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FILED / ENDORSED
2021
By J. Caporigno, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

PEOPLE OF THE STATE OF CALIFORNIA,

v.

1. HUICHANG WU,
[REDACTED] (Xref # 5340286),

2. ZHENYU WU,
[REDACTED] (Xref # 5340287),

Defendants.

Case No. 21FE000315

FELONY COMPLAINT

The Attorney General of the State of California hereby accuses HUICHANG WU and ZHENYU WU of the following criminal offenses:

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COUNT 1

PURCHASED CIGARETTES FROM UNLICENSED DISTRIBUTOR

On or between April 1, 2020 through June 30, 2020, in the County of Sacramento, State of California, Defendants HUICHANG WU and ZHENYU WU, a retailer operating D & K Grocery, Inc., knowingly purchased cigarettes for resale from a person who was not a licensed distributor or wholesaler in violation of Revenue and Tax Code section 30478.

It is further alleged that Defendants HUICHANG WU and ZHENYU WU acted with the intent to defeat or evade an unreported tax liability exceeding twenty five thousand dollars (\$25,000) within a 12 consecutive month period, in violation of Revenue and Tax Code section 30480, a felony, in that Defendants purchased 2,703 cartons of untaxed, unstamped, illegal Chinese brand cigarettes with an excise tax amount of \$77,576.10 owed to the California Department of Tax and Fee Administration.

COUNT 2

POSSESSION OF UNSTAMPED CIGARETTES FOR SALE

On or between April 1, 2020 through June 30, 2020, in the County of Sacramento, State of California, Defendants HUICHANG WU and ZHENYU WU, a retailer operating D & K Grocery, Inc., knowingly possessed, or kept, stored, or retained for the purpose of sale, any package of cigarettes to which there is no affixed stamp or meter impression required to be affixed in violation of Revenue and Tax Code section 30474.

It is further alleged that Defendants HUICHANG WU and ZHENYU WU acted with the intent to defeat or evade an unreported tax liability exceeding twenty five thousand dollars (\$25,000) within a 12 consecutive month period, in violation of Revenue and Tax Code section 30480, a felony, in that Defendants purchased 2,703 cartons of untaxed, unstamped, illegal Chinese brand cigarettes for the purpose of sale with an excise tax amount of \$77,576.10 owed to the California Department of Tax and Fee Administration.

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Pursuant to Penal Code Section 1054.5, subdivision (b), the People of the State of California hereby informally request that defense counsel provide to the People of the State of California all discovery as required by Penal Code Section 1054.3.

DECLARATION

I verify under information and belief, pursuant to Penal Code section 806, that the forgoing is true and correct.

Dated: Jan. 5, 2021

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California



RANDY M. MAILMAN
Supervising Deputy Attorney General
Attorneys for the People of the State of California