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#### WARRANT ISSUED

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8	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA	1.2
9		LOS ANGELES	F 588
10			
1	CLARA SHORTRIDGE FOLTZ	CRIMINAL JUSTICE CEN	TER SEC
12		]	2317
13	PEOPLE OF THE STATE OF CALIFORNIA,	Case No. BA498325	
14			
14	Plaintiff,		
15	Plaintiff,	SECOND AMENDED FE COMPLAINT FOR ARR	
	v		
15		COMPLAINT FOR ARR	
15 16	v. 1. MIGUEL A. AGUIRRE	COMPLAINT FOR ARR	
15 16 17	v.  1. MIGUEL A. AGUIRRE (D.O.B.  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA	COMPLAINT FOR ARR	
15 16 17 18	v.  1. MIGUEL A. AGUIRRE (D.O.B.  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )	COMPLAINT FOR ARR	
15 16 17 18	v.  1. MIGUEL A. AGUIRRE (D.O.B.  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA	COMPLAINT FOR ARR	
15 16 17 18 19 20	1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )  5. WALTER GONZALEZ REYES	COMPLAINT FOR ARR	
15 16 17 18 19 20 21	v.  1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )	COMPLAINT FOR ARR	
15 16 17 18 19 20 21 22	1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )  5. WALTER GONZALEZ REYES	COMPLAINT FOR ARR	
15 16 17 18 19 20 21 22 23	V.  1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )  5. WALTER GONZALEZ REYES (D.O.B. )  6. CELSO O. GONZALEZ REYES (D.O.B. ),	COMPLAINT FOR ARR	
15 16 17 18 19 20 21 22 23 24	v.  1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )  5. WALTER GONZALEZ REYES (D.O.B. )  6. CELSO O. GONZALEZ REYES	COMPLAINT FOR ARR	
15 16 17 18 19 20 21 22 23 24 25	v.  1. MIGUEL A. AGUIRRE (D.O.B. )  2. JUAN A. GUTIERREZ (D.O.B. )  3. MARTIN E. ORNELAS-SILVA (D.O.B. )  4. JOSE H. GONZALEZ (D.O.B. )  5. WALTER GONZALEZ REYES (D.O.B. )  6. CELSO O. GONZALEZ REYES (D.O.B. ),  7. JORGE E. OLMOS	COMPLAINT FOR ARR	

1	8. JUAN GONZALEZ-ESPINOSA (D.O.B. ).			
2				
3	Defendants.			
4				
5	The Attorney General of the state of California accuses the above-named defendants			
6	of the following offenses, which are connected to each other in their commission:			
7	COUNT I			
8	On and between January 1, 2021 and January 20, 2023, in the County of Los Angeles, the			
9	crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION			
10	182(a)(l), a Felony, was committed by MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ,			
11	MARTIN E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES,			
12	CELSO O. GONZALEZ REYES, JORGE E. OLMOS and JUAN GONZALEZ-ESPINOSA			
13	who did unlawfully conspire together and with another person and persons whose identity is			
14	unknown, to commit the crime of Grand Theft in violation of Penal Code section 487(a) and			
15	Recycling Fraud in violation of Public Resources Code section 14591(b)(l)(F), felonies; that			
16	pursuant to and for the purpose of carrying out the objects and purposes of aforesaid conspirac			
17	the said defendants committed the following overt act and acts at and in the County of Los			
18	Angeles:			
19	OVERT ACTS			
20	1			
21	On or about January 12, 2021, WALTER GONZALEZ REYES submitted a Certification			
22	Application for W's Metal Recycling Center located at 4363 Avalon Blvd., Los Angeles, CA to			
23	CalRecycle.			
24	2			
25	On or about February 20, 2021, MIGUEL A. AGUIRRE sent a text message to CELSO			
26	O. GONZALEZ REYES.			
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1	3
2	On or about February 24, 2021, MIGUEL A. AGUIRRE sent a text message to CELSO
3	O. GONZALEZ REYES.
4	4
5	On or about July 9, 2021, JUAN GONZALEZ-ESPINOSA sent a text message to
6	MIGUEL A. AGUIRRE.
7	5
8	On or about July 9, 2021, JOSE H. GONZALEZ sent a text message to CELSO O.
9	GONZALEZ REYES.
10	6
11	On or about August 8, 2021 JOSE H. GONZALEZ sent a text message to WALTER
12	GONZALEZ REYES.
13	. 7
14	On or about August 14, 2021 JORGE E. OLMOS sent a WhatsApp text message to
15	WALTER GONZALEZ REYES.
16	8
17	On or between November 2, 2021 and November 3, 2021, MIGUEL A. AGUIRRE,
18	JUAN A. GUTIERREZ, and MARTIN E. ORNELAS SILVA transported out of state empty
19	beverage containers from Arizona to California.
20	9
21	On or about November 3, 2021 JORGE E. OLMOS sent a text message to MIGUEL A.
22	AGUIRRE.
23	10
24	On or about March 4, 2022, MIGUEL A. AGUIRRE sent a text message to JORGE E.
25 26	OLMOS.
27	On or about March 5, 2022, JUAN GONZALEZ-ESPINOSA sent a text message to
28	MIGUEL A. AGUIRRE.

On or about April 5, 2022, JORGE E. OLMOS contacted MARTIN E. ORNELAS

SILVA by telephone.

# COUNT 2

On and between January 1, 2021 and January 20, 2023, in the County of Los Angeles, the crime of GRAND THEFT OF PERSONAL PROPERTY, in violation of Penal Code section 487(a), a felony, was committed by MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES, CELSO O. GONZALEZ REYES, JORGE E. OLMOS and JUAN GONZALEZ-ESPINOSA who did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit: the property of the State of California.

#### COUNT 3

On and between January 1, 2021 and January 20, 2023, in the County of Los Angeles, the crime of UNLAWFUL RECYCLING, in violation of PUBLIC RESOURCES CODE SECTION 14591(b)(l)(F), a felony, was committed by MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ. and MARTIN E. ORNELAS SILVA, JORGE E. OLMOS and JUAN GONZALEZ-ESPINOSA who, with the intent to defraud the State of California, did bring out-of-state containers, rejected containers, or line breakage to the California marketplace for redemption.

#### COUNT 4

On and between January 1, 2021 and January 20, 2023, in the County of Los Angeles, the crime of UNLAWFUL RECYCLING, in violation of PUBLIC RESOURCES CODE SECTION 14591(b)(l)(D), a felony, was committed by JOSE H. GONZALEZ and WALTER GONZALEZ REYES and CELSO O. GONZALEZ REYES who, with the intent to defraud the State of California, did redeem out-of-state containers, rejected containers, line breakage, or containers that have already been redeemed.

#### First Special Allegation

### Multiple Felonies Involving Fraud/Embezzlement

It is further alleged that in the commission of the offenses alleged in Counts 1 through 5, defendants MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES, CELSO O. GONZALEZ REYES, JORGE E. OLMOS and JUAN GONZALEZ-ESPINOSA committed two or more related felonies, a material element of which is fraud or embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than five hundred thousand dollars (\$500,000), within the meaning of Penal Code section 186.11(a)(2).

#### Second Special Allegation

#### Theft of Amount Over \$100,000

It is further alleged that MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES, CELSO O. GONZALEZ REYES, JORGE E. OLMOS and JUAN GONZALEZ-ESPINOSA, in the commission of the Grand Theft count alleged against them in this Amended Felony Complaint, with the intent to do so, took funds of value exceeding one hundred thousand dollars (\$100,000) within the meaning of Penal Code \$1203.045.

NOTICE: If found true, convictions imposed in this matter shall be served in State Prison pursuant to Penal Code section 1170(h)(3)(D).

#### DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this complaint consists of 4 counts.

Executed at Los Angeles, County of Los Angeles, on March 1, 2023.

Dated: March 1, 2023

DECLARANT AND COMPLAINANT

Respectfully Submitted,

ROB. BONTA Attorney General of California

RYAN TOOMEY

Deputy Attorney General
Attorneys for the People of the State of California

### NOTICE TO DEFENDANT AND ATTORNEY

Pursuant to Penal Code section 1054(b), the People of the State of California hereby informally request that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

#### NOTICE TO ATTORNEY

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

## Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

6	MIGUEL A.	AGUIRRE			
7	Count No.	Charge	Charge Range	Special Allegation	Alleg. Effect.
	1	PC 182 (a)(1)	16-2-3		
8	2	PC 487	16-2-3		
9	3	PRC 14591(b)(1)(F)	16-2-3		
10				PC 186.11(a)(2)	2-3-5
11			• .	PC 1203.045	MSP
12	JUAN A. GU	TIERREZ.			
13	Count No.	Charge	Charge Range	Special Allegation	Alleg, Effect.
14	1 .	PC-182 (a)(1)	16-2-3		
15	2	PC 487	16-2-3	*.	
16	3	PRC 14591(b)(1)(F)	16-2-3		
17				PC 186.11(a)(2)	2-3-5
18				PC 1203.045	MSP
19	MARTIN E.	ORNELAS SILVA			
20	Count No.	Charge	Charge Range	Special Allegation	Alleg. Effect.
21	1	PC 182 (a)(1)	16-2-3		
22	2	PC 487	16-2-3	• .	
23	3	PRC 14591(b)(1)(F)	16-2-3		
24				PC 186:11(a)(2)	2-3-5
25			t vila Vila	PC 1203.045	MSP
26	///				
27	///		-		
28	///		11.		

1	JOSE H. GOI Count No.	NZALEZ Charge	Charge Range	Special Allegation	Alleg. Effect.
2	1	PC 182 (a)(1)	16-2-3		
3	2	PC 487	16-2-3		
4	4	PRC 14591(b)(1)(D)	16-2-3		
5				PC 186.11(a)(2)	.2-3-5
6				PC 1203.045	MSP
7	WALTER GO	ONZALEZ REYES			
8	Count No.	Charge	Charge Range	Special Allegation	Alleg. Effect.
9	1	PC 182 (a)(1)	16-2-3		
10	2	PC 487	16-2-3.		
11	4	PRC 14591(b)(1)(D)	16-2-3		
12				PC 186.11(a)(2)	2-3-5
13				PC 1203.045	MSP
14	CELSO O. G	ONZALEZ REYES			
			,		
. 15	Count No.	Charge	Charge Range	Special Allegation	Alleg. Effect.
16		Charge	Charge Range	Special Allegation	Alleg. Effect.
		<u>Charge</u> PC 182 (a)(1) PC 487	16-2-3	Special Allegation	Alleg. Effect.
16	Count No.	<u>Charge</u> PC 182 (a)(1)	16-2-3	Special Allegation	Alleg. Effect.
16 17	Count No.  I 2	<u>Charge</u> PC 182 (a)(1) PC 487	16-2-3	PC 186.11(a)(2)	2-3-5
16 17	<u>Count No.</u> 1  2  4	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)	16-2-3		2-3-5
16 17 18	Count No.  1  2  4  JORGE E. O	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)	16-2-3 16-2-3	PC 186.11(a)(2) PC 1203.045	2-3-5 MSP
16 17 18 19 20	<u>Count No.</u> 1  2  4	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge	16-2-3 16-2-3 16-2-3 Charge Range	PC 186.11(a)(2)	2-3-5
16 17 18 19 20	Count No.  1 2 4  JORGE E. O Count No.  1	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge PC 182 (a)(1)	16-2-3 16-2-3 Charge Range	PC 186.11(a)(2) PC 1203.045	2-3-5 MSP
16 17 18 19 20 21 22	Count No.  1 2 4  JORGE E. O Count No.  1 2	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge PC 182 (a)(1) PC 487	16-2-3 16-2-3 Charge Range 16-2-3	PC 186.11(a)(2) PC 1203.045	2-3-5 MSP
16 17 18 19 20 21 22 23	Count No.  1 2 4  JORGE E. O Count No.  1	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge PC 182 (a)(1)	16-2-3 16-2-3 Charge Range	PC 186.11(a)(2) PC 1203.045  Special Allegation	2-3-5 MSP Alleg. Effect.
16 17 18 19 20 21 22 23 24	Count No.  1 2 4  JORGE E. O Count No.  1 2	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge PC 182 (a)(1) PC 487	16-2-3 16-2-3 Charge Range 16-2-3	PC 186.11(a)(2) PC 1203.045  Special Allegation PC 186.11(a)(2)	2-3-5 MSP Alleg. Effect.
16 17 18 19 20 21 22 23 24 25	Count No.  1 2 4  JORGE E. O Count No.  1 2	Charge PC 182 (a)(1) PC 487 PRC 14591(b)(1)(D)  LMOS Charge PC 182 (a)(1) PC 487	16-2-3 16-2-3 Charge Range 16-2-3	PC 186.11(a)(2) PC 1203.045  Special Allegation	2-3-5 MSP Alleg. Effect.

1 2	110.00	ALEZ-ESPINOSA Charge	Charge Range	Special Allegation	Alleg. Effect.
	i	PC 182 (a)(1)	16-2-3		
3	2	PC 487	16-2-3	•	
4	3	PRC 14591(b)(1)(F)	16-2-3	PC 186.11(a)(2)	2-3-5
6				PC 1203.045	MSP
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