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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JAN 07 2021

Jones

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF RIVERSIDE – BANNING JUSTICE CENTER**
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12
13 **PEOPLE OF THE STATE OF CALIFORNIA,**

14 Plaintiff,

15 v.

16 **KYMBERLY SUE ADAMS**
17 **(DOB: 04/01/1964),**

18 Defendant.
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Case No. **BAF 2100022**

AG Docket No.: RV2017109468

FELONY COMPLAINT

Ct 1: Felony Financial Elder Abuse,
PC§368(e)

Ct 2: Felony Grand Theft of Personal
Property, PC§487(a)

Ct 3: Felony Money Laundering,
PC§186.10(a)

Ct 4: Felony Money Laundering,
PC§186.10(a)

Ct 5: Felony Money Laundering,
PC§186.10(a)

Ct 6: Felony Money Laundering,
PC§186.10(c)(1)(A)

Ct 7: Felony Financial Elder Abuse,
PC§368(e)

Ct 8: Grand Theft of Personal Property,
PC§487(a)

Special Allegations to Counts 1-8.: White Collar Crime Enhancement, Loss Over \$100,000, PC§186.11(a)(3); White Collar Crime Enhancement, Loss Over \$65,000, PC§12022.6(a)(1); White Collar Crime Enhancement, Loss Over \$200,000, PC§12022.6(a)(2); and Probation Limitation, PC§1203.045

1 The undersigned, certifying upon information and belief, complains that in the
2 County of Riverside, State of California, the Defendant KYMBERLY SUE ADAMS, did commit
3 the following crimes:

4 **COUNT 1**

5 **Financial Elder Abuse,**

6 **Penal Code section 368(e)(1), a Felony**

7 On or about and between April 11, 2014 and February 28, 2017, Defendant
8 KYMBERLY SUE ADAMS, being a caretaker, committed theft, embezzlement, forgery, fraud,
9 and identity theft with respect to the property and personal identifying information of an elder and
10 dependent adult, said property, money, goods, and services obtained having a value exceeding
11 \$950.00, to wit: funds from multiple bank accounts in the approximate total amount of
12 \$268,000.00, and knew and reasonably should have known that said person, *Ethel S.*, was an elder
13 and dependent adult, in violation of Penal Code section 368(e)(1), a Felony.

14 **COUNT 2**

15 **Grand Theft of Personal Property,**

16 **Penal Code section 487(a), a Felony**

17 On or about and between April 11, 2014 and February 28, 2017, Defendant
18 KYMBERLY SUE ADAMS, did knowingly and designedly, by a false and fraudulent
19 representation and pretense, obtain money, labor and real and personal property by fraud from
20 *Ethel S.*, specifically, funds from multiple bank accounts in the approximate total amount of
21 \$268,000.00, which had a value exceeding \$950, in violation of Penal Code section 487(a), a
22 Felony.

23 **COUNT 3**

24 **Money Laundering,**

25 **Penal Code section 186.10(a), a Felony**

26 On or about May 15, 2014, Defendant KYMBERLY SUE ADAMS, did unlawfully
27 conduct and attempt to conduct a transaction involving a monetary instrument or instruments of a
28 value exceeding \$5,000.00, through a financial institution with the intent to promote, manage,

1 establish, carry on, and facilitate the promotion, management, establishment, and carrying on of
2 criminal activity, to wit: the theft of victim *Ethel S.* ' funds in an approximate total amount of
3 \$268,000.00, and knowing that the monetary instrument represented the proceeds of, and was
4 derived directly or indirectly from the proceeds of, criminal activity, specifically: \$50,000.00
5 check from American General Life Insurance payable to *Ethel S.* and deposited into U.S. Bank
6 account # x2641, in violation of Penal Code section 186.10(a), a Felony.

7 **COUNT 4**

8 **Money Laundering,**

9 **Penal Code section 186.10(a), a Felony**

10 On or about August 02, 2014, Defendant KYMBERLY SUE ADAMS, did
11 unlawfully conduct and attempt to conduct a transaction involving a monetary instrument or
12 instruments of a value exceeding \$5,000.00, through a financial institution with the intent to
13 promote, manage, establish, carry on, and facilitate the promotion, management, establishment,
14 and carrying on of criminal activity, to wit: the theft of victim *Ethel S.* ' funds in an approximate
15 total amount of \$268,000.00, and knowing that the monetary instrument represented the proceeds
16 of, and was derived directly or indirectly from the proceeds of, criminal activity, specifically:
17 \$28,415.52 check from American General Life Insurance payable to *Ethel S.* and deposited into
18 U.S. Bank account # x2641, in violation of Penal Code section 186.10(a), a Felony.

19 **COUNT 5**

20 **Money Laundering,**

21 **Penal Code section 186.10(a), a Felony**

22 On or about September 22, 2014, Defendant KYMBERLY SUE ADAMS, did
23 unlawfully conduct and attempt to conduct a transaction involving a monetary instrument or
24 instruments of a value exceeding \$5,000.00, through a financial institution with the intent to
25 promote, manage, establish, carry on, and facilitate the promotion, management, establishment,
26 and carrying on of criminal activity, to wit: the theft of victim *Ethel S.* ' funds in an approximate
27 total amount of \$268,000.00, and knowing that the monetary instrument represented the proceeds
28 of, and was derived directly or indirectly from the proceeds of, criminal activity, specifically:

1 \$28,035.58 check from American General Life Insurance payable to *Ethel S.* and deposited into
2 U.S. Bank account # x9930, in violation of Penal Code section 186.10(a), a Felony.

3 **COUNT 6**

4 **Money Laundering,**

5 **Penal Code section 186.10(c)(1)(A), a Felony**

6 On or about November 12, 2014, Defendant KYMBERLY SUE ADAMS, did
7 unlawfully conduct and attempt to conduct a transaction involving a monetary instrument or
8 instruments of a value exceeding \$50,000.00, through a financial institution with the intent to
9 promote, manage, establish, carry on, and facilitate the promotion, management, establishment,
10 and carrying on of criminal activity, to wit: the theft of victim *Ethel S.*' funds in an approximate
11 total amount of \$268,000.00, and knowing that the monetary instrument represented the proceeds
12 of, and was derived directly or indirectly from the proceeds of, criminal activity, specifically:
13 \$94,574.53 check from Hemet Escrow Trust payable to *Ethel S.* and deposited into U.S. Bank
14 account # x9930, in violation of Penal Code section 186.10(c)(1)(A), a Felony.

15 Special Allegation: PC803(c) [Statute of Limitations – Late Discovery] – it is further
16 alleged as to Counts 3, 4, 5, and 6, offenses described in Penal Code section 803(c), that the
17 above violations were not discovered until May 19, 2018, at the earliest, by Cal. DOJ Special
18 Agent Eduardo Vidal, the investigating officer assigned to the investigation of this matter and
19 Defendant KYMBERLY SUE ADAMS' activities, when Special Agent Vidal received the
20 Return to Search Warrant # RI050420185 for U.S. Bank account # x5524, and that no victim of
21 said violation and no law enforcement agency chargeable with the investigation and prosecution
22 of said violation had actual and constructive knowledge of said violation prior to said date
23 because Defendant KYMBERLY SUE ADAMS had complete control over victim's accounts,
24 and Defendant KYMBERLY SUE ADAMS hid her activities with respect to victim's accounts.

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COUNT 7

Financial Elder Abuse,

Penal Code section 368(e)(1), a Felony

On or about and between October 27, 2014 an and June 07, 2017, Defendant KYMBERLY SUE ADAMS, being a caretaker, committed theft, embezzlement, forgery, fraud, and identity theft with respect to the property and personal identifying information of an elder and dependent adult, said property, money, goods, and services obtained having a value exceeding \$950.00, to wit: funds in the amount of approximately \$20,000.00 from victim's Bank of America account, and knew and reasonably should have known that said person, *Roger W.*, was an elder and dependent adult, in violation of Penal Code section 368(e)(1), a Felony.

COUNT 8

Grand Theft of Personal Property,

Penal Code section 487(a), a Felony

On or about and between October 27, 2014 and June 07, 2017, Defendant KYMBERLY SUE ADAMS, did knowingly and designedly, by a false and fraudulent representation and pretense, obtain money, labor and real and personal property by fraud from *Roger W.*, specifically, funds in the amount of approximately \$20,000.00 from victim's Bank of America account, which had a value exceeding \$950, in violation of Penal Code section 368(e)(1), a Felony.

SPECIAL ALLEGATIONS

White Collar Crime Enhancement, Loss Over \$100,000

Penal Code section 186.11(a)(3)

It is further alleged that the crimes charged above in Counts 1, 2, 3, 4, 5, 6, 7, and 8, committed by defendant KYMBERLY SUE ADAMS, involve a pattern of related felony conduct and have fraud as a material element, and it is further alleged that these related felonies resulted in the taking of more than \$100,000.00, within the meaning of Penal Code section 186.11(a)(3).

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White Collar Crime Enhancement, Loss Over \$65,000

Penal Code section 12022.6(a)(1)

It is further alleged that in the commission of the felonies charged above in Counts 1, 2, 3, 4, 5, 6, 7, and 8, defendant KYMBERLY SUE ADAMS, with the intent to do so, caused the loss of, or took property of, a value in excess of \$65,000.00, within the meaning of Penal Code section 12022.6(a)(1).

White Collar Crime Enhancement, Loss Over \$200,000

Penal Code section 12022.6(a)(2)

It is further alleged that in the commission of the felonies charged above in Counts 1, 2, 3, 4, 5, 6, 7, and 8, defendant KYMBERLY SUE ADAMS, with the intent to do so, caused the loss of, or took property of, a value in excess of \$200,000.00, within the meaning of Penal Code section 12022.6(a)(2).

Probation Limitation

Penal Code section 1203.045

It is further alleged that in the commission of Counts 1 through 8 charged above, that defendant KYMBERLY SUE ADAMS, with the intent to do so, unlawfully took in excess of \$100,000.00, within the meaning of the Penal Code section 1203.045, thereby requiring defendant be denied probation.

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1 I DECLARE UNDER PENALTY OF PERJURY, ON INFORMATION AND
2 BELIEF, THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS
3 COMPLAINT CONSISTS OF 8 COUNTS.

4 Executed at City of San Diego, County of San Diego, State of California, on January
5 6, 2021, by:

6 XAVIER BECERRA
7 Attorney General of California

8
9 PETER F. MURRAY
10 Deputy Attorney General
11 *Attorneys for the People of the State of
12 California*

13 REQUEST FOR DISCOVERY

14 Pursuant to Penal Code section 1054.5(b), the People request from defense counsel all
15 materials and information required to be disclosed to the prosecution by the defense under the
16 authority of Penal Code section 1054.3.

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19 **Bail sought: \$ 125,000.00**

20 NAME: ADAMS, Kymberly S.
21 SEX: Female
22 RACE: White
23 DOB: 04/01/1964
24 Ht: 05-07
25 Wt: 121
26 Eyes: Blue
27 Hair: Blonde
28 CDL: C0764956