

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION**

FILED
Clerk of the Superior Court

JUL 18 2017

THE PEOPLE OF THE STATE OF CALIFORNIA, <p style="text-align: center;">v.</p> SHAWN HEFFERNAN, <i>dob 09/09/74;</i>	Plaintiff, Defendant
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CT No. CD272692
DA No. AEF137

By: A. DeLeon Williams, Deputy

COMPLAINT-FELONY

INFORMATION

Date: _____

COPY

PC296 DNA TEST STATUS SUMMARY

Defendant

HEFFERNAN, SHAWN

DNA Testing Requirements

DNA sample required upon conviction

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC368(d) HEFFERNAN, SHAWN	Felony	2-3-4/\$10,000		
2	PC487(a) HEFFERNAN, SHAWN	Felony	16-2-3		
3	PC487(a) HEFFERNAN, SHAWN	Felony	16-2-3		
4	PC487(a) HEFFERNAN, SHAWN	Felony	16-2-3		
5	PC368(d) HEFFERNAN, SHAWN	Felony	2-3-4/\$10,000		
6	PC487(a) HEFFERNAN, SHAWN	Felony	16-2-3		
7	PC368(d) HEFFERNAN, SHAWN	Felony	2-3-4/\$10,000		

CHARGE SUMMARY (cont'd)

<u>Count</u>	<u>Charge</u>	<u>Issue Type</u>	<u>Sentence Range</u>	<u>Special Allegations</u>	<u>Allegation Effect</u>
8	PC487(a) HEFFERNAN, SHAWN	Felony	16-2-3	PC186.11(a)(2) PC12022.6(a)(2)	+2-3-5 +2 Yrs
	PC1054.3		INFORMAL REQUEST FOR DISCOVERY		

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - THEFT FROM ELDER/DEPENDENT ADULT (OVER \$950)

On or about and between June 1, 2014 and June 30, 2014, SHAWN HEFFERNAN, did unlawfully violate a provision of law proscribing theft, embezzlement, forgery, fraud, and Penal Code Section 530.5 proscribing identity theft with respect to the property and personal identifying information of JUDITH HOLDERNESS, an elder, knowing and having reason to know that the victim was JUDITH HOLDERNESS, an elder, when the money, labor, goods, services, and real and personal property taken and obtained was of a value exceeding nine hundred fifty dollars (\$950) in violation of PENAL CODE SECTION 368(d).

COUNT 2 - GRAND THEFT OF PERSONAL PROPERTY

On or about and between June 1, 2014 and June 30, 2014, SHAWN HEFFERNAN did unlawfully take and steal money and personal property of JUDITH HOLDERNESS, of a value in excess of Nine Hundred Fifty Dollars (\$950), in violation of PENAL CODE SECTION 487(a).

COUNT 3 - GRAND THEFT OF PERSONAL PROPERTY

On or about July 15, 2014, SHAWN HEFFERNAN did unlawfully take and steal money and personal property of RONALD LEE LOGAN, of a value in excess of Nine Hundred Fifty Dollars (\$950), in violation of PENAL CODE SECTION 487(a).

CHARGES (cont'd)

COUNT 4 - GRAND THEFT OF PERSONAL PROPERTY

On or about August 5, 2014, SHAWN HEFFERNAN did unlawfully take and steal money and personal property of LUZVIMINDA PAZ PROCTOR, of a value in excess of Nine Hundred Fifty Dollars (\$950), in violation of PENAL CODE SECTION 487(a).

COUNT 5 - THEFT FROM ELDER/DEPENDENT ADULT (OVER \$950)

On or about and between May 1, 2015 and June 30, 2015, SHAWN HEFFERNAN, did unlawfully violate a provision of law proscribing theft, embezzlement, forgery, fraud, and Penal Code Section 530.5 proscribing identity theft with respect to the property and personal identifying information of PHILLIP ARTHUR AKIN, knowing and having reason to know that the victim was PHILLIP ARTHUR AKIN, when the money, labor, goods, services, and real and personal property taken and obtained was of a value exceeding nine hundred fifty dollars (\$950) in violation of PENAL CODE SECTION 368(d).

COUNT 6 - GRAND THEFT OF PERSONAL PROPERTY

On or about and between May 1, 2015 and June 30, 2015, SHAWN HEFFERNAN did unlawfully take and steal money and personal property of PHILLIP ARTHUR AKIN, of a value in excess of Nine Hundred Fifty Dollars (\$950), in violation of PENAL CODE SECTION 487(a).

COUNT 7 - THEFT FROM ELDER/DEPENDENT ADULT (OVER \$950)

On or about June 22, 2015, SHAWN HEFFERNAN, did unlawfully violate a provision of law proscribing theft, embezzlement, forgery, fraud, and Penal Code Section 530.5 proscribing identity theft with respect to the property and personal identifying information of GENE RAY NEWMAN, knowing and having reason to know that the victim was GENE RAY NEWMAN, when the money, labor, goods, services, and real and personal property taken and obtained was of a value exceeding nine hundred fifty dollars (\$950) in violation of PENAL CODE SECTION 368(d).

COUNT 8 - GRAND THEFT OF PERSONAL PROPERTY

On or about June 22, 2015, SHAWN HEFFERNAN did unlawfully take and steal money and personal property of GENE RAY NEWMAN, of a value in excess of Nine Hundred Fifty Dollars (\$950), in violation of PENAL CODE SECTION 487(a).

ALLEGATIONS AS TO ALL COUNTS:

AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT: And it is further alleged that said defendant, SHAWN HEFFERNAN, committed two or more related felonies, a material element of which is fraud and embezzlement, which involved a pattern of related felony conduct which involved the taking and resulted in the loss by another person and entity of more than five hundred thousand dollars (\$500,000), within the meaning of PENAL CODE SECTION 186.11(a)(2).

CHARGES (cont'd)

And it is further alleged that in the commission and attempted commission of the crimes alleged, the aggregate losses to the victims from all the charges arise from a common scheme and plan and exceed two hundred thousand dollars (\$200,000), within the meaning of PENAL CODE SECTIONS 12022.6(a)(2) and 12022.6(b).

NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

NOTICE: Any defendant named on this complaint who is on Mandatory Supervision in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's Mandatory Supervision pursuant to Penal Code Sections 1170(h)(5)(B) and 1203.2, on any and all such grants, utilizing the same evidence, at the preliminary hearing. Defense to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

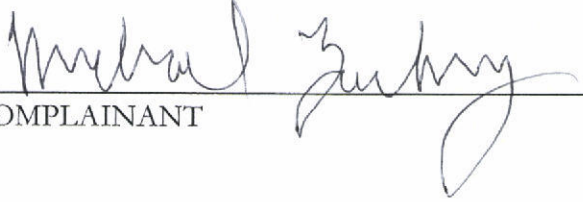
Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

MANDATORY STATE PRISON INCARCERATION: An executed sentence for a felony shall be served by defendant SHAWN HEFFERNAN in state prison pursuant to PENAL CODE SECTIONS 1170(f) and (h)(3).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD272692, CONSISTS OF 8 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on July 10, 2017.


COMPLAINANT

INFORMATION

SUMMER STEPHAN
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney



CLERK'S CERTIFICATE

The foregoing document, consisting of 5 page(s), is a full, true, and correct copy of the original copy on file in this office.

18 2017 Date by  Deputy
Clerk of the Superior Court