

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 pursuant to **Penal Code section 186.22(b)(1)(C)** as to count 1 that the above offense was committed for the benefit of, at the direction of, and in association with a criminal street gang with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 186.30(a). Willful failure to register is a crime.

It is further alleged pursuant to **Penal Code sections 1170.12(a) through (d) and 667(b) through (i)** as to count 1 that said **Dalon Laflora**, 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
FWV1001771	PC 459-1st	2011-02-07	San Bernardino	CA	Superior

It is further alleged as to count 1 pursuant to **Penal Code section 667(a)(1)** that the **Dalon Laflora**, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FWV1001771	PC 459-1 st	2011-02-07	San Bernardino	CA	Superior
GA10027702	245(a)(2) / 186.22(b)	2017-06-07	Los Angeles	CA	Superior

It is further alleged pursuant to **Penal Code sections 1170.12(a) through (d) and 667(b) through (i)** as to count 1 that said **Gerald Francis Kay**, 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
16CR-043913	PC 211	2018-05-11	San Bernardino	CA	Superior

It is further alleged as to count 1 pursuant to **Penal Code section 667(a)(1)** that the **Gerald Francis Kay**, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
16CR-043913	PC 211	2018-05-11	San Bernardino	CA	Superior
KA11624401	PC 245(c)	2017-09-18	Los Angeles	CA	Superior

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It is further alleged as to each count, pursuant to Penal Code section 1170, subdivision (b)(2), that the following circumstances may apply in this case:

1. The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness;
2. The defendant was armed with or used a weapon at the time of the commission of the crime;
3. The victim was particularly vulnerable;
4. The defendant induced others to participate in the commission of the crime or occupied a position of leadership or dominance of other participants in its commission;
5. The defendant induced a minor to commit or assist in the commission of the crime;
6. The manner in which the crime was carried out indicates planning, sophistication, or professionalism;
7. The crime involved an attempted or actual taking or damage of great monetary value;
8. The crime involved a large quantity of contraband;
9. The defendant took advantage of a position of trust or confidence to commit the offense.
10. The defendant has engaged in violent conduct that indicates a serious danger to society;
11. The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;
12. The defendant has served a prior term in prison or county jail under section 1170(h);
13. The defendant was on probation, mandatory supervision, postrelease community supervision, or parole when the crime was committed; and
14. The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory; and
15. And any other aggravating factors that may be permitted by law.

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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 1 COUNT.

Executed at Rancho Cucamonga, California, on January 05, 2022.

David Collins

David Collins

DECLARANT AND COMPLAINANT

Agency: Chino Hills Police and Sheriffs Dept

Prelim Est.

Defendant	Birth Date	Booking No	CII No.	NCIC
Alek S Emling	1984-04-15		A29202830	
Gerald Francis Kay	1991-09-25		A28550538	
Dalon Laflora	1992-05-26		A27193116	