

January 17, 2024

K. BIEKER, CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
cmcnally

ORIGINAL

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8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF CONTRA COSTA

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13 **THE PEOPLE OF THE STATE OF
CALIFORNIA,**

Case No. **01-24-00148**

FELONY COMPLAINT

14 Plaintiff,

15 v.

16
17 **ROBERT LEE JOHNSON**
[REDACTED] [REDACTED]

18 Defendant.
19

20
21 The Attorney General of the State of California by this complaint hereby accuses Defendant
22 ROBERT LEE JOHNSON of the following offenses:

23 **COUNT ONE**

24 **BURGLARY**

25 (PENAL CODE SECTION 459/460(b))

26 On or about September 8, 2023, in the county of Alameda, the crime of BURGLARY, in
27 violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE
28

BY FAX

1 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Cheaper
2 Cigarettes, located at 31834 Alvarado Blvd., Union City, CA, with the intent to commit larceny
3 and any felony.

4
5 **COUNT TWO**

6 **VANDALISM**

7 (PENAL CODE SECTION 594(b)(1))

8 For a further and separate cause of complaint, being a different offense but connected
9 together in its commission with the charge set forth in Count 1, complainant further complains
10 and says: On or about September 8, 2023, in the county of Alameda, the crime of VANDALISM,
11 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ROBERT LEE
12 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and
13 maliciously damage or destroy, real and personal property, not his/her own, to wit: Cheaper
14 Cigarettes, the amount of said damage being four hundred dollars (\$400.00) or more.

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16 **COUNT THREE**

17 **ATTEMPTED BURGLARY**

18 (PENAL CODE SECTIONS 664 & 459/460(b))

19 For a further and separate cause of complaint, being a different offense of the same class of
20 crimes and offenses as the charge set forth in Count 2, complainant further complains and says:
21 On or about September 14, 2023, in the county of Solano, the crime of ATTEMPTED
22 BURGLARY in violation of Penal Code sections 664 and 459/460(b), a felony, was committed
23 by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and
24 unlawfully attempt to enter Discount Liquors, located at 2046 Nut Tree Road, Vacaville, CA,
25 with the intent to commit larceny and any felony.

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COUNT FOUR

VANDALISM

(PENAL CODE SECTION 594(b)(1))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 3, complainant further complains and says: On or about September 14, 2023, in the county of Solano, the crime of VANDALISM, in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Discount Liquors, the amount of said damage being four hundred dollars (\$400.00) or more.

COUNT FIVE

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 4, complainant further complains and says: On or about September 14, 2023, in the county of Contra Costa, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Cigar Loft, located at 1110 Contra Costa Blvd., Concord, CA, with the intent to commit larceny and any felony.

COUNT SIX

VANDALISM

(PENAL CODE SECTION 594(b)(2)(A))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 5, complainant further complains and says: On or about September 14, 2023, in the county of Contra Costa, the crime of

1 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
2 committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully
3 and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to
4 wit: Cigar Loft, the amount of said damage being less than four hundred dollars (\$400.00).

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6 **COUNT SEVEN**

7 **ATTEMPTED BURGLARY**

8 (PENAL CODE SECTIONS 664 & 459/460(b))

9 For a further and separate cause of complaint, being a different offense of the same class of
10 crimes and offenses as the charge set forth in Count 6, complainant further complains and says:
11 On or about September 14, 2023, in the county of Contra Costa, the crime of ATTEMPTED
12 BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by
13 ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully
14 attempt to enter Discount Cigarettes, located 2707 Clayton Rd., Concord, CA, with the intent to
15 commit larceny and any felony.

16
17 **COUNT EIGHT**

18 **VANDALISM**

19 (PENAL CODE SECTION 594(b)(1))

20 For a further and separate cause of complaint, being a different offense but connected
21 together in its commission with the charge set forth in Count 7, complainant further complains
22 and says: On or about September 14, 2023, in the county of Contra Costa, the crime of
23 VANDALISM, in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by
24 ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully
25 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Discount
26 Cigarettes, the amount of said damage being four hundred dollars (\$400.00) or more.

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COUNT NINE

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 8, complainant further complains and says: On or about September 18, 2023, in the county of Contra Costa, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Smoke Shop, located 4550 Balfour Rd., #D, Brentwood, CA, with the intent to commit larceny and any felony.

COUNT TEN

VANDALISM

(PENAL CODE SECTION 594(b)(2)(A))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 9, complainant further complains and says: On or about September 18, 2023, in the county of Contra Costa, the crime of VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Smoke Shop, the amount of said damage being less than four hundred dollars (\$400.00).

COUNT ELEVEN

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 10, complainant further complains and says: On or about September 18, 2023, in the county of Alameda, the crime of BURGLARY, in

1 violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE
2 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Cigarette
3 Max, located at 1267 Washington Ave., San Leandro, CA, with the intent to commit larceny and
4 any felony.

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6 **COUNT TWELVE**

7 **VANDALISM**

8 (PENAL CODE SECTION 594(b)(2)(A))

9 For a further and separate cause of complaint, being a different offense but connected
10 together in its commission with the charge set forth in Count 11, complainant further complains
11 and says: On or about September 18, 2023, in the county of Alameda, the crime of
12 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
13 committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully
14 and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to
15 wit: Cigarette Max, the amount of said damage being less than four hundred dollars (\$400.00).

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17 **COUNT THIRTEEN**

18 **BURGLARY**

19 (PENAL CODE SECTION 459/460(b))

20 For a further and separate cause of complaint, being a different offense of the same class of
21 crimes and offenses as the charge set forth in Count 12, complainant further complains and says:
22 On or about September 19, 2023, in the county of Alameda, the crime of BURGLARY, in
23 violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE
24 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Bob's
25 Discount Liquor, located at 32154 Alvarado Blvd., Union City, CA, with the intent to commit
26 larceny and any felony.

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COUNT FOURTEEN

VANDALISM

(PENAL CODE SECTION 594(b)(2)(A))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 13, complainant further complains and says: On or about September 19, 2023, in the county of Alameda, the crime of VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Bob's Discount Liquor, the amount of said damage being less than four hundred dollars (\$400.00).

COUNT FIFTEEN

ATTEMPTED BURGLARY

(PENAL CODE SECTIONS 664 & 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 14, complainant further complains and says: On or about September 20, 2023, in the county of Contra Costa, the crime of ATTEMPTED BURGLARY in violation of Penal Code sections 664 and 459/460(b), a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully attempt to enter Buchanan Smoke Shop, located at 2329 Buchanan Rd., Antioch, CA, with the intent to commit larceny and any felony.

COUNT SIXTEEN

VANDALISM

(PENAL CODE SECTION 594(b)(1))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 15, complainant further complains

1 and says: On or about September 20, 2023, in the county of Contra Costa, the crime of
2 VANDALISM, in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by
3 ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully
4 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Buchanan
5 Smoke Shop, the amount of said damage being four hundred dollars (\$400.00) or more.

6
7 **COUNT SEVENTEEN**

8 **BURGLARY**

9 (PENAL CODE SECTION 459/460(b))

10 For a further and separate cause of complaint, being a different offense of the same class of
11 crimes and offenses as the charge set forth in Count 16, complainant further complains and says:
12 On or about September 21, 2023, in the county of Alameda, the crime of BURGLARY, in
13 violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE
14 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Payless
15 Cigarettes, located at 4428 Las Positas Rd., Livermore, CA, with the intent to commit larceny and
16 any felony.

17
18 **COUNT EIGHTEEN**

19 **VANDALISM**

20 (PENAL CODE SECTION 594(b)(2)(A))

21 For a further and separate cause of complaint, being a different offense but connected
22 together in its commission with the charge set forth in Count 17, complainant further complains
23 and says: On or about September 21, 2023, in the county of Alameda, the crime of
24 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
25 committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully
26 and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to
27 wit: Payless Cigarettes, the amount of said damage being less than four hundred dollars
28 (\$400.00).

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COUNT NINETEEN

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 18, complainant further complains and says: On or about October 3, 2023, in the county of Contra Costa, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Louis Vuitton, located at 1211 Broadway Plaza, Walnut Creek, CA, with the intent to commit larceny and any felony.

COUNT TWENTY

VANDALISM

(PENAL CODE SECTION 594(b)(1))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 19, complainant further complains and says: On or about October 3, 2023, in the county of Contra Costa, the crime of VANDALISM, in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Louis Vuitton, the amount of said damage being four hundred dollars (\$400.00) or more.

COUNT TWENTY-ONE

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 20, complainant further complains and says: On or about October 5, 2023, in the county of San Joaquin, the crime of BURGLARY, in

1 violation of Penal Code section 459/460(b), a felony, was committed by ROBERT LEE
2 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully enter Smokers
3 Gift Shop, located at 1840 W. 11th St., Tracy, CA, with the intent to commit larceny and any
4 felony.

5
6 **COUNT TWENTY-TWO**

7 **VANDALISM**

8 (PENAL CODE SECTION 594(b)(1))

9 For a further and separate cause of complaint, being a different offense but connected
10 together in its commission with the charge set forth in Count 21, complainant further complains
11 and says: On or about October 5, 2023, in the county of San Joaquin, the crime of VANDALISM,
12 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ROBERT LEE
13 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and
14 maliciously damage or destroy, real and personal property, not his/her own, to wit: Smokers Gift
15 Shop, the amount of said damage being four hundred dollars (\$400.00) or more.

16
17 **COUNT TWENTY-THREE**

18 **GRAND THEFT**

19 (PENAL CODE SECTION 487(a))

20 For a further and separate cause of complaint, being a different offense of the same class of
21 crimes and offenses as the charge set forth in Count 22, complainant further complains and says:
22 On or about October 12, 2023, in the county of Alameda, the crime of GRAND THEFT, in
23 violation of Section 487(a) of the Penal Code, a felony, was committed by ROBERT LEE
24 JOHNSON, who, at the time and place last aforesaid did willfully and unlawfully steal, take,
25 carry, lead, and drive away the personal property of Chevron, specifically, \$3,500 in cash and an
26 ATM.

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1 ROBERT LEE JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully
2 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Smoke 4
3 Less, the amount of said damage being four hundred dollars (\$400.00) or more.

4
5 **COUNT TWENTY-SEVEN**

6 **BURGLARY**

7 (PENAL CODE SECTION 459/460(b))

8 For a further and separate cause of complaint, being a different offense of the same class of
9 crimes and offenses as the charge set forth in Count 26, complainant further complains and says:
10 On or about November 14, 2023, in the county of Solano, the crime of BURGLARY, in violation
11 of Penal Code section 459/460(b), a felony, was committed by, ROBERT LEE JOHNSON, who,
12 at the time and place last aforesaid, did willfully and unlawfully enter Cigarettes 4 Less, located
13 at 2083 Solano Ave., Vallejo, CA, with the intent to commit larceny and any felony.

14
15 **COUNT TWENTY-EIGHT**

16 **VANDALISM**

17 (PENAL CODE SECTION 594(b)(1))

18 For a further and separate cause of complaint, being a different offense but connected
19 together in its commission with the charge set forth in Count 27, complainant further complains
20 and says: On or about November 14, 2023, in the county of Solano, the crime of VANDALISM,
21 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ROBERT LEE
22 JOHNSON, who, at the time and place last aforesaid, did willfully and unlawfully and
23 maliciously damage or destroy, real and personal property, not his/her own, to wit: Cigarettes 4
24 Less, the amount of said damage being four hundred dollars (\$400.00) or more.

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COUNT TWENTY-NINE

RECKLESS EVADING

(VEHICLE CODE SECTION 2800.2(a))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 28, complainant further complains and says: On or about November 14, 2023, in the County of Solano, the crime of RECKLESS EVADING, in violation of Section 2800.2(a) of the Vehicle Code, a felony, was committed by ROBERT LEE JOHNSON, who, at the time and place last aforesaid, operated a motor vehicle while willfully fleeing or otherwise attempting to elude a pursuing officer's motor vehicle and operated said vehicle in a willful and wanton disregard for the safety of persons or property.

COUNT THIRTY

RECEIPT OF STOLEN PROPERTY

(PENAL CODE SECTION 496(a))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 29, complainant further complains and says: On or about November 14, 2023, in the County of Alameda, the crime of RECEIVING STOLEN PROPERTY, in violation of Penal Code section 496(a), a felony, was committed by ROBERT LEE JOHNSON, who did willfully and unlawfully buy or receive property, exceeding nine hundred fifty dollars (\$950) in value, that had been stolen and/or obtained in a manner constituting theft or extortion and did conceal, sell, withhold, or aid in concealing, selling, or withholding property exceeding nine hundred and fifty dollars (\$950) in value, from the owner, specifically, 92 cigarette boxes from Cigarettes 4 Less, knowing the property to be so stolen and obtained.

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COUNT THIRTY-ONE
ORGANIZED RETAIL THEFT
(PENAL CODE SECTION 490.4(a))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in Counts 1, 3, 5 7, 9, 11, 13, 15, 17, 19, 21, 23, 24, 25, 27, and 30, complainant further complains and says: On or about September 8, 2023, through November 14, 2023, in the counties of Alameda, Contra Costa, Santa Clara, San Diego, San Joaquin, and Solano, the crime of ORGANIZED RETAIL THEFT, in violation of Penal Code section 490.4(a), a felony, was committed by ROBERT LEE JOHNSON, who did willfully and unlawfully act in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplace with the intent to sell, exchange, or return the merchandise for value, in which the violations are committed on two or more separate occasions within a twelve month period, in which the aggregate value of the merchandise stolen, received, purchased, or possessed, is in excess of nine hundred and fifty (\$950) dollars, to wit: cigarettes, cash, designer purses, alcohol, and goods with a total estimated value of six hundred and fifty thousand seven hundred and thirty-seven (\$650,737) dollars.

COUNT THIRTY-TWO
CONSPIRACY TO COMMIT ORGANIZED RETAIL THEFT
(PENAL CODE SECTION 182(a)(1))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in Count 31, complainant further complains and says: On or about October 3, 2023 , in the county of Contra Costa, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of Penal Code section 182(a)(1), a felony, was committed by ROBERT LEE JOHNSON, in that said defendants did unlawfully conspire together and with another person and person whose identity is unknown to commit the crime of ORGANIZED RETAIL THEFT, a felony, in violation of Penal Code section 490.4(a); that pursuant to and for

1 the purpose of carrying out the objectives and purpose of the aforesaid conspiracy the Defendants
2 committed the following overt acts:

3 **Overt Act 1**

4 On October 3, 2023, Defendants Robert Lee Johnson and Quinn Jamari Edwards, along
5 with additional unknown co-conspirators, unlawfully entered the Louis Vuitton store located at
6 1211 Broadway Plaza, Walnut Creek, CA, at approximately 4:20 a.m. and stole 66 items with a
7 total value of two hundred and forty-six thousand and twenty-five (\$246,025) dollars.

8 **Overt Act 2**

9 On October 3, 2023, at approximately 5:30 a.m., Defendant Alejandro De Jesus McDonald
10 received, photographed, and inventoried stolen merchandise from Louis Vuitton.

11
12 **SPECIAL ALLEGATION 1**

13 It is further alleged that ROBERT LEE JOHNSON, in the commission of the offenses
14 alleged in Counts 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 24, 25, 27, 30, 31, and 32, with the intent
15 to do so, committed theft in a value exceeding one hundred thousand (\$100,000) dollars within
16 the meaning of Penal Code section 1203.045, to wit: cigarettes, cash, designer purses, alcohol,
17 ATMs, and goods with a total estimated value of six hundred and fifty thousand seven hundred
18 and thirty-seven (\$680,737) dollars.

19
20 **SPECIAL ALLEGATION 2**

21 It is further alleged as to counts 1-5, 7, 8, 9, 11, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25,
22 26, 27, 28, 30, 31, and 32, that pursuant to Penal Code Sections 1170.12(a) through 1170.12(d) and
23 667(b) through 667(i), the said defendant, ROBERT LEE JOHNSON, suffered the following prior
24 convictions for a serious or violent felony: Penal Code section 211, Second Degree Robbery, on May
25 9, 2018, Superior Court of Alameda County case number 18-CR-002184.

1 SPECIAL ALLEGATION 3

2 **AGGRAVATING FACTORS AS TO ROBERT LEE JOHNSON**

3 As to Counts 1-5, 7, 8, 9, 11, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31,
4 and 32, the People further allege the following circumstances in aggravation pursuant to California
5 Rules of Court, Rule 4.421:

6 (a)(8) The manner in which the crime was carried out indicates planning, sophistication, or
7 professionalism;

8 (a)(9) The crime involved an attempted or actual taking or damage of great monetary value;

9 (b)(2) The defendant's prior convictions as an adult or sustained petitions in juvenile
10 delinquency proceedings are numerous or of increasing seriousness;

11 (b)(4) The defendant was on probation, mandatory supervision, postrelease community
12 supervision, or parole when the crime was committed;

13 (b)(5) The defendant's prior performance on probation, mandatory supervision, postrelease
14 community supervision, or parole was unsatisfactory.

15
16 VENUE

17 All charges are brought in Contra Costa County pursuant to Penal Code sections 786.5, 781,
18 and 786, in that multiple offenses of theft involve the same defendants and substantially similar
19 activity in each affected county as part of the defendants' coordinated criminal scheme. Jurisdiction
20 also extends to all associated offenses connected together in their commission to the underlying theft
21 offenses.

22
23 DNA SWAB

24 *NOTE:* Conviction of these offenses, as to Counts 1-5, 7, 8, 9, 11, 13, 15, 16, 17, 19, 20, 21, 22,
25 23, 24, 25, 26, 27, 28, and 30, will require the said defendant, ROBERT LEE JOHNSON, to
26 provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the
27 specimens and samples is a crime. Willful refusal to provide specimens and samples is a crime.


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Dated: January 16, 2024

Respectfully Submitted,

ROB BONTA
Attorney General of California

ANTHONY J. BRADY
Supervising Deputy Attorney General


MARGARET PETIGREW
Deputy Attorney General

ANDREA BUCCINE
Deputy Attorney General

*Attorneys for the People of the State of
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66508394

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Attorneys for the People of the State of California

FILED
JAN 17 2023
K. BAKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
By _____ Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
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10 COUNTY OF CONTRA COSTA

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13 **THE PEOPLE OF THE STATE OF**
CALIFORNIA,
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16 **ALEJANDRO DE JESUS MCDONALD**
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Case No. 01-24-00153
FELONY COMPLAINT

Plaintiff,

v.

Defendant.

20
21 The Attorney General of the State of California by this complaint hereby accuses
22 Defendants ALEJANDRO DE JESUS MCDONALD of the following offenses:

23
24 **COUNT ONE**
25 **BURGLARY**

26 (PENAL CODE SECTION 459/460(b))

27 On or about September 8, 2023, in the county of Alameda, the crime of BURGLARY, in
28 violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE

BY FAX

1 JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
2 enter Cheaper Cigarettes, located at 31834 Alvarado Blvd., Union City, CA, with the intent to
3 commit larceny and any felony.

4
5 **COUNT TWO**

6 **VANDALISM**

7 (PENAL CODE SECTION 594(b)(1))

8 For a further and separate cause of complaint, being a different offense but connected
9 together in its commission with the charge set forth in Count 1, complainant further complains
10 and says: On or about September 8, 2023, in the county of Alameda, the crime of VANDALISM,
11 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ALEJANDRO
12 DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
13 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Cheaper
14 Cigarettes, the amount of said damage being four hundred dollars (\$400.00) or more.

15
16 **COUNT THREE**

17 **BURGLARY**

18 (PENAL CODE SECTION 459/460(b))

19 For a further and separate cause of complaint, being a different offense of the same class of
20 crimes and offenses as the charge set forth in Count 2, complainant further complains and says:
21 On or about September 18, 2023, in the county of Contra Costa, the crime of BURGLARY, in
22 violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE
23 JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
24 enter Smoke Shop, located 4550 Balfour Rd., #D, Brentwood, CA, with the intent to commit
25 larceny and any felony.

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COUNT FOUR

VANDALISM

(PENAL CODE SECTION 594(b)(2)(A))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 3, complainant further complains and says: On or about September 18, 2023, in the county of Contra Costa, the crime of VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Smoke Shop, the amount of said damage being less than four hundred dollars (\$400.00).

COUNT FIVE

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 4, complainant further complains and says: On or about September 18, 2023, in the county of Alameda, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully enter Cigarette Max, located at 1267 Washington Ave., San Leandro, CA, with the intent to commit larceny and any felony.

COUNT SIX

VANDALISM

(PENAL CODE SECTION 594(b)(2)(A))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 5, complainant further complains

1 and says: On or about September 18, 2023, in the county of Alameda, the crime of
2 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
3 committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid,
4 did willfully and unlawfully and maliciously damage or destroy, real and personal property, not
5 his/her own, to wit: Cigarette Max, the amount of said damage being less than four hundred
6 dollars (\$400.00).

7
8 **COUNT SEVEN**

9 **BURGLARY**

10 (PENAL CODE SECTION 459/460(b))

11 For a further and separate cause of complaint, being a different offense of the same class of
12 crimes and offenses as the charge set forth in Count 6, complainant further complains and says:
13 On or about September 21, 2023, in the county of Alameda, the crime of BURGLARY, in
14 violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE
15 JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
16 enter Payless Cigarettes, located at 4428 Las Positas Rd., Livermore, CA, with the intent to
17 commit larceny and any felony.

18
19 **COUNT EIGHT**

20 **VANDALISM**

21 (PENAL CODE SECTION 594(b)(2)(A))

22 For a further and separate cause of complaint, being a different offense but connected
23 together in its commission with the charge set forth in Count 7, complainant further complains
24 and says: On or about September 21, 2023, in the county of Alameda, the crime of
25 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
26 committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid,
27 did willfully and unlawfully and maliciously damage or destroy, real and personal property, not
28 his/her own, to wit: Payless Cigarettes, the amount of said damage being less than four hundred

1 dollars (\$400.00).

2
3 **COUNT NINE**

4 **ATTEMPTED BURGLARY**

5 (PENAL CODE SECTIONS 664 & 459/460(b))

6 For a further and separate cause of complaint, being a different offense of the same class of
7 crimes and offenses as the charge set forth in Count 8, complainant further complains and says:
8 On or about September 23, 2023, in the county of Contra Costa, the crime of ATTEMPTED
9 BURGLARY in violation of Penal Code sections 664 and 459/460(b), a felony, was committed
10 by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did
11 willfully and unlawfully attempt to enter Vapor and Smoke, located 6670 Lone Tree Way, #3,
12 Brentwood, CA, with the intent to commit larceny and any felony.

13
14 **COUNT TEN**

15 **VANDALISM**

16 (PENAL CODE SECTION 594(b)(2)(A))

17 For a further and separate cause of complaint, being a different offense but connected
18 together in its commission with the charge set forth in Count 9, complainant further complains
19 and says: On or about September 23, 2023, in the county of Contra Costa, the crime of
20 VANDALISM, in violation of Section 594(b)(2)(A) of the Penal Code, a misdemeanor, was
21 committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid,
22 did willfully and unlawfully and maliciously damage or destroy, real and personal property, not
23 his/her own, to wit: Vapor and Smoke, the amount of said damage being less than four hundred
24 dollars (\$400.00).

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COUNT ELEVEN

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 10, complainant further complains and says: On or about October 3, 2023, in the county of Contra Costa, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully enter Louis Vuitton, located at 1211 Broadway Plaza, Walnut Creek, CA, with the intent to commit larceny and any felony.

COUNT TWELVE

VANDALISM

(PENAL CODE SECTION 594(b)(1))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 11, complainant further complains and says: On or about October 3, 2023, in the county of Contra Costa, the crime of VANDALISM, in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully and maliciously damage or destroy, real and personal property, not his/her own, to wit: Louis Vuitton, the amount of said damage being four hundred dollars (\$400.00) or more.

COUNT THIRTEEN

RECEIPT OF STOLEN PROPERTY

(PENAL CODE SECTION 496(a))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 12, complainant further complains and says: On or about October 3, 2023, in the County of Contra Costa, the crime of RECEIVING

1 STOLEN PROPERTY, in violation of Penal Code section 496(a), a felony, was committed by
2 ALEJANDRO DE JESUS MCDONALD, who did willfully and unlawfully buy or receive
3 property, exceeding nine hundred fifty dollars (\$950) in value, that had been stolen and/or
4 obtained in a manner constituting theft or extortion and did conceal, sell, withhold, or aid in
5 concealing, selling, or withholding property exceeding nine hundred and fifty dollars (\$950) in
6 value, from the owner, specifically, several Louis Vuitton purses, knowing the property to be so
7 stolen and obtained.

8
9 **COUNT FOURTEEN**

10 **BURGLARY**

11 (PENAL CODE SECTION 459/460(b))

12 For a further and separate cause of complaint, being a different offense of the same class of
13 crimes and offenses as the charge set forth in Count 13, complainant further complains and says:
14 On or about October 5, 2023, in the county of San Joaquin, the crime of BURGLARY, in
15 violation of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE
16 JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
17 enter Smokers Gift Shop, located at 1840 W. 11th St., Tracy, CA, with the intent to commit
18 larceny and any felony.

19
20 **COUNT FIFTEEN**

21 **VANDALISM**

22 (PENAL CODE SECTION 594(b)(1))

23 For a further and separate cause of complaint, being a different offense but connected
24 together in its commission with the charge set forth in Count 14, complainant further complains
25 and says: On or about October 5, 2023, in the county of San Joaquin, the crime of VANDALISM,
26 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ALEJANDRO
27 DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
28

1 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Smokers
2 Gift Shop, the amount of said damage being four hundred dollars (\$400.00) or more.

3
4 **COUNT SIXTEEN**

5 **BURGLARY**

6 (PENAL CODE SECTION 459/460(b))

7 For a further and separate cause of complaint, being a different offense of the same class of
8 crimes and offenses as the charge set forth in Count 15, complainant further complains and says:
9 On or about October 18, 2023, in the county of Alameda, the crime of BURGLARY, in violation
10 of Penal Code section 459/460(b), a felony, was committed by ALEJANDRO DE JESUS
11 MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully enter
12 Discount Cigarettes located at 7986 Amador Valley Blvd., Dublin, CA, with the intent to commit
13 larceny and any felony.

14
15 **COUNT SEVENTEEN**

16 **VANDALISM**

17 (PENAL CODE SECTION 594(b)(1))

18 For a further and separate cause of complaint, being a different offense but connected
19 together in its commission with the charge set forth in Count 16, complainant further complains
20 and says: On or about October 18, 2023, in the county of Alameda, the crime of VANDALISM,
21 in violation of Section 594(b)(1) of the Penal Code, a felony, was committed by ALEJANDRO
22 DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully
23 and maliciously damage or destroy, real and personal property, not his/her own, to wit: Discount
24 Cigarettes, the amount of said damage being four hundred dollars (\$400.00) or more.

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COUNT EIGHTEEN

BURGLARY

(PENAL CODE SECTION 459/460(b))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 17, complainant further complains and says: On or about November 8, 2023, in the county of San Diego, the crime of BURGLARY, in violation of Penal Code section 459/460(b), a felony, was committed by, ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully enter Nordstrom located at 6997 Friars Rd., San Diego, CA, and committed theft exceeding a value of nine hundred and fifty (\$950) dollars, specifically, six Chanel purses with a total value of approximately one hundred and twenty thousand (\$120,000) dollars.

COUNT NINETEEN

GRAND THEFT

(PENAL CODE SECTION 487(a))

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count 18, complainant further complains and says: On or about November 8, 2023, in the county of San Diego, the crime of GRAND THEFT, in violation of Section 487(a) of the Penal Code, a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who, at the time and place last aforesaid did willfully and unlawfully steal, take, carry, lead, and drive away the personal property of Nordstrom, specifically, six Chanel purses with a total value of approximately one hundred and twenty thousand (\$120,000) dollars.

COUNT TWENTY

RECEIPT OF STOLEN PROPERTY

(PENAL CODE SECTION 496(a))

For a further and separate cause of complaint, being a different offense but connected together in its commission with the charge set forth in Count 19, complainant further complains

1 and says: On or about November 8, 2023, in the county of San Diego, the crime of RECEIVING
2 STOLEN PROPERTY, in violation of Penal Code section 496(a), a felony, was committed by
3 ALEJANDRO DE JESUS MCDONALD, who did willfully and unlawfully buy or receive
4 property, exceeding nine hundred fifty dollars (\$950) in value, that had been stolen and/or
5 obtained in a manner constituting theft or extortion and did conceal, sell, withhold, or aid in
6 concealing, selling, or withholding property exceeding nine hundred and fifty dollars (\$950) in
7 value, from the owner, specifically, six Chanel purses, knowing the property to be so stolen and
8 obtained.

9
10 **COUNT TWENTY-ONE**

11 **BURGLARY**

12 (PENAL CODE SECTION 459/460(b))

13 For a further and separate cause of complaint, being a different offense of the same class of
14 crimes and offenses as the charge set forth in Count 20, complainant further complains and says:
15 On or about November 14, 2023, in the county of Solano, the crime of BURGLARY, in violation
16 of Penal Code section 459/460(b), a felony, was committed by, ALEJANDRO DE JESUS
17 MCDONALD, who, at the time and place last aforesaid, did willfully and unlawfully enter
18 Cigarettes 4 Less, located at 2083 Solano Ave., Vallejo, CA, with the intent to commit larceny
19 and any felony.

20
21 **COUNT TWENTY-TWO**

22 **RECEIPT OF STOLEN PROPERTY**

23 (PENAL CODE SECTION 496(a))

24 For a further and separate cause of complaint, being a different offense but connected
25 together in its commission with the charge set forth in Count 21, complainant further complains
26 and says: On or about November 14, 2023, in the County of Alameda, the crime of RECEIVING
27 STOLEN PROPERTY, in violation of Penal Code section 496(a), a felony, was committed by
28 ALEJANDRO DE JESUS MCDONALD, who did willfully and unlawfully buy or receive

1 property, exceeding nine hundred fifty dollars (\$950) in value, that had been stolen and/or
2 obtained in a manner constituting theft or extortion and did conceal, sell, withhold, or aid in
3 concealing, selling, or withholding property exceeding nine hundred and fifty dollars (\$950) in
4 value, from the owner, specifically, 92 cigarette boxes from Cigarettes 4 Less, knowing the
5 property to be so stolen and obtained.

6
7 **COUNT TWENTY-THREE**

8 **CARRYING A LOADED UNREGISTERED FIREARM IN PUBLIC**

9 (PENAL CODE SECTION 25850(c)(6))

10 For a further and separate cause of complaint, being a different offense but connected
11 together in its commission with the charge set forth in Count 22, complainant further complains
12 and says: On or about November 14, 2023, in the County of Alameda, the crime of CARRYING
13 A LOADED UNREGISTERED FIREARM IN PUBLIC, in violation of Section 25850(c)(6) of
14 the Penal Code, a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who, at
15 the time and place last aforesaid, did willfully and unlawfully carry a loaded unregistered firearm,
16 to wit: Glock 40 .40 caliber handgun, Serial Number: SRF221, in a vehicle in a public place.

17
18 **COUNT TWENTY-FOUR**

19 **ORGANIZED RETAIL THEFT**

20 (PENAL CODE SECTION 490.4(a))

21 For a further and separate cause of complaint, being a different offense of the same class of
22 crimes and offenses as the charges set forth in Counts 1, 3, 5, 7, 9, 11, 13, 14, 16, 18, 19, 20, 21,
23 and 22, complainant further complains and says: On or about September 8, 2023, through
24 November 14, 2023, in the counties of Alameda, Contra Costa, Santa Clara, San Diego, San
25 Joaquin, and Solano, the crime of ORGANIZED RETAIL THEFT, in violation of Penal Code
26 section 490.4(a), a felony, was committed by ALEJANDRO DE JESUS MCDONALD, who did
27 willfully and unlawfully act in concert with one or more persons to steal merchandise from one or
28 more merchant's premises or online marketplace with the intent to sell, exchange, or return the

1 merchandise for value, in which the violations are committed on two or more separate occasions
2 within a twelve month period, in which the aggregate value of the merchandise stolen, received,
3 purchased, or possessed, is in excess of nine hundred and fifty (\$950) dollars, to wit: cigarettes,
4 cash, designer purses, alcohol, and goods with a total estimated value of six hundred and fifty
5 thousand seven hundred and thirty-seven (\$650,737) dollars.

6
7 **COUNT TWENTY-FIVE**

8 **CONSPIRACY TO COMMIT ORGANIZED RETAIL THEFT**

9 (PENAL CODE SECTION 182(a)(1))

10 For a further and separate cause of complaint, being a different offense of the same class of
11 crimes and offenses as the charges set forth in Count 24, complainant further complains and says:
12 On or about October 3, 2023 , in the county of Contra Costa, the crime of CONSPIRACY TO
13 COMMIT A CRIME, in violation of Penal Code section 182(a)(1), a felony, was committed by
14 ALEJANDRO MCDONALD, in that said defendants did unlawfully conspire together and with
15 another person and person whose identity is unknown to commit the crime of ORGANIZED
16 RETAIL THEFT, a felony, in violation of Penal Code section 490.4(a); that pursuant to and for
17 the purpose of carrying out the objectives and purpose of the aforesaid conspiracy the Defendants
18 committed the following overt acts:

19 **Overt Act 1**

20 On October 3, 2023, Defendants Robert Lee Johnson and Quinn Janari Edwards, along
21 with additional unknown co-conspirators, unlawfully entered the Louis Vuitton store located at
22 1211 Broadway Plaza, Walnut Creek, CA, at approximately 4:20 a.m. and stole 66 items with a
23 total value of two hundred and forty-six thousand and twenty-five (\$246,025) dollars.

24 **Overt Act 2**

25 On October 3, 2023, at approximately 5:30 a.m., Defendant Alejandro De Jesus McDonald
26 received, photographed, and inventoried stolen merchandise from Louis Vuitton.
27
28

1 **SPECIAL ALLEGATION 1**

2 It is further alleged that ALEJANDRO DE JESUS MCDONALD, in the commission of the
3 offenses alleged in Counts 1, 3, 5, 7, 9, 11, 13, 14, 16, 18, 19, 20, 21, 22, 24, and 25, with the
4 intent to do so, committed theft in a value exceeding one hundred thousand (\$100,000) dollars
5 within the meaning of Penal Code section 1203.045, to wit: cigarettes, cash, designer purses,
6 alcohol, ATMs, and goods with a total estimated value of six hundred and fifty thousand seven
7 hundred and thirty-seven (\$680,737) dollars.

8
9 **SPECIAL ALLEGATION 2**

10 **AGGRAVATING FACTORS AS TO ALEJANDRO DE JESUS MCDONALD**

11 As to Counts 1, 2, 3, 5, 7, 9, and 11-25, the People further allege the following circumstances
12 in aggravation pursuant to California Rules of Court, Rule 4.421:

13 (a)(8) The manner in which the crime was carried out indicates planning, sophistication, or
14 professionalism;

15 (a)(9) The crime involved an attempted or actual taking or damage of great monetary value;

16 (b)(2) The defendant's prior convictions as an adult or sustained petitions in juvenile
17 delinquency proceedings are numerous or of increasing seriousness;

18 (b)(4) The defendant was on probation, mandatory supervision, postrelease community
19 supervision, or parole when the crime was committed;

20 (b)(5) The defendant's prior performance on probation, mandatory supervision, postrelease
21 community supervision, or parole was unsatisfactory.

22
23 **VENUE**

24 All charges are brought in Contra Costa County pursuant to Penal Code sections 786.5, 781,
25 and 786, in that multiple offenses of theft involve the same defendants and substantially similar
26 activity in each affected county as part of the defendants' coordinated criminal scheme. Jurisdiction
27 also extends to all associated offenses connected together in their commission to the underlying theft
28 offenses.

1 DNA SWAB

2 *NOTE:* Conviction of these offenses, as to Counts 1, 2, 3, 5, 7, 9, and 11-25, will require the said
3 defendants, ALEJANDRO DE JESUS MCDONALD, to provide specimens and samples pursuant
4 to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.
5 Willful refusal to provide specimens and samples is a crime.


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Dated: January 16, 2024

Respectfully Submitted,

ROB BONTA
Attorney General of California

ANTHONY J. BRADY
Supervising Deputy Attorney General


MARGARET PETTIGREW
Deputy Attorney General

ANDREA BUCCINE
Deputy Attorney General

*Attorneys for the People of the State of
California*