol by volume and fit for beverage purposes, in violation of BUSINESS AND PROFESSIONS CODE SECTION 25658(a). (to wit: students 1-6, 8-16)

COUNT 4 - CRUELTY TO A CHILD BY ENDANGERING HEALTH

On or about and between February 15, 2019 and February 18, 2019, MONIQUE MARIE GARCIA, having the care and custody of , a child, did willfully and unlawfully cause and permit the person and health of that child to be injured, and did willfully cause and permit that child to be placed in such a situation that its person and health may be endangered, in violation of PENAL CODE SECTION 273a(b). (to wit: students 1-14)

COUNT 5 - CONTRIBUTING TO THE DELINQUENCY OF A MINOR

On or about and between February 15, 2019 and February 18, 2019, MONIQUE MARIE GARCIA did unlawfully commit an act and omit a performance of a duty causing and tending to cause and encourage, and by threats, commands, and persuasion, inducing and endeavoring to induce, a person under the age of eighteen years, to come within the provisions of Sections 300, 601, and 602 of the Welfare and Institutions Code, to wit: to a criminal ordinance of a city and county in California, and a law of California and the United States, in violation of PENAL CODE SECTION 272(a)(1). (to wit: students 1-14)

NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

NOTICE: Any defendant named on this complaint who is on Mandatory Supervision in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's Mandatory Supervision pursuant to Penal Code Sections 1170(h)(5)(B) and 1203.2, on any and all such grants, utilizing the same evidence, at the preliminary hearing. Defense to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

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.

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD285104, CONSISTS OF 5 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on March 3, 2020.

COMPLAINANT

INFORMATION

SUMMER STEPHAN
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney