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**FILED**

JAN 19 2024

SUPERIOR COURT  
COUNTY OF IMPERIAL  
BY: *[Signature]* DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF IMPERIAL

11 **THE PEOPLE OF THE STATE OF**  
12 **CALIFORNIA,**

13 Plaintiff,

14 v.

15 1) MARIO FERNANDEZ [REDACTED]

16 2) JOSE TORRES [REDACTED]

17 3) FRANCISCO LUNA CHAVEZ [REDACTED]  
18 [REDACTED]

19 Defendants.

Case No. JCF 007536

**FELONY COMPLAINT FOR ARREST  
WARRANT**

20  
21 The Attorney General of the State of California, based on information and belief, accuses  
22 the above-named Defendant of the following offenses, which are connected to each other in their  
23 commission:

24 **COUNT 1**

25 On or about January 18, 2024, in the county of Imperial, the crime of  
26 SALE/TRANSPORTATION/OFFER TO SELL CONTROLLED SUBSTANCE, a violation of  
27 HEALTH AND SAFETY CODE SECTION 11352(a), a Felony, was committed by defendants  
28 MARIO FERNANDEZ, JOSE TORRES, and FRANCISCO LUNA CHAVEZ who did  
unlawfully transport, import into the State of California, sell, furnish, administer, and give away,

1 and offer to transport, import into the State of California, sell, furnish, administer, and give away,  
2 and attempt to import into the State of California and transport a controlled substance, to wit:  
3 fentanyl.

4 **COUNT 2**

5 On or about January 18, 2024, in the county of Imperial, the crime of POSSESSION FOR  
6 SALE OF A CONTROLLED SUBSTANCE, a violation of HEALTH AND SAFETY CODE  
7 SECTION 11351, a Felony, was committed by defendants MARIO FERNANDEZ, JOSE  
8 TORRES, and FRANCISCO LUNA CHAVEZ, who did unlawfully possess for sale and purchase  
9 for sale a controlled substance, to wit: fentanyl.

10 **SPECIAL ALLEGATION 1**

11 **AGGRAVATING FACTORS AS TO MARIO FERNANDEZ, JOSE TORRES, and**  
12 **FRANCISCO LUNA CHAVEZ**

13 As to Counts 1 and 2, it is further alleged that the People will seek findings from the jury on  
14 factors of aggravation pursuant to **California Rules of Court, Rule 4.421** that:

15 Pursuant to **California Rules of Court, Rule 4.421(a)**:

16 (a)(8) The manner in which the crimes was carried out indicates planning,  
17 sophistication, or professionalism;

18 (a)(10) The crimes involved a large quantity of contraband.

19 **SPECIAL ALLEGATION 2**

20 It is further alleged pursuant to HEALTH AND SAFETY CODE SECTION  
21 11370.4(a)(1)(A), as it relates to counts 1 and 2, that defendants MARIO FERNANDEZ, JOSE  
22 TORRES, and FRANCISCO LUNA CHAVEZ sold/transported/offered to sell a controlled  
23 substance in an amount exceeding one kilogram by weight.

24 Dated: January 19, 2024

25 By:  \_\_\_\_\_

26 BRADFORD ODUGUWA  
27 Deputy Attorney General

28 For: ROB BONTA  
Attorney General of California

1                   **NOTICE TO DEFENDANT AND DEFENDANT’S ATTORNEYS**

2           Pursuant to Penal Code section 1054.5(b), the People informally request that defense  
3 counsel provide discovery to the People as required by Penal Code section 1054.3.

4                   **NOTICE TO ATTORNEYS**

5           Any materials accompanying this complaint or provided by the People in this case may  
6 contain information about witnesses. Such information is subject to Penal Code section 1054.2,  
7 which provides, “No attorney may disclose or permit to be disclosed to a defendant the address or  
8 telephone number of a victim or witness whose name is disclosed to the attorney pursuant to  
9 subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a  
10 hearing and a showing of good cause.”

11           **NOTICE: Conviction of one or more of these offenses will require the defendant to**  
12 **provide a DNA sample and print impressions pursuant to Penal Code section 296 and 296.1.**  
13 **Willful refusal to provide the samples and impressions is a crime.**