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ROB BONTA
Attorney General of California
DIANA CALLAGHAN
Supervising Deputy Attorney General
RYAN TOOMEY
Deputy Attorney General
State Bar No. 319127
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Los Angeles, CA 90013
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Attorneys for the People of the State of California

2022 MAY 19 PM 2:34
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FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

- 1. MIGUEL A. AGUIRRE
- 2. JUAN A. GUTIERREZ
- 3. MARTIN E. ORNELAS-SILVA
- 4. JOSE H. GONZALEZ
- 5. WALTER GONZALEZ REYES
- 6. CELSO O. GONZALEZ REYES

Defendants.

Case No. BA498325

FELONY COMPLAINT FOR ARREST WARRANT

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On or between October 25, 2021 and October 27, 2021, semi-truck bearing California license plate XP75303 and attached trailer registered to **MIGUEL A. AGUIRRE** travelled from Arizona to California.

5

On or about November 2, 2021, **MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ,** and **MARTIN E. ORNELAS SILVA** transported out of state empty beverage containers from Arizona to California.

6

On or about January 11, 2022, a van bearing California license plate 86665E3 and registered to **JOSE H. GONZALEZ** travelled from 2004 E. 88th St in Los Angeles, California to Slauson Recycling #3, 4525 Staunton Avenue in Los Angeles, California.

7

On or about February 3, 2022, **WALTER GONZALEZ REYES** travelled from 7401 Maie Ave. in Los Angeles, California to 2328 E. 49th St. in Vernon, California.

8

On or between February 4, 2022 and February 6, 2020, semi-truck bearing California license plate YP32525 and attached trailer registered to **MIGUEL A. AGUIRRE** travelled from Arizona to California.

9

On or about February 7, 2022, **WALTER GONZALEZ REYES** travelled from 7401 Maie Ave. in Los Angeles, California to 2328 E. 49th St. in Vernon, California.

10

On or about February 7, 2022, a box truck bearing California license plate 15953B3 and registered to **JOSE H. GONZALEZ** travelled from 2004 E. 88th St in Los Angeles, California to Omar Recycling, 1846 E. 41st Place in Los Angeles, California.

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On or about February 22, 2022, a box truck bearing California license plate 15953B3 and registered to **JOSE H. GONZALEZ** travelled from 2004 E. 88th St in Los Angeles, California to Omar Recycling, 1846 E. 41st Place in Los Angeles, California.

11

On or about February 25, 2022, a box truck bearing California license plate 43179G3 and registered to **WALTER GONZALEZ REYES** travelled from 2328 E. 49th Street in Vernon, California to W's Metal Recycling Center, 1714 E. 55th Street in Ontario, California.

COUNT 2

On and between January 1, 2021 and March 30, 2022, in the County of Los Angeles, the crime of GRAND THEFT OF PERSONAL PROPERTY, in violation of Penal Code section 487(a), a felony, was committed by **MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES,** and **CELSO O. GONZALEZ REYES** who did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit: the property of the State of California.

COUNT 3

On and between January 1, 2021 and March 30, 2022, in the County of Los Angeles, the crime of UNLAWFUL RECYCLING, in violation of PUBLIC RESOURCES CODE SECTION 14591(b)(1)(F), a felony, was committed by **MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ,** and **MARTIN E. ORNELAS SILVA** who, with the intent to defraud the State of California, did bring out-of-state containers, rejected containers, or line breakage to the California marketplace for redemption.

COUNT 4

On and between January 1, 2021 and March 30, 2022, in the County of Los Angeles, the crime of UNLAWFUL RECYCLING, in violation of PUBLIC RESOURCES CODE SECTION 14591(b)(1)(D), a felony, was committed by **JOSE H. GONZALEZ** and **WALTER GONZALEZ REYES** who, with the intent to defraud the State of California, did redeem out-of-

1 state containers, rejected containers, line breakage, or containers that have already been
2 redeemed.

3 **COUNT 5**

4 On and between January 1, 2021 and March 30, 2022, in the County of Los Angeles, the
5 crime of UNLAWFUL RECYCLING, in violation of PUBLIC RESOURCES CODE SECTION
6 14591(b)(1)(E), a felony, was committed by **WALTER GONZALEZ REYES** who, with the
7 intent to defraud the State of California, did return redeemed containers to the California
8 marketplace for redemption.

9 **First Special Allegation**

10 **Multiple Felonies Involving Fraud/Embezzlement**

11 It is further alleged that in the commission of the offenses alleged in Counts 1 through 5,
12 defendants **MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN E. ORNELAS**
13 **SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES, and CELSO O.**
14 **GONZALEZ REYES** committed two or more related felonies, a material element of which is
15 fraud or embezzlement, which involve a pattern of related felony conduct, and the pattern of
16 related felony conduct involves the taking of more than five hundred thousand dollars (\$500,000),
17 within the meaning of Penal Code section 186.11(a)(2).

18 **Second Special Allegation**

19 **Theft of Amount Over \$100,000**

20 It is further alleged that **MIGUEL A. AGUIRRE, JUAN A. GUTIERREZ, MARTIN**
21 **E. ORNELAS SILVA, JOSE H. GONZALEZ, WALTER GONZALEZ REYES,** and
22 **CELSO O. GONZALEZ REYES,** in the commission of the Grand Theft count alleged against
23 them in this Felony Complaint, with the intent to do so, took funds of value exceeding one
24 hundred thousand dollars (\$100,000) within the meaning of Penal Code §1203.045.

25 NOTICE: If found true, convictions imposed in this matter shall be served in State Prison
26 pursuant to Penal Code section 1170(h)(3)(D).

27 ///

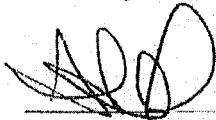
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DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this complaint consists of 6 counts.

Executed at Los Angeles, County of Los Angeles, on May 11, 2022.



ANDREW SPILLMAN
DECLARANT AND COMPLAINANT

Dated: May 11, 2022

Respectfully Submitted,

ROB BONTA
Attorney General of California



RYAN TOOMEY
Deputy Attorney General
Attorneys for the People of the State of California

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NOTICE TO DEFENDANT AND ATTORNEY

Pursuant to Penal Code section 1054(b), the People of the State of California hereby informally request that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

NOTICE TO ATTORNEY

Any materials accompanying this complaint or provided by the People in this case may contain information about witnesses. Such information is subject to Penal Code section 1054.2, which provides, "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

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AGENCY: CA Bureau of Investigation **I/O:** Andrew Spillman **PHONE NO:** (323) 797-0003

PRELIM. TIME. EST: 1 day

<u>DEFENDANT</u>	<u>DOB</u>	<u>BAIL RECOM'D</u>
Miguel A. Aguirre	9-5-1979	\$120,000
Juan A. Gutierrez	3-3-1975	\$120,000
Martin E. Ornelas Silva	5-1-1992	\$120,000
Jose H. Gonzalez	3-14-1972	\$120,000
Walter Gonzalez Reyes	12-24-1992	\$120,000
Celso O. Gonzalez Reyes	5-8-1996	\$120,000

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Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

MIGUEL A. AGUIRRE

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		
3	PRC 14591(b)(1)(F)	16-2-3		
			PC 186.11(a)(2)	2-3-5
			PC 1203.045	MSP

JUAN A. GUTIERREZ

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		
3	PRC 14591(b)(1)(F)	16-2-3		

MARTIN E. ORNELAS SILVA

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		
3	PRC 14591(b)(1)(F)	16-2-3		

JOSE H. GONZALEZ

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		
4	PRC 14591(b)(1)(E)	16-2-3		
			PC 186.11(a)(2)	2-3-5

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PC 1203.045 MSP

WALTER GONZALEZ REYES

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		
4	PRC 14591(b)(1)(D)	16-2-3		
5	PRC 14591(b)(1)(E)	16-2-3		

PC 186.11(a)(2) 2-3-5

PC 1203.045 MSP

CELSO O. GONZALEZ REYES

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect.</u>
1	PC 182 (a)(1)	16-2-3		
2	PC 487	16-2-3		

PC 186.11(a)(2) 2-3-5

PC 1203.045 MSP

1 I ORDER that the defendant(s) be held to answer therefor and be admitted to bail in the sum of:
2
3 Miguel A. Aguirre \$ _____
4 Juan A. Gutierrez \$ _____
5 Martin E. Ornelas Silva \$ _____
6 Jose H. Gonzalez \$ _____
7 Walter Gonzalez Reyes \$ _____
8 Celso O. Gonzalez Reyes \$ _____

9 And that said defendant be committed to the custody of the Sheriff until such bail is given.
10 The date of Felony arraignment is set for:

11 _____
12 _____ in Department _____ at _____ a.m./p.m.
13 (Date)

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17 Magistrate _____ Date _____
18 Superior Court of California
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SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty and perjury having been made this day to me by Special Agent Andrew Spillman of the California Department of Justice, I find that there is probable cause to believe that the crimes of Conspiracy to Commit a Crime (Pen. Code. 182(a)(1)), Grand Theft (Pen. Code 487(a)), Unlawful Recycling (Pub. Res. Code, 14591(b)(1)(F)), Theft Over the Amount of \$100,000 enhancement (Pen. Code 1203.045) and Multiple Fraud Enhancement (Pen. Code. 186.11(a)(2)) have been committed by the defendant named below.

Therefore, you are commanded to arrest MIGUEL A. AGUIRRE, and to bring the defendant before any magistrate in Los Angeles County pursuant to sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ 120,000.

Dated: 5/20/22

Time Issued: 10:00 (am/pm)



Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty and perjury having been made this day to me by Special Agent Andrew Spillman of the California Department of Justice, I find that there is probable cause to believe that the crimes of Conspiracy to Commit a Crime (Pen. Code, 182(a)(1)), Grand Theft (Pen. Code 487(a)) and Unlawful Recycling (Pub. Res. Code, 14591(b)(1)(F) have been committed by the defendant named below.


Therefore, you are commanded to arrest JUAN A. GUTIERREZ, and to bring the defendant before any magistrate in Los Angeles County pursuant to sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ 100,000.

Dated: 5/20/22

Time Issued: 10:00 ((am/pm))





Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG

1 SUPERIOR COURT OF CALIFORNIA

2 COUNTY OF LOS ANGELES

3 WARRANT OF ARREST

4
5 The People of the State of California to any peace officer of said State:

6
7 Proof by declaration under penalty and perjury having been made this day to me by
8 Special Agent Andrew Spillman of the California Department of Justice, I find that
9 there is probable cause to believe that the crimes of Conspiracy to Commit a Crime
10 (Pen. Code, 182(a)(1)), Grand Theft (Pen. Code 487(a)) and Unlawful Recycling
11 (Pub. Res. Code, 14591(b)(1)(F)) have been committed by the defendant named
12 below.

13 Therefore, you are commanded to arrest MARTIN E. ORNELAS SILVA, and to
14 bring the defendant before any magistrate in Los Angeles County pursuant to sections
15 821, 825, 826, and 848 of the California Penal Code.

16
17 Defendant is to be admitted to bail in the sum of \$ 120,000.

18
19 Dated: 5/20/22

20 Time Issued: 10:00 (am/pm)



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Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty and perjury having been made this day to me by Special Agent Andrew Spillman of the California Department of Justice, I find that there is probable cause to believe that the crimes of Conspiracy to Commit a Crime (Pen. Code, 182(a)(1)), Grand Theft (Pen. Code 487(a)), Unlawful Recycling (Pub. Res. Code, 14591(b)(1)(D)), Theft Over the Amount of \$100,000 enhancement (Pen. Code 1203.045) and Multiple Fraud Enhancement (Pen. Code, 186.11(a)(2)) have been committed by the defendant named below.

Therefore, you are commanded to arrest JOSE H. GONZALEZ, and to bring the defendant before any magistrate in Los Angeles County pursuant to sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ 120,000.

Dated: 5/20/22

Time Issued: 10:00 (am/pm)



Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty and perjury having been made this day to me by Special Agent Andrew Spillman of the California Department of Justice, I find that there is probable cause to believe that the crimes of Conspiracy to Commit a Crime (Pen. Code, 182(a)(1)), Grand Theft (Pen. Code 487(a)), Unlawful Recycling (Pub. Res. Code, 14591(b)(1)(D) and Pub. Res. Code, 14591(b)(1)(E)), Theft Over the Amount of \$100,000 enhancement (Pen. Code 1203.045) and Multiple Fraud Enhancement (Pen. Code. 186.11(a)(2)) have been committed by the defendant named below.

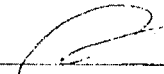
Therefore, you are commanded to arrest WALTER GONZALEZ REYES and to bring the defendant before any magistrate in Los Angeles County pursuant to sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ 100,000.

Dated: 5/20/22

Time Issued: 10:00 (am/pm)





Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty and perjury having been made this day to me by Special Agent Andrew Spillman of the California Department of Justice, I find that there is probable cause to believe that the crimes of Conspiracy to Commit a Crime (Pen. Code, 182(a)(1)), Grand Theft (Pen. Code 487(a)), Theft Over the Amount of \$100,000 enhancement (Pen. Code 1203.045) and Multiple Fraud Enhancement (Pen. Code. 186.11(a)(2)) have been committed by the defendant named below.

Therefore, you are commanded to arrest CELSO O. GONZALEZ REYES, and to bring the defendant before any magistrate in Los Angeles County pursuant to sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ 100,000.

Dated: 5/20/22

Time Issued: 10:00 (am/pm)



Judge of the Superior Court
State of California, County of Los Angeles

ANNE HWANG