

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
SAN BERNARDINO JUSTICE CENTER DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
) Plaintiff)
)
) vs.)
)
 Charles Lee Stapleton) FELONY COMPLAINT
)
)
) Defendant) DA CASE NO 2021-00-0005856

The undersigned is informed and believes that:

COUNT 1

On or about January 29, 2021, in the above named judicial district, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of PENAL CODE SECTION 459, a felony, was committed by Charles Lee Stapleton, who did enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Jane Doe, with the intent to commit larceny and any felony.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged that the above offense is a violation of Penal Code Section 462(a).

It is further alleged that the above offense is a violent felony within the meaning of Penal Code 667.5(c) in that another person, other than an accomplice, was present in the residence during the commission of the above offense.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 2

On or about January 29, 2021, in the above named judicial district, the crime of ASSAULT TO COMMIT A FELONY DURING THE COMMISSION OF A FIRST DEGREE BURGLARY, in violation of PENAL CODE SECTION 220(b), a felony, was committed by Charles Lee Stapleton, who did during the commission of a first degree burglary assault Jane Doe, with the intent to commit rape, sodomy, oral copulation and a violation of sections 264.1, 288, and 289.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 3

On or about January 29, 2021, in the above named judicial district, the crime of FORCIBLE ORAL COPULATION, in violation of PENAL CODE SECTION 287(c)(2)(A), a felony, was committed by Charles Lee Stapleton, who did unlawfully participate in an act of oral copulation

with Jane Doe and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant Charles Lee Stapleton, as to count(s) 3, 4, 5 that the following circumstances apply: during the commission of a PC459 1st.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 4

On or about January 29, 2021, in the above named judicial district, the crime of FORCIBLE RAPE, in violation of PENAL CODE SECTION 261(a)(2), a felony, was committed by Charles Lee Stapleton, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Jane Doe, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant Charles Lee Stapleton, as to count(s) 3, 4, 5 that the following circumstances apply: during the commission of a PC459 1st.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 5

On or about January 29, 2021, in the above named judicial district, the crime of SODOMY BY USE OF FORCE, in violation of PENAL CODE SECTION 286(c)(2)(A), a felony, was committed by Charles Lee Stapleton, who did unlawfully participate in an act of sodomy with Jane Doe, and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant Charles Lee Stapleton, as to count(s) 3, 4, 5 that the following circumstances apply: during the commission of a PC459 1st.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 6

On or about January 29, 2021, in the above named judicial district, the crime of INJURING A SPOUSE, COHABITANT, BOYFRIEND, GIRLFRIEND OR CHILD,S PARENT AFTER A PRIOR CONVICTION, in violation of PENAL CODE SECTION 273.5(f)(1), a felony, was committed by Charles Lee Stapleton, who willfully inflicted corporal injury resulting in a traumatic condition upon

Jane Doe, who was someone with whom the defendant had a dating relationship, within seven years of the following previous conviction under Penal Code section 273.5(a):

Court Case	Code/Statute	Conv Date	County	State	Court Type
FSB20003907	PC273.5	01/19/2021	San Bernardino	CA	Superior

"NOTICE: Pursuant to Evidence Code Section 1108 and 1109, the People will move to admit evidence consistent with the defendant's criminal history and law enforcement reports."

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 7

On or about January 29, 2021, in the above named judicial district, the crime of FALSE IMPRISONMENT BY VIOLENCE, in violation of PENAL CODE SECTION 236, a felony, was committed by Charles Lee Stapleton, who did unlawfully violate the personal liberty of Jane Doe, said violation being effected by violence, menace, fraud, and deceit.

It is further alleged as to count(s) 1, 2, 3, 4, 5, 6, 7 that in the commission and attempted commission of the above offense, the said defendant(s) Charles Lee Stapleton, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 8

On or about January 29, 2021, in the above named judicial district, the crime of VANDALISM UNDER \$400 DAMAGE-DAMAGE/DESTROY, in violation of PENAL CODE

SECTION 594(a), a misdemeanor, was committed by Charles Lee Stapleton, who did unlawfully and maliciously damage and destroy real and personal property, to wit, car tires not his/her own, belonging to Jane Doe.

COUNT 9

On or about January 29, 2021, in the above named judicial district, the crime of DISOBEYING COURT ORDER, in violation of PENAL CODE SECTION 166(a)(4), a misdemeanor, was committed by Charles Lee Stapleton, who did unlawfully commit contempt of court by willful disobedience of a process and order lawfully issued by a court, to wit, domestic violence CPO.

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2, 3, 4, 5, 6, 7 that said defendant(s) Charles Lee Stapleton, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FVA12956	PC422	03/09/2000	San Bernardino	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2, 3, 4, 5, 6, 7 that said defendant(s) Charles Lee Stapleton, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FSB20003907	PC459 1st	01/19/2021	San Bernardino	CA	Superior

* * * * *

NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 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.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant 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."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 9 COUNT(S).

Executed at San Bernardino, California, on February 3, 2021.

K. Kim

K. Kim
DECLARANT AND COMPLAINANT

Agency: Big Bear Sheriff Station

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Charles Lee Stapleton	04/07/1972	2102340119	A10348237	