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FILED
MERCED COUNTY

2018 OCT 30 AM 10: 20

CLERK OF THE SUPERIOR COURT

BY DEMETRIA HAZARD

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF MERCED

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

12 Plaintiffs,

13 v.

14 **JOSEPH DELIMAN (DOB: 04/13/61),**

15 Defendant.

Case No: CA AG #:SA2017705832

FELONY COMPLAINT

18CR – 05740

Judge: Ash, Carol

17 The People of the State of California upon oath of the undersigned, upon information and
18 belief complain against the defendant above named for the crimes as follows:

19 **COUNT ONE**

20 **(Grand Theft)**

21 On and between January 1, 2014, and September 30, 2017, at and in the County of Merced,
22 the defendant, JOSEPH DELIMAN, committed the crime GRAND THEFT, a violation of
23 PENAL CODE section 487(a) in that while defendant JOSEPH DELIMAN was an agent, servant,
24 or employee of MERCED POLICE OFFICERS' ASSOCIATION defendant did unlawfully take
25 from MERCED POLICE OFFICERS' ASSOCIATION money and personal property which
26 aggregates to a value exceeding Nine Hundred Fifty Dollars (\$950.00) in any 12 consecutive
27 month period, to wit \$ 82,495.94.
28

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2 **TOLLING OF THE STATUTE OF LIMITATIONS**

3 IT IS FURTHER ALLEGED, as described in Penal Code section 803(c), that the charge in
4 Count 1 was not discovered until June 1, 2017, at the earliest, by the victim, MERCED POLICE
5 OFFICERS' ASSOCIATION ("ASSOCIATION"). Defendant DELIMAN lied to members of the
6 ASSOCIATION and told them that one of the ASSOCIATION's accounts had been closed when
7 actually, he had kept the account open and funded with the ASSOCIATION's money. Defendant
8 DELIMAN used those funds to pay charges on a credit card only he knew about, under his name
9 and statements for which were sent to his residence. The ASSOCIATION board members trusted
10 the defendant. No victim of said violations and no law enforcement agency chargeable with the
11 investigation and prosecution of said violations had actual or constructive knowledge of the thefts
12 prior to June 1, 2017, and no reason to suspect the defendant of embezzling funds within the
13 meaning of Penal Code section 803 subdivision (c).
14


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

17 I declare under the penalty of perjury that the foregoing is true and correct. Executed this
18 25 day of October, 2018, at Sacramento, California.

19
20 Dated: October 25, 2018

Respectfully Submitted,

21 XAVIER BECERRA
22 Attorney General of California

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24 
25 CAROLINE CHEN
26 Deputy Attorney General
27 *Attorneys for People*
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