

FILED

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K. TERRELL, CLERK OF THE SUPERIOR COURT
COUNTY OF CONTRA COSTA, CALIF.

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10 SUPERIOR COURT OF CALIFORNIA
 11 COUNTY OF CONTRA COSTA
 12 MARTINEZ

13 THE PEOPLE OF THE STATE OF CALIFORNIA,

14 Plaintiff,

15 v.

16 MICHAEL GRESSETT,

17 Defendant.

NO. 01-140204-9

COMPLAINT - FELONY

- 01) PC 286(c)(2)
- 02) PC 286(c)(2)
- 03) PC 289(a)(1)
- 04) PC 289(a)(1)
- 05) PC 289(a)(1)
- 06) PC 261(a)(2)
- 07) PC 286(c)(2)
- 08) PC 288a(c)(2)
- 09) PC 261(a)(2)
- 10) PC 286(c)(2)
- 11) PC 236
- 12) PC 422

WITH ENHANCEMENTS

23 COUNT ONE

24 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
 25 commit a felony, a violation of Penal Code section 286(c)(2) (sodomy by use of force), committed
 26 as follows:
 27
 28

1 On or about May 8, 2008, at 1192 Village Place, Martinez, in Contra Costa County, the
2 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
3 bodily injury on Jane Doe, did unlawfully participate in an act of sodomy with and against the will
4 of Jane Doe.

5 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
6 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

7 NOTICE: Conviction of this offense will require the court to order you to submit to a
8 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
9 Syndrome (AIDS). Penal Code section 1202.1.

10 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
11 section 290. Willful failure to register is a crime.

12 NOTICE: Conviction of this offense will require you to provide specimens and samples
13 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

14
15 **COUNT TWO**

16 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
17 commit a felony, a violation of Penal Code section 286(c)(2) (sodomy by use of force), committed
18 as follows:

19 On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the
20 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
21 bodily injury on Jane Doe, did unlawfully participate in an act of sodomy with and against the will
22 of Jane Doe.

23 **CHARGE ENHANCEMENT**
24 **USING DEADLY WEAPON/FIREARM**
25 **IN DESIGNATED SEX OFFENSE**

26 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
27 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
28 handgun, a firearm.

1 subdivision (a)(1) of Penal Code section 289, upon Jane Doe.

2 **CHARGE ENHANCEMENT**
3 **USING DEADLY WEAPON/FIREARM**
4 **IN DESIGNATED SEX OFFENSE**

5 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
6 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
7 handgun, a firearm.

8 **CHARGE ENHANCEMENT**
9 **PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

10 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
11 and attempted commission of the above offense the Defendant, Michael Gressett, personally used
12 a handgun, a firearm.

13 **CHARGE ENHANCEMENT**
14 **SENTENCE FIXING ALLEGATION**
15 **DESIGNATED SEX CRIME WITH**
16 **TWO OR MORE SPECIFIED CIRCUMSTANCES**

17 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
18 in the commission of the above offense, the Defendant, Michael Gressett, personally used a
19 dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and
20 12022.53.

21 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
22 in the commission of the above offense, the Defendant, Michael Gressett, engaged in the tying and
23 binding of Jane Doe.

24 **CHARGE ENHANCEMENT**
25 **USING A DEADLY WEAPON**

26 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
27 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
28 deadly weapon, an ice pick.

NOTICE: The above offense is a serious felony within the meaning of Penal Code section
1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

1 NOTICE: Conviction of this offense will require the court to order you to submit to a
2 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
3 Syndrome (AIDS). Penal Code section 1202.1.

4 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
5 section 290. Willful failure to register is a crime.

6 NOTICE: Conviction of this offense will require you to provide specimens and samples
7 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

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9 **COUNT FOUR**

10 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
11 commit a felony, a violation of Penal Code Section 289(a)(1) (forcible sexual penetration),
12 committed as follows:

13 On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the
14 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
15 bodily injury on Jane Doe, did unlawfully commit an act of sexual penetration as defined in
16 subdivision (a)(1) of Penal Code section 289, upon Jane Doe.

17 **CHARGE ENHANCEMENT**
18 **USING DEADLY WEAPON/FIREARM**
19 **IN DESIGNATED SEX OFFENSE**

20 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
21 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
22 handgun, a firearm.

23 **CHARGE ENHANCEMENT**
24 **PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

25 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
26 and attempted commission of the above offense the Defendant, Michael Gressett, personally used
27 a handgun, a firearm.

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**CHARGE ENHANCEMENT
SENTENCE FIXING ALLEGATION
DESIGNATED SEX CRIME WITH
TWO OR MORE SPECIFIED CIRCUMSTANCES**

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It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that in the commission of the above offense, the Defendant, Michael Gressett, personally used a dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and 12022.53.

It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that in the commission of the above offense, the Defendant, Michael Gressett, engaged in the tying and binding of Jane Doe.

**CHARGE ENHANCEMENT
USING A DEADLY WEAPON**

It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and attempted commission of the above offense the Defendant, Michael Gressett, personally used a deadly weapon, an ice pick.

NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

COUNT FIVE

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The undersigned states, on information and belief, that Michael Gressett, Defendant, did commit a felony, a violation of Penal Code Section 289(a)(1) (forcible sexual penetration),

1 committed as follows:

2 On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the
3 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
4 bodily injury on Jane Doe, did unlawfully commit an act of sexual penetration as defined in
5 subdivision (a)(1) of Penal Code section 289, upon Jane Doe.

6 **CHARGE ENHANCEMENT**
7 **USING DEADLY WEAPON/FIREARM**
8 **IN DESIGNATED SEX OFFENSE**

9 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
10 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
11 handgun, a firearm.

12 **CHARGE ENHANCEMENT**
13 **PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

14 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
15 and attempted commission of the above offense the Defendant, Michael Gressett, personally used
16 a handgun, a firearm.

17 **CHARGE ENHANCEMENT**
18 **SENTENCE FIXING ALLEGATION**
19 **DESIGNATED SEX CRIME WITH**
20 **TWO OR MORE SPECIFIED CIRCUMSTANCES**

21 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
22 in the commission of the above offense, the Defendant, Michael Gressett, personally used a
23 dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and
24 12022.53.

25 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
26 in the commission of the above offense, the Defendant, Michael Gressett, engaged in the tying and
27 binding of Jane Doe.

28 **CHARGE ENHANCEMENT**
29 **USING A DEADLY WEAPON**

It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and

1 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
2 deadly weapon, an ice pick.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
4 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

5 NOTICE: Conviction of this offense will require the court to order you to submit to a
6 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
7 Syndrome (AIDS). Penal Code section 1202.1.

8 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
9 section 290. Willful failure to register is a crime.

10 NOTICE: Conviction of this offense will require you to provide specimens and samples
11 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

12 13 COUNT SIX

14 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
15 commit a felony, a violation of Penal Code section 261(a)(2) (forcible rape), committed as follows:

16 On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the
17 Defendant, Michael Gressett, by means of force, violence, duress, menace, and fear of immediate
18 and unlawful bodily injury, did unlawfully accomplish an act of sexual intercourse with and against
19 the will of Jane Doe, who was not the spouse of the Defendant.

20 **CHARGE ENHANCEMENT** 21 **USING DEADLY WEAPON/FIREARM** 22 **IN DESIGNATED SEX OFFENSE**

23 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
24 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
handgun, a firearm.

25 **CHARGE ENHANCEMENT** 26 **PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

27 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
28 and attempted commission of the above offense the Defendant, Michael Gressett, personally used

1 a handgun, a firearm.

2 **CHARGE ENHANCEMENT**
3 **SENTENCE FIXING ALLEGATION**
4 **DESIGNATED SEX CRIME WITH**
5 **TWO OR MORE SPECIFIED CIRCUMSTANCES**

6 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
7 in the commission of the above offense, the Defendant, Michael Gressett, personally used a
8 dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and
9 12022.53.

10 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
11 in the commission of the above offense, the Defendant, Michael Gressett, engaged in the tying and
12 binding of Jane Doe.

13 **CHARGE ENHANCEMENT**
14 **USING A DEADLY WEAPON**

15 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
16 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
17 deadly weapon, an ice pick.

18 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
19 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

20 NOTICE: Conviction of this offense will require the court to order you to submit to a
21 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
22 Syndrome (AIDS). Penal Code section 1202.1.

23 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
24 section 290. Willful failure to register is a crime.

25 NOTICE: Conviction of this offense will require you to provide specimens and samples
26 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

COUNT SEVEN

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2 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
3 commit a felony, a violation of Penal Code section 286(c)(2) (sodomy by use of force), committed
4 as follows:

5 On or about May 8, 2008, at 1192 Village Place, Martinez, in Contra Costa County, the
6 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
7 bodily injury on Jane Doe, did unlawfully participate in an act of sodomy with and against the will
8 of Jane Doe.

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10 **CHARGE ENHANCEMENT
USING DEADLY WEAPON/FIREARM
IN DESIGNATED SEX OFFENSE**

11 It is further alleged, pursuant to penal Code section 12022.3(a), that in the commission and
12 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
13 handgun, a firearm.

14 **CHARGE ENHANCEMENT
PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

15
16 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
17 and attempted commission of the above offense the Defendant, Michael Gressett, personally used
18 a handgun, a firearm.

19 **CHARGE ENHANCEMENT
SENTENCE FIXING ALLEGATION
DESIGNATED SEX CRIME WITH
20 TWO OR MORE SPECIFIED CIRCUMSTANCES**

21
22 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
23 in the commission of the above offense, the Defendant, Michael Gressett, personally used a
24 dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and
25 12022.53.

26 It is further alleged, pursuant to subdivisions (a) and (e) of Penal Code section 667.61, that
27 in the commission of the above offense, the Defendant, Michael Gressett, engaged in the tying and
28 binding of Jane Doe.

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**CHARGE ENHANCEMENT
USING A DEADLY WEAPON**

3 It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and
4 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
5 deadly weapon, an ice pick.

6 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
7 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

8 NOTICE: Conviction of this offense will require the court to order you to submit to a
9 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
10 Syndrome (AIDS). Penal Code section 1202.1.

11 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
12 section 290. Willful failure to register is a crime.

13 NOTICE: Conviction of this offense will require you to provide specimens and samples
14 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

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COUNT EIGHT

17 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
18 commit a felony, a violation of Penal Code Section 288a(c)(2) (oral copulation by force), committed
19 as follows:

20 On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the
21 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
22 bodily injury on Jane Doe, did unlawfully commit an act of oral copulation with and against the will
23 of Jane Doe.

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**CHARGE ENHANCEMENT
USING DEADLY WEAPON/FIREARM
IN DESIGNATED SEX OFFENSE**

25
26 It is further alleged, pursuant to penal Code section 12022.3(a), that in the commission and
27 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
28 handgun, a firearm.

COUNT NINE

The undersigned states, on information and belief, that Michael Gressett, Defendant, did commit a felony, a violation of Penal Code section 261(a)(2) (forcible rape), committed as follows:

On or about May 8, 2008, at 192 Village Place, Martinez, in Contra Costa County, the Defendant, Michael Gressett, by means of force, violence, duress, menace, and fear of immediate and unlawful bodily injury, did unlawfully accomplish an act of sexual intercourse with and against the will of Jane Doe, who was not the spouse of the Defendant.

**CHARGE ENHANCEMENT
USING DEADLY WEAPON/FIREARM
IN DESIGNATED SEX OFFENSE**

It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and attempted commission of the above offense the Defendant, Michael Gressett, personally used a handgun, a firearm.

**CHARGE ENHANCEMENT
PERSONALLY USING FIREARM IN DESIGNATED OFFENSE**

It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission and attempted commission of the above offense the Defendant, Michael Gressett, personally used a handgun, a firearm.

**CHARGE ENHANCEMENT
SENTENCE FIXING ALLEGATION
DESIGNATED SEX CRIME WITH
SPECIFIED CIRCUMSTANCE**

It is further alleged, pursuant to subdivision (a) of Penal Code section 667.61, that in the commission of the above offense, the Defendant, Michael Gressett, personally used a dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and 12022.53.

**CHARGE ENHANCEMENT
USING A DEADLY WEAPON**

It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and attempted commission of the above offense the Defendant, Michael Gressett, personally used a deadly weapon, an ice pick.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
2 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

3 NOTICE: Conviction of this offense will require the court to order you to submit to a
4 blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
5 Syndrome (AIDS). Penal Code section 1202.1.

6 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
7 section 290. Willful failure to register is a crime.

8 NOTICE: Conviction of this offense will require you to provide specimens and samples
9 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

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COUNT TEN

12 The undersigned states, on information and belief, that Michael Gressett, Defendant, did
13 commit a felony, a violation of Penal Code section 286(c)(2) (sodomy by use of force), committed
14 as follows:

15 On or about May 8, 2008, at 1192 Village Place, Martinez, in Contra Costa County, the
16 Defendant, Michael Gressett, by force, violence, duress, menace, and fear of immediate and unlawful
17 bodily injury on Jane Doe, did unlawfully participate in an act of sodomy with and against the will
18 of Jane Doe.

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CHARGE ENHANCEMENT USING DEADLY WEAPON/FIREARM IN DESIGNATED SEX OFFENSE

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21 It is further alleged, pursuant to penal Code section 12022.3(a), that in the commission and
22 attempted commission of the above offense the Defendant, Michael Gressett, personally used a
23 handgun, a firearm.

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CHARGE ENHANCEMENT PERSONALLY USING FIREARM IN DESIGNATED OFFENSE

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26 It is further alleged, pursuant to Penal Code section 12022.53(b), that in the commission
27 and attempted commission of the above offense the defendant, Michael Gressett, personally used a
28 handgun, a firearm.

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**CHARGE ENHANCEMENT
SENTENCE FIXING ALLEGATION
DESIGNATED SEX CRIME WITH
SPECIFIED CIRCUMSTANCE**

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It is further alleged, pursuant to subdivision (a) of Penal Code section 667.61, that in the commission of the above offense, the Defendant, Michael Gressett, personally used a dangerous and deadly weapon in violation of Penal Code sections 12022, 12022.3, 12022.5, and 12022.53.

**CHARGE ENHANCEMENT
USING A DEADLY WEAPON**

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It is further alleged, pursuant to Penal Code section 12022.3(a), that in the commission and attempted commission of the above offense the Defendant, Michael Gressett, personally used a deadly weapon, an ice pick.

NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and violent felony within the meaning of Penal Code section 667.5(c).

NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

COUNT ELEVEN

The undersigned states, on information and belief, that Michael Gressett, Defendant, did commit a felony, a violation of Penal Code section 236 (false imprisonment), committed as follows:

On or about May 8, 2008, at 1192 Village Place, Martinez, in Contra Costa County, the Defendant, Michael Gressett, by force, menace, fraud, and deceit on Jane Doe, did unlawfully violate the personal liberty of Jane Doe.

1 pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

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3 **DEFENDANT ENHANCEMENT**
4 **PROBATION INELIGIBILITY CLAUSE**
5 **USE OF FIREARM IN SPECIFIED CRIMES**

6 It is further alleged, pursuant to Penal Code section 1203.06(a)(1), that the Defendant,
7 Michael Gressett, is ineligible for probation, in that the Defendant personally used a handgun, a
8 firearm, during the commission and attempted commission of the crimes charged in Counts TWO,
9 THREE, FOUR, FIVE, SIX, SEVEN, EIGHT, NINE, TEN, AND ELEVEN.

10 **DEFENDANT ENHANCEMENT**
11 **PROBATION INELIGIBILITY**
12 **WITHHOLDING PROBATION**
13 **FOR PERSONS CONVICTED OF SEXUAL OFFENSES**


14 It is further alleged, pursuant to Penal Code section 1203.065(a), that the Defendant,
15 Michael Gressett, committed the offenses as charged in COUNTS ONE, TWO, THREE, FOUR
16 FIVE, SIX, SEVEN, EIGHT, NINE, TEN, and ELEVEN by use of force, violence, duress, menace,
17 or fear of immediate and unlawful bodily injury on Jane Doe, and said Defendant is ineligible for
18 probation.

19 NOTICE: Pursuant to Penal Code section 1054.3, please disclose to the prosecuting
20 attorney the following: (a) The names and addresses of persons, other than the defendant, he or she
21 intends to call as witnesses at trial, together with any relevant written or recorded statements of those
22 persons, or reports of the statements of those persons, including any reports or statements of experts
23 made in connection with the case, and including the results of physical or mental examinations,
24 scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the
25 trial. (b) Any real evidence which the defendant intends to offer in evidence at the trial.

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I declare under penalty of perjury that the foregoing is true and correct except for those things stated on information and belief and those I believe to be true.

EXECUTED ON November 20, 2008 at San Francisco, California.


PETER E. FLORES, JR.
Complainant

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