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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SACRAMENTO

12 **THE PEOPLE OF THE STATE OF**
13 **CALIFORNIA ,**
14 **Plaintiff,**
15 **v.**
16 **SHOU LIN WEN; and**
17 **YUTING TAN (no middle name),**
18 **Defendants.**

XREF: WEN 4853594
TAN 4510279
Case No. 13F01376
FIRST AMENDED FELONY COMPLAINT
Date:
Time:
Dept:

22 The People of the State of California upon oath of the undersigned, upon information and
23 belief complain against **Shou Lin Wen and Yuting Tan**, above named for the crime(s) as
24 follows:

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COUNT 1

Conspiracy – PC 182

On or about and between May 24, 2012 and March 6, 2013, at and in the County of Sacramento in the State of California, defendants Shou Lin Wen and Yuting Tan, together and with persons known and unknown did, in violation of Section 182(a)(1) of the Penal Code willfully and unlawfully conspire and agree to commit a crime(s), to wit: grand theft, possession of stolen property, and money laundering in violation of sections 487 (a), 496(a), and 186.10 of the Penal Code, felonies, related to trafficking in stolen cellular phones.

It is further alleged that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the conspirators committed the following overt acts in the County of Sacramento:

OVERT ACT 1: On or about May 24, 2012 Shou Lin Wen and Yuting Tan retrieved 37 iPhones.

OVERT ACT 2: On or about August 1, 2012 Shou Lin Wen and Yuting Tan shipped 207 cellular telephones to Hong Kong via Federal Express.

OVERT ACT 3: On or about August 27, 2012 Shou Lin Wen shipped 45 cellular telephones to Hong Kong via Federal Express.

OVERT ACT 4: On or about September 24, 2012 Shou Lin Wen shipped 123 cellular telephones to Hong Kong via Federal Express.

OVERT ACT 5: On March 6, 2013 Shou Lin Wen met an Undercover Police Officer in the West Marine parking lot on Micron Drive.

OVERT ACT 6: On March 6, 2013 Shou Lin Wen inspected 132 cellular telephones to see if they worked.

OVERT ACT 7: On March 6, 2013 Shou Lin Wen called Yuting Tan to help inspect 132 cellular telephones to see if they worked.

1 SECTION 496(a) OF THE PENAL CODE of the State of California, in that said Defendant(s)
2 did unlawfully buy, receive, sell, conceal, sell, withhold and aid in withholding property, to wit
3 207 cellular phones, knowing them to have been stolen, and which had been stolen.

4 **COUNT 4**

5 **Possession of Stolen Property – PC 496(a)**

6 On or about August 27, 2012, at and in the County of Sacramento in the State of
7 California, Defendant(s) Shou Lin Wen did commit a felony namely a violation of SECTION
8 496(a) OF THE PENAL CODE of the State of California, in that said Defendant(s) did
9 unlawfully buy, receive, sell, conceal, sell, withhold and aid in withholding property, to wit 45
10 cellular phones, knowing them to have been stolen, and which had been stolen.

11 **COUNT 5**

12 **Money Laundering – PC 186.10**

13 On or about August 8, 2012 at and in the County of Sacramento in the State of California,
14 Defendant(s) Shou Lin Wen did commit a felony violation of SECTION 186.10 OF THE PENAL
15 CODE of the State of California, in that said Defendant did conduct and attempt to conduct a
16 transaction involving a monetary instrument of a total value exceeding five thousand dollars
17 (\$5,000), through one or more financial institutions knowing that the monetary instrument
18 represents the proceeds of, and is derived directly or indirectly from the proceeds of, criminal
19 activity and did conduct and attempt a transaction with the specific intent to promote, manage,
20 establish, carry on, and facilitate the promotion, management, establishment, or carrying on of
21 any criminal activity.

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23 **COUNT 6**

24 **Possession of Stolen Property – PC 496(a)**

25 On or about September 24, 2012, at and in the County of Sacramento in the State of
26 California, Defendant(s) Shou Lin Wen did commit a felony namely a violation of SECTION
27

1 496(a) OF THE PENAL CODE of the State of California, in that said Defendant(s) did
2 unlawfully buy, receive, sell, conceal, sell, withhold and aid in withholding property, to wit 123
3 cellular phones, knowing them to have been stolen, and which had been stolen.

4 **COUNT 7**

5 **Attempted Possession of Stolen Property – PC 664/496(a)**

6 On or about March 6, 2013, at and in the County of Sacramento in the State of California,
7 Defendant(s) Shou Lin Wen did unlawfully attempt to commit a felony namely a violation of
8 SECTION 496(a) OF THE PENAL CODE of the State of California, in that said Defendant(s)
9 did unlawfully attempt to buy 132 cellular phones, believing they had been stolen.

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11 **COUNT 8**

12 **Money Laundering – PC 186.10**

13 On or about March 6, 2013 at and in the County of Sacramento in the State of California,
14 Defendant(s) Shou Lin Wen did commit a felony violation of SECTION 186.10 OF THE PENAL
15 CODE of the State of California, in that said Defendant did conduct and attempt to conduct a
16 transaction involving a monetary instrument(s) of a total value exceeding five thousand dollars
17 (\$5,000), through one or more financial institutions knowing that the monetary instrument(s)
18 represents the proceeds of, and is derived directly or indirectly from the proceeds of, criminal
19 activity and did conduct and attempt a transaction with the specific intent to promote, manage,
20 establish, carry on, and facilitate the promotion, management, establishment, or carrying on of
21 any criminal activity.

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23 **FIRST SPECIAL ALLEGATION**

24 **Aggravated Money Laundering 186.10(c)(1)(D)**

25 It is further alleged that in the commission of the offenses set forth in COUNTS ONE
26 THROUGH EIGHT the transaction(s) exceed \$2,500,000 within the meaning of Penal Code
27 Section 186.10(c)(1)(D)

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Pursuant to PENAL CODE SECTION 1054.5(B), the People are hereby informally requesting that defense counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3, and pursuant to the provisions of PENAL CODE SECTION 1054.7.

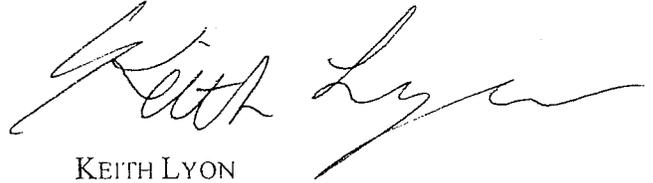
I declare upon information and belief and under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento County, California, the 8th Day of March, 2013.

Dated: March 8, 2013

Respectfully Submitted,

KAMALA D. HARRIS
Attorney General of California



KEITH LYON
Deputy Attorney General
Attorneys for Plaintiff