

**FILED**

MAR 06 2012

SUPERIOR COURT OF THE STATE OF CALIFORNIA EL DORADO CO. SUPERIOR COURT  
IN AND FOR THE COUNTY OF EL DORADO BY ~~B. Beattie~~ (DEPUTY)

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

DONALD PHILLIP ATKINSON,

Defendant.

DKT# : **P12 CRF 0137**

DA # :

AGENCY / NO.

DEPARTMENT

**CRIMINAL COMPLAINT**

The Attorney General of the State of California and the District Attorney of El Dorado County, based upon information and belief, hereby allege:

**COUNT I**

On or between the 1st day of January, 2005, and the 30th day of June, 2011, in the County of El Dorado, the crime of **EMBEZZLEMENT BY PUBLIC OR PRIVATE OFFICER**, in violation of **PENAL CODE SECTION 504**, a Felony, was committed by DONALD PHILLIP ATKINSON, who as President of the **El Dorado County Deputy Sheriff's Association**, did unlawfully and fraudulently appropriate to a use and purpose not in the due and lawful execution of his trust, property which he had in his/her possession and under his control by virtue of his trust and did unlawfully secrete said property with a fraudulent intent to appropriate it to such a use and purpose contrary to Penal Code section 487(a), said property being of a value exceeding Nine Hundred Fifty Dollars (\$950.00).

**SPECIAL ALLEGATION - EXCESSIVE LOSS OVER \$200,000**

It is further alleged as to Count I that in the commission of the above offense the said defendant, with the intent to do so, took property of a value exceeding Two Hundred Thousand Dollars (\$200,000.00), within the meaning of Penal Code Section 12022.6(a)(2), to wit Two Hundred Ninety-Five Thousand One Hundred Ninety Five Dollars and Forty Two Cents (\$295,195.42) from the **El Dorado County Deputy Sheriff's Association**.

## COUNT II

On or between the 1st day of November, 2007, and the 30th day of November, 2010, in the County of El Dorado, the crime of **GRAND THEFT**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did willfully and unlawfully commit theft by larceny, trick, false pretenses and embezzlement with respect to property of the **El Dorado County Deputy Sheriff's Association**, having a value exceeding Nine Hundred Fifty Dollars, (\$950.00), to wit, Forty-Three Thousand One Hundred Fifty Two Dollars and Seventy-Two Cents (\$43,152.72).

## COUNT III

On or about the 2nd day of June, 2011, in the County of El Dorado, the crime of **THEFT FROM ELDER OR DEPENDENT ADULT**, in violation of **PENAL CODE SECTION 368(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully commit theft, embezzlement, forgery, fraud, and identity theft with respect to the property and personal identifying information of an elder and dependent adult, said property, moneys, labor, goods, and services taken and obtained having a value exceeding \$950.00, and knew and reasonably should have known that said person, **Liselotte Holzer**, was an elder and dependent adult.

### **SPECIAL ALLEGATION - EXCESSIVE LOSS OVER \$65,000**

It is further alleged as to Count III that in the commission of the above offense the said defendant, with the intent to do so, took property of a value exceeding Sixty-Five Thousand Dollars (\$65,000.00), within the meaning of Penal Code Section 12022.6(a)(1), to wit One Hundred Thousand Dollars (\$100,000.00) from **Liselotte Holzer**.

## COUNT IV

On or about the 1st day of June, 2008, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Embroidery Image, knowing the same to be false, altered, forged and counterfeited.

## COUNT V

On or about the 2nd day of June, 2008, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT VI

On or about the 6th day of January, 2008, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from 4imprint, knowing the same to be false, altered, forged and counterfeited.

## COUNT VII

On or about the 10th day of June, 2008, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT VIII

On or about the 24th day of July, 2008, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT IX

On or about the 10th day of March, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT X

On or about the 11th day of March, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT XI

On or about the 10th day of April, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT XII

On or about the 1st day of May, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT XIII

On or about the 5th day of May, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Firebrand USA / Transfer Express, knowing the same to be false, altered, forged and counterfeited.

## COUNT XIV

On or about the 21st day of May, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

## COUNT XV

On or about the 22nd day of May, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

## COUNT XVI

On or about the 2nd day of June, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

## COUNT XVII

On or about the 5th day of August, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XVIII

On or about the 2nd day of September, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Advanced Fitness Equipment, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XIX

On or about the 25th day of October, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XX

On or about the 15th day of December, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress (\$575.00), knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXI

On or about the 15th day of December, 2009, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress (\$612.50), knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXII

On or about the 7th day of January, 2010, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXIII

On or about the 26th day of January, 2010, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from FBTx - Firebrand / TransExpress, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXIV

On or about the 10th day of March, 2010, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Economy Speed Press, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXV

On or about the 1st day of May, 2010, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from 4imprint, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXVI

In or about the May, 2010, in the County of El Dorado, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony was committed by DONALD PHILLIP ATKINSON, who did unlawfully, with the intent to defraud, falsely make, alter, forge and counterfeit, utter, publish, pass and attempt and offer to pass, as true and genuine a due bill for the payment of money or goods from Labor Relations Information System, knowing the same to be false, altered, forged and counterfeited.

#### COUNT XXVII

On or about the 30th day of January 2005, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

#### COUNT XXVIII

On or about the 28th day of July 2005, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXIX

On or about the 22nd day of October 2005, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXX

On or about the 30th day of July 2006, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXI

On or about the 30th day of January 2007, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXII

On or about the 30th day of July 2007, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXIII

On or about the 27th day of January 2008, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXIV

On or about the 22nd day of May 2008, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXV

On or about the 30th day of July 2008, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXVI

On or about the 1st day of October 2008, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXVII

On or about the 2nd day of February 2009, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XXXVIII

On or about the 30th day of July 2009, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.



COUNT XXXIX

On or about the 28th day of January 2010, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XL

On or about the 30th day of July 2010, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XLI

On or about the 8th day of October 2010, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XLII

On or about the 21st day of October 2010, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

COUNT XLIII

On or about the 28th day of January 2011, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

## COUNT XLIV

On or about the 7th day of July 2011, in the County of El Dorado, the crime of **PERJURY BY DECLARATION**, in violation of **PENAL CODE SECTION 118(a)**, a Felony, was committed by DONALD PHILLIP ATKINSON, who did unlawfully, under penalty of perjury, declare as true, that which was known to be false, to wit, falsely stating the information on the "current cash statement," including the "ending cash balance," on the Recipient Committee Campaign Statement, California Form 460, filed on behalf of the Political Action Committee, Deputy Sheriffs Association of El Dorado County.

### **SPECIAL ALLEGATION - EXCESSIVE LOSS OVER \$200,000**

It is further alleged as to Counts I-III that in the commission of the above offenses the said defendant, with the intent to do so, took property of a value exceeding Two Hundred Thousand Dollars (\$200,000.00), within the meaning of Penal Code Section 12022.6(a)(2), to wit Four Hundred Thirty-Eight Thousand Three Hundred Forty-Eight Dollars and Fourteen Cents (\$438,348.14) from the El Dorado County Deputy Sheriff's Association and Liselotte Holzer.

### **SPECIAL ALLEGATION - AGGRAVATED WHITE COLLAR CRIME**

It is further alleged as to Counts I-III within the meaning of Penal Code section 186.11(a)(1) that in the commission of the above offenses, and pursuant to a pattern of related felonious conduct, the defendant committed two or more related felonies, a material element of which is fraud and embezzlement, against two or more separate victims and against the same victim on two or more separate occasions, and the pattern of related felony conduct involves the taking of more than One Hundred Thousand Dollars (\$100,000).

### **SPECIAL ALLEGATION - LIMITATION ON GRANT OF PROBATION**

It is further alleged as to Counts I-III, that the theft was of an amount exceeding One Hundred Thousand Dollars (\$100,000.00), within the meaning of section 1203.045(a) of the Penal Code.

## **JURISDICTIONAL CLAUSES**

It is further alleged as to Counts I through XXVI, pursuant to Penal Code section 778, that if the offenses alleged therein were commenced by the defendant in the State of Nevada, the effects thereof proceeded directly to and were consummated in El Dorado County.

It is further alleged as to Counts I through XXVI, pursuant to Penal Code section 778a, that the defendant, with the intent to commit crimes, did acts in El Dorado County in execution of that intent, culminating in the commission of crimes, within and without the State of California.

It is further alleged as to Count III that jurisdiction is based on the acts and effects constituting or requisite to the consummation of the offense occurred in El Dorado and Los Angeles Counties, pursuant to Section 781 of the Penal Code.

It is further alleged as to Counts XXVII through XLIV, pursuant to Penal Code section 777b, that jurisdiction exists in El Dorado County over acts of perjury in violation of Penal Code section 118, even if committed outside of the State of California, because the act, transaction, matter, action, or proceeding, in relation to which the testimony, declaration, deposition, or certification was given or made was El Dorado County.

**PENAL CODE SECTIONS 801.5 AND 803(c) NOTICE**

The fraud offenses alleged herein were discovered within four (4) years of the filing of this complaint.

**Based upon information and belief**, the undersigned certifies in his official capacity and under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on March 6, 2012, at El Dorado County, California.

KAMALA D. HARRIS  
Attorney General of California

By  (for)  
RONALD D. SMETANA  
Senior Assistant Attorney General

**Pursuant to Penal Code §1054.5(b)**, the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code §1054.3 and pursuant to the provisions of Penal Code section 1054.7.

**WARNING: Penal Code Section 1054.2 makes it a Misdemeanor Criminal Offense** for an attorney receiving discovery to disclose certain confidential information regarding victims and witnesses to defendants and others. Attorneys should review this code section carefully before sharing reports received in discovery with anyone.