

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ROBERT MORGESTER  
Deputy Attorney General  
3 State Bar No. 142236  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 445-9330  
Fax: (916) 322-2368  
6 E-mail: Robert.Morgester@doj.ca.gov  
*Attorneys for People of the State of California*

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SACRAMENTO

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11  
12 **THE PEOPLE OF THE STATE OF**  
13 **CALIFORNIA,**

Plaintiff,

Case No.

**FELONY (COMPLAINT)**

14  
15 v.

16 **FRANKLIN MICHAEL BENINSIG,**

Defendant

17  
18  
19  
20 The Attorney General of California, by and through the undersigned Deputy Attorney  
21 General, on information and belief, complains and accuses defendant of having committed, in the  
22 County of Sacramento, State of California, the crimes of:

23 **COUNT 1**

24 **(GRAND THEFT BY EMBEZZLEMENT)**

25 In and between February 1, 2004 and August 31, 2007, at and in the County of Sacramento,  
26 in the State of California, Defendant FRANKLIN MICHAEL BENINSIG, did commit a felony  
27 namely a violation of SECTION 503 OF THE PENAL CODE of the State of California, in that  
28 while said Defendant was an agent, servant, and employee of Bob Pingree did unlawfully take

1 from said person money and personal property of a value exceeding \$400, to wit ownership of  
2 patent application #11/079030.

3 **COUNT 2**

4 **(GRAND THEFT BY EMBEZZLEMENT)**

5 For a further and separate cause of Complaint, being a different offense from but connected  
6 in its commission with the charges set forth in Counts 1, complainant further complains and states  
7 that in and between March 1, 2005 and May 31, 2007, at and in the County of Sacramento, in the  
8 State of California, Defendant FRANKLIN MICHAEL BENINSIG, did commit a felony namely  
9 a violation of SECTION 503 OF THE PENAL CODE of the State of California, in that while said  
10 Defendant was an agent, servant, and employee of Dean Schiller, did unlawfully take from said  
11 person money and personal property of a value exceeding \$400, to wit ownership of patent  
12 application #20050199648.

13 **COUNT 3**

14 **(GRAND THEFT BY EMBEZZLEMENT)**

15 For a further and separate cause of Complaint, being a different offense from but connected  
16 in its commission with the charges set forth in Counts 1 and 2, complainant further complains and  
17 states that in and between March 1, 2008 and June 1, 2008, at and in the County of Sacramento,  
18 in the State of California, Defendant FRANKLIN MICHAEL BENINSIG, did commit a felony  
19 namely a violation of SECTION 503 OF THE PENAL CODE of the State of California, in that  
20 while said Defendant was an agent, servant, and employee of Jerry Ponzio, did unlawfully take  
21 from said person money and personal property of a value exceeding \$400, to wit ownership of  
22 patent applications #61/130,737 and #61/130,738.

23 **COUNT 4**

24 **(OBTAINING MONEY, LABOR OR PROPERTY BY FALSE PRETENSE)**

25 For a further and separate cause of Complaint, being a different offense from but connected  
26 in its commission with the charges set forth in Counts 1 through 3, complainant further complains  
27 and states that on and between January 1, 2008 and December 31, 2008, Defendant FRANKLIN  
28 MICHAEL BENINSIG did commit a felony namely a violation of SECTION 532(A) OF THE

1 PENAL CODE of the State of California, in that said Defendant did unlawfully, knowingly,  
2 designedly and fraudulently get possession of money and property, and obtain labor and service  
3 of another in violation of this section of a value exceeding \$400, to wit \$30,000 from Chris  
4 Brogan / Media Addiction.

5 **TOLLING OF THE STATUTE OF LIMITATIONS**

6 It is further alleged that as to Count 1 and 2 that the statute of limitations has been extended  
7 pursuant to Penal Code section 801.5 in that the above violations were not discovered until May  
8 1, 2007, and that no victim of said violations, and no law enforcement agency chargeable with the  
9 investigation and prosecution had actual or constructive knowledge of said violations prior to said  
10 date. More specifically, as to Count 1, it was not until the January 7, 2008 notification from the  
11 United States Patent Office that Bob Pingree discovered that FRANKLIN MICHAEL BENINSIG  
12 listed himself as the sole owner of the patent. As to Count 2, it was not until May 2007 that Dean  
13 Schiller discovered that FRANKLIN MICHAEL BENINSIG listed himself as the sole owner of  
14 the patent.

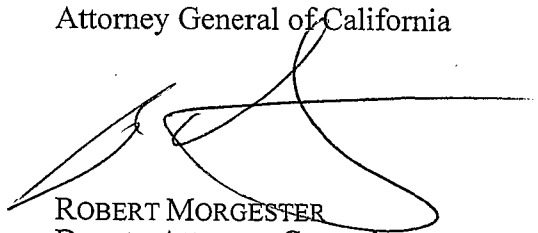
15 ~~Pursuant to Penal Code section 1054.5(b), the People are hereby informally requesting that~~  
16 ~~defense counsel provide discovery to the people as required by Penal Code section 1054.3.~~

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

19 Executed at Sacramento County, California, the 29 day of September, 2010.

20 Respectfully Submitted,

21 EDMUND G. BROWN JR.  
22 Attorney General of California

23   
24 ROBERT MORGESTER  
25 Deputy Attorney General  
26 *Attorneys for People of the State of*  
27 *California*

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