



CLERK MINUTES

SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN JOAQUIN

LRS R. Thomas PROB. REV. OR
ATTY S. Maier TW/TNW
C/S OR
S/A NATH
CPO ON
V

PEOPLE VS. MICHAEL WAYNE CARR

DOB: 10/13/65

PROC: ASC DATE: 1/25/10 TIME: 8:30
JDG/COMM: WILLIAM MURRAY
CLERK: CATHY GRAHAM

CHARGES:

- 1. PC597(A) F; 2. PC487(A)<F1 F W/186.11(A)(2) W/1203.045(A)<F2 W/12022.6(A)(1); 3. PC504<F1 F W/186.11(A)(1) W/1203.045(A)<F2 W/12022.6(A)(1);
- 4. CC2255(B)<F F W/186.11(A)(1)

CASE: SF108736A DA: 0590707 AGCY: SO REPT: MICHELLE HUNTLEY

3CTS

APPEARANCE

WTRF Matter transferred to Department
 AP PRA Defendant present APDNP Defendant not present
 AP CUS in custody NTC Defendant in custody, not transported to Court
 APPA H. PD G. Atty. I. LRS Randy Thomas present for defense
 PARET Atty retained
 APCAP Courtesy appearance for
 APWPA Waiver of personal appearance filed
 APD DA, Deputy DA LAW, Law Clerk AG, Attorney General
Stephen Maier present
 NTPR present as a interpreter.
Substitution of Atty filed

NOT GUILTY PLEA / DENIAL

PLEDA Defendant enters plea of NOT GUILTY to all counts.
 PLDAC NOT GUILTY Plea entered by the Court as to all counts.
 PLCEA NOT GUILTY Plea entered by counsel as to all counts.
 GDGAB All enhancements as alleged are denied
 JTDEM Defendant demands Jury Trial. JTWVD Defendant waives Jury Trial.

CONTINUED TO:

SH 2-8-10 at 9:00 am/pm in Dept. 26 for ASC
 SH at am/pm in Dept. for OPJT
 SH at am/pm in Dept. for

NON-APPEARANCE

DSORB O.R. Release revoked PREVO Probation revoked
 FB FOB Bail Bond (#) / CBF. Cash bail (amt.) (#) forfeited
 3BBW Bench warrant ordered P. Bail S. N. No Bail allowed
 3HWH Bench warrant ordered, held to (cont.) Bail \$
 MW GSH Cash only NRL. No release per 853.6 CHADJ Add 40509.5CVC
 MW Bail increased to INC. \$ NBA. No Bail
 MW Warrant ordered on to be VAC Vacated OHI issued
 MWRM Existing warrant to remain with bail as previously set
 WWOH Warrant ordered held to his date B. quashed D. issued
 MDSA DA to submit affidavit for issuance of arrest warrant
 WVAWO Arrest warrant ordered. Bail \$ TCNSG ADAP deleted

MIRAS set for remains as set
 SHVAC Vacate set on at
 SHVAC Vacate set on at
 WTR Remains time TW. Waived NW. Not Waived
 No Plea / time indication WTWVC Time waived 10/60 days
 WTNP Time Not waived by A. Defendant B. Counsel E. People
 WTIM Time waived by A. Defendant B. Counsel P. People
 AP Defendant ordered: DOP Present NOP Not Present
 DCD Present or Attorney DOF Present at all court dates
 NOR Not Present if in compliance with orders/conditions
 MIINT Interpreter required WRDWA Arbuckle rights waived
 MIHCR Home Court Reassignment: Dept Judge
 OTHER

ARRAIGNMENT / FURTHER ARRAIGNMENT

MIDRP Dropped from calendar CDNB No information filed
 DTEM Stipulation re Judge Pro Temp filed
 MASTI Stipulation to Commissioner
 M PTC PTC held PTN PTC not held REA R.C. held PPH P.Y. Cont. held
 LRD Adversal of rights signed and filed. AMC Amended Complaint filed.
 ACAS Rights given En Masse via audio cassette by Judge
 RC Copy of D. Complaint A. Information I. Indictment
 E. Amended Complaint B. Amended Information
 provided to B. Defendant A. Counsel for Defendant
 IA ARC Defendant duly arraigned and advised of rights as to:
 IA FEL Felony MAN Ind. MAL Misc. FUG Fug.
 RWVD Formal arraignment waived. BACNM EN MASSE
 VRW Reading of C. Complaint A. Information I. Indictment
 waived by B. Defendant A. Counsel for Defendant
 NOKE Defendant answers to true name as charged.
 NOTH Defendant answers to true name of

IN CUSTODY / O.R. / BAIL CONDITIONS

MICRE WHILE IN CUSTODY PENDING RESOLUTION AND/OR AS CONDITION OF ANY O.R./BAIL RELEASE, DEFENDANT TO (as checked below)
 TCOR1 Obey all laws and promises to obey all reasonable conditions of release imposed by the court or magistrate.
 TCOR2 Appear at all times and places as ordered by the Court of Magistrate releasing Defendant and as ordered by any Court in which, or any Magistrate before whom, the charge is subsequently pending.
 TCOR Understand that the willful failure to appear to answer the charge(s) hereon is a separate violation regardless of the disposition of this case, of which punishment may be:
 3 if MISDEMEANOR, six months in jail and/or \$1,000 fine
 4 if FELONY, three years in State Prison or County Jail and/or \$10,000 fine
 TCOR5 Not leave this state without the Court's permission.
 TCOR6 Waive extradition if fails to appear as required and is apprehended outside this state.
 TCOR7 Make and keep appointments with appointed counsel.
 ORSAF Stay away from
 TCOR8 Stay 100 yards away from, do not contact, nor have anyone contact
 TCOR9 inc. residence, place of employment, and vehicle
 ORNFV Do not annoy, harass, threaten or strike
 DVCPD Comply with all conditions of CPO filed herein.
 TCLA Not operate a motor vehicle unless licensed by the State of CA and insured.
 TCLA or after consuming any alcohol
 ORNA Abstain from the use of L. Alcohol I. Drugs
 TCORK Not associate with drug dealers and drug users unless in program
 TCOR LM Not possess weapons ammunition
 TCSMA Submit to drug, narcotic, or alcohol test as directed by Probation Officer or Peace Officer.
 ORS2 Submit person, vehicle, place of residence or area over which he has control to search for and seizure of F.
 A. Narcotics, drugs and other contraband B. Stolen Property
 D. Weapons G. Firearms H. Ammunition I. Unlimited
 At any time of day or night, with or without search warrant, with or without probable cause as directed by probation officer or any peace officer.
 MIATN Attend times a week and provide proof to court at each court appearance.
 TCORO Report to and participate in ADAP on at 8:30 am and comply with all program policies and procedures.
 TCOTH

NMOT Upon motion of, complaint amended to show true defendant to be
 ACFT declared a conflict
 ARLV relieved
 A DTR Defendant to retain own counsel RAP P.D. re-appointed
 AAR Appointed as Attorney of Record: F P.D. J. L.R.S.
 PPAH A. P.D. C. LRS appearing
 RWVD Formal arraignment waived
 ICAC Defendant ordered to pay COURT APPOINTED COUNSEL FEE of \$ by next court date. (see reverse)
 IIATY Defendant to be assessed for Attorney fees at conclusion of case.
 I136 D.A. determined defendant A. is B. is not Eligible for Prop. 36
 I136 Defendant C. Accepted D. Refused Participation into Prop 36
 IIAEJ Defendant advised of Deferred Entry of Judgment Program
 SDAC DA stated defendant is eligible for D.E.J. Program
 RR Report Ordered: PA. Pre. Sent. PB. Pre-Plea
 IIA Report ordered: S. ASI M. Mental Health to be sent to 1. Court 2. Prob. Dept.
 CCCJ Defendant to be contacted at the County Jail
 CRBZ Report to within days
 RPRC Report to Probation on at
 IIRFC Defendant removed from court for being disruptive.

BAIL INFORMATION

IO BR/OR Motion for bail reduction / O.R. release A. Granted B. Denied
 IIDAO DA objects to O.R. release WWWOR Warrant ordered recalled
 MWREV Court revoked order to issue warrant ordered on
 SOR O.R. release A. reinstated B. revoked
 SFRC Defendant is released on own recognizance. See O.R. agreement
 ISGN Original minutes / O.R. Agreement given to Attorney to be signed and returned by next court appearance.
 SRM Remain on X. Bail A. O.R. E. Jail O.R. G. Probation
 ICOL Continue in ADAP
 IROR Defendant reminded of O.R. conditions
 IBK Defendant to be booked, processed and released J. at Jail on O. at Police Dept. on
 SFRA Defendant remanded
 B SIC Bail set at \$ NBL No bail allowed
 B Bail RED. reduced INC. increased to \$
 BR Bail to remain EM. Set at \$ NB. in No Bail Status
 INJC No release per Superior Court order 43450
 SFRZ Defendant to remain in custody MIESB 1275.1(a) ordered
 ISJC Defendant to be housed at San Joaquin County Jail.

I, _____ have interpreted this form to the above named defendant.
 I have received a copy, read and understand the above conditions of agreement:
 DEFENDANT'S SIGNATURE
 STREET ADDRESS
 CITY, STATE & ZIP TELEPHONE NO.
 ADAP C/I Interpreter DA Atty./PD LRS SEE OVER
 Del. NOTIA Probation Jail SEE MOD. JDRMT

1125
26

1 **RANDY E. THOMAS - #078411**
2 **JESSE G. HUTTO - #251041**
3 **LAW OFFICE OF RANDY E. THOMAS**
4 **18826 N. Lower Sacramento Road, Suite G**
5 **Post Office Box 717**
6 **Woodbridge, CA 95258-0717**
7 **Telephone: (209) 369-9255**
8 **Facsimile: (209) 369-9288**

FILED
SUPERIOR COURT-STOCKTON

10 JAN 22 PM 12:00
ROSA JUNQUEIRO, CLERK
BY *Rosa Junqueiro*
DEPUTY

7 **SUPERIOR COURT OF CALIFORNIA**
8 **COUNTY OF SAN JOAQUIN**

9 THE PEOPLE OF THE STATE OF
10 CALIFORNIA,

CASE NO.: SF108736A

SUBSTITUTION OF ATTORNEY

11 Plaintiff,

12 vs.

13 MICHAEL W. CARR,

14 Defendant.

15 I, MICHAEL W. CARR, Defendant above-named, do hereby request the substitution of
16 myself, MICHAEL W. CARR, as In Pro Per in the above-entitled case, in place and stead of
17 RANDY THOMAS.

18 DATED this 21 day of January 21, 2010.

[Signature]
MICHAEL W. CARR

22 I, RANDY E. THOMAS, do hereby consent and agree to the substitution that MICHAEL
23 W. CARR will represent himself in the above entitled matter, in the place and stead of myself.

24 DATED this 21 day of January 21, 2010.

[Signature]
RANDY E. THOMAS
18826 N. Lower Sacramento Rd, #G
Woodbridge, CA 95258
(209) 369-9255

PROOF OF SERVICE

FILED

SUPERIOR COURT-STOCKTON

I am over the age of 18 years, and not a party to or interested in the within entitled cause. I am an employee of THE LAW OFFICE OF RANDY E. THOMAS and my business address is 18826 North Lower Sacramento Road, Suite G, Woodbridge, California 95258. I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Post Office.

BY _____
DEPUTY

On January 21, 2010, I caused to be served the following document:

SUBSTITUTION OF ATTORNEY

MANNER OF SERVICE

U.S. MAIL: By causing a true copy thereof to be served on the parties in this enclosed in a sealed envelope with first class postage thereon fully prepaid in the United States Post Office at Woodbridge, California, addressed as set forth below.

PERSONAL DELIVERY: On the parties in this action by causing a copy thereof to be personally delivered by hand to the addressee(s) listed below.


OTHER: On the parties in this action by causing a true copy thereof to be delivered by and/or through the services of:

Federal Express UPS - Next Day Delivery Facsimile

PARTIES SERVED AND ADDRESSES

Steven Maier
District Attorney's Office
County of San Joaquin
222 E. Weber Avenue
Stockton, CA 95202

I declare under penalty of perjury under the laws of State of California that the foregoing is true and correct and that this declaration was executed on January 21, 2010, at Woodbridge, California.



MICHELLE FOWLER

1 JAMES P WILLETT
District Attorney
2 STATE BAR MEMBERSHIP NO. 88837
SAN JOAQUIN COUNTY
3 By: STEPHEN K MAIER
Deputy District Attorney
4 222 E WEBER AV
STOCKTON, CA 95202
5 Telephone: (209) 468-2400
6 Attorneys for Plaintiff
7

Filed 2010 JAN 21 AM 8:30
ROSA JUNQUEIRO, CLERK
By Feb. N. J.
DEPUTY

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN
9

10 The People of the State of California,) No SF108736A
11)
12 Plaintiff,) DA Case: INF 0590707
13)
14 v.) INFORMATION
15)
16 MICHAEL WAYNE CARR)
aka MIKE CARR)
Defendant(s).)

17 The said defendant(s) is/are accused by the District Attorney
18 of the County of SAN JOAQUIN of the State of California,
19 by this information, of the following crime(s):
20

21 PC 487(A) GRAND THEFT OF PERSONAL PROPERTY
22 COUNT: 001, On or about 11/05 TO 12/07 the crime of GRAND THEFT
23 OF PERSONAL PROPERTY, in violation of Section 487(a) of the
24 Penal Code, to-wit: a FELONY, was committed by MICHAEL WAYNE
25 CARR, who at the time and place last aforesaid, did willfully
26 and unlawfully take money and personal property of another of a
27 value exceeding four hundred dollars (\$400.00), to-wit: 876 HEAD
28 OF CATTLE WORTH \$438,000 BELONGING TO, ROCKY MOUNTAIN CATTLE

1/25/10
20

1 MOOVERS (RMCM)

2

3 PC 186.11(A)(3) AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

4 It is further alleged, pursuant to Penal Code §186.11(a), that
5 the offense(s) set forth in count(s) 1,2 AND 3 are related
6 felonies, a material element of which is fraud and embezzlement,
7 which involve a pattern of related felony conduct and the
8 pattern of related felony conduct involves the taking of more
9 than one hundred thousand dollars (\$100,000.00).

10

11 PC 1203.045(A) THEFT OF MORE THAN \$100,000

12 It is further alleged that in the commission of the above
13 offense the said defendant(s) MICHAEL WAYNE CARR, with the
14 intent so to do, took funds and property of a value exceeding
15 \$100,000, the property of LEONARD LANSBURG DBA ROCKY MOUNTAIN
16 CATTLE MOOVERS INC., A BUSINESS, within the meaning of Penal
17 Code Section 1203.045(a).

18

19 PC 12022.6(A)(2) TAKE, DAMAGE OR DESTROY PROPERTY OVER \$200,000

20 It is further alleged that in the commission of the above
21 offense(s) the said defendant(s) MICHAEL WAYNE CARR, with the
22 intent to do so, took, damaged and destroyed property of a value
23 exceeding \$200,000.00, within the meaning of Penal Code Section
24 12022.6(b).

25

26 PC 504 EMBEZZLEMENT OF PROP. BY PUBLIC/PRIVATE OFFICE

27 COUNT: 002, for a further and separate cause of complaint, being
28 a different offense from but connected in its commission with

1 the charge set forth in Count 001, complainant further complains
2 and says: On and between 11/05 TO 12/07 and the crime of
3 EMBEZZLEMENT BY PUBLIC OR PRIVATE OFFICER, in violation of
4 Section 504 of the Penal Code, a FELONY, was committed by
5 MICHAEL WAYNE CARR, who at the time and place last aforesaid,
6 and while said defendant(s) was a EMPLOYEE, did willfully,
7 unlawfully, and fraudulently appropriate to a use and purpose
8 not in the due and lawful execution of said defendant(s) trust,
9 property which said defendant(s) had in said defendant(s)
10 possession and under said defendant(s) control by virtue of said
11 defendant(s) trust and did willfully and unlawfully secrete said
12 property with a fraudulent intent to appropriate it to such a
13 use and purpose contrary to Penal Code Section 501.

14
15 PC 186.11(A)(3) AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

16 It is further alleged, pursuant to Penal Code §186.11(a), that
17 the offense(s) set forth in count(s) 1,2,3,7 AND 8 are related
18 felonies, a material element of which is fraud and embezzlement,
19 which involve a pattern of related felony conduct and the
20 pattern of related felony conduct involves the taking of more
21 than one hundred thousand dollars (\$100,000.00).

22
23 PC 1203.045(A) THEFT OF MORE THAN \$100,000

24 It is further alleged that in the commission of the above
25 offense the said defendant(s) MICHAEL WAYNE CARR, with the
26 intent so to do, took funds and property of a value exceeding
27 \$100,000, the property of LEONARD LANSBURG DBA ROCKY MOUNTAIN
28 CATTLE MOOVERS INC., A BUSINESS, within the meaning of Penal

1 Code Section 1203.045(a).

2

3 PC 12022.6(A)(2) TAKE, DAMAGE OR DESTROY PROPERTY OVER \$200,000

4 It is further alleged that in the commission of the above
5 offense(s) the said defendant(s) MICHAEL WAYNE CARR, with the
6 intent to do so, took, damaged and destroyed property of a value
7 exceeding \$200,000.00, within the meaning of Penal Code Section
8 12022.6(b).

9

10 CC 2255(B) FALSIFYING CORPORATE BOOKS

11 COUNT: 003, for a further and separate cause of complaint, being
12 a different offense from but connected in its commission with
13 the charge set forth in Count 002, complainant further complains
14 and says: Between 11/05 TO 12/07, the crime of FALSIFYING
15 CORPORATE BOOKS, in violation of Section 2255(b) of the
16 Corporations Code, a FELONY, was committed by MICHAEL WAYNE CARR
17 in that said defendant(s), while being a director, officer,
18 agent, and shareholder of a corporation, did willfully,
19 knowingly and unlawfully and with intent to defraud, destroy,
20 alter, mutilate and falsify a book, paper, writing and security
21 belonging to a corporation and fail to make and concur in
22 omitting to make a material entry in the book of accounts and
23 other record and document kept by the corporation known as,
24 to-wit: CATTLE TRANSFER DOCUMENTS INCLUDING BUT NOT LIMITED TO
25 SALES AND LEASE CONTRACTS FOR CATTLE OWNED BY RMCM

26

27 PC 186.11(A)(3) AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

28 It is further alleged, pursuant to Penal Code §186.11(a), that

1 the offense(s) set forth in count(s) 1,2,3,7 AND 8 are related
2 felonies, a material element of which is fraud and embezzlement,
3 which involve a pattern of related felony conduct and the
4 pattern of related felony conduct involves the taking of more
5 than one hundred thousand dollars (\$100,000.00).

6
7 PC 1203.045(A) THEFT OF MORE THAN \$100,000

8 It is further alleged that in the commission of the above
9 offense the said defendant(s) MICHAEL WAYNE CARR, with the
10 intent so to do, took funds and property of a value exceeding
11 \$100,000, the property of LEONARD LANSBURG DBA ROCKY MOUNTAIN
12 CATTLE MOOVERS INC.,, A BUSINESS, within the meaning of Penal
13 Code Section 1203.045(a).

14
15 PC 12022.6(A)(2) TAKE, DAMAGE OR DESTROY PROPERTY OVER \$200,000

16 It is further alleged that in the commission of the above
17 offense(s) the said defendant(s) MICHAEL WAYNE CARR, with the
18 intent to do so, took, damaged and destroyed property of a value
19 exceeding \$200,000.00, within the meaning of Penal Code Section
20 12022.6(b).

21
22 PC 470(D) FORGERY

23 COUNT: 004, for a further and separate cause of complaint, being
24 a different offense from but connected in its commission with
25 the charge set forth in Count 003, complainant further complains
26 and says: On or about 06/12/07 the crime of FORGERY, in
27 violation of Section 470(d) of the Penal Code, a FELONY, was
28 committed by MICHAEL WAYNE CARR, who at the time and place last

1 aforesaid did, with the intent to defraud, falsely make, alter,
2 forge and counterfeit, utter, publish, pass and attempt and
3 offer to pass, as true and genuine, to wit: "FALSE LEASE
4 CONTRACTS FOR ROPING STEERS OWNED BY RMCM AS DESCRIBED IN SJCSO
5 07-944 SUPP.19", knowing the same to be false, altered, forged
6 and counterfeited.

7
8 PC 487.1 GRAND THEFT

9 COUNT: 005, for a further and separate cause of complaint, being
10 a different offense from but connected in its commission with
11 the charge set forth in Count 004, complainant further complains
12 and says: On or about 01/13/06 TO 04/04/06, the crime of GRAND
13 THEFT, a violation of Section 487.1 of the Penal Code, a FELONY,
14 was committed by MICHAEL WAYNE CARR, who at the time and place
15 last aforesaid, did willfully and unlawfully take money and
16 personal property of another of a value exceeding four hundred
17 dollars (\$400.00), to-wit: 8 HORSES BELONGING TO RMCM AND VALUED
18 AT ABOUT \$33,500,.

19
20 PC 487.1 GRAND THEFT

21 COUNT: 006, for a further and separate cause of complaint, being
22 a different offense from but connected in its commission with
23 the charge set forth in Count 005, complainant further complains
24 and says: On or about 01/06 TO 03/06, the crime of GRAND THEFT,
25 a violation of Section 487.1 of the Penal Code, a FELONY, was
26 committed by MICHAEL WAYNE CARR, who at the time and place last
27 aforesaid, did willfully and unlawfully take money and personal
28 property of another of a value exceeding four hundred dollars

1 (\$400.00), to-wit: 54 HEAD OF CATTLE FOR ABOUT \$27,000 IN A
2 TRANSACTION WITH, GABRIEL AGUILERA.

3
4 PC 487.1 GRAND THEFT

5 COUNT: 007, for a further and separate cause of complaint, being
6 a different offense from but connected in its commission with
7 the charge set forth in Count 006, complainant further complains
8 and says: On or about 10/06/06, the crime of GRAND THEFT, a
9 violation of Section 487.1 of the Penal Code, a FELONY, was
10 committed by MICHAEL WAYNE CARR, who at the time and place last
11 aforesaid, did willfully and unlawfully take money and personal
12 property of another of a value exceeding four hundred dollars
13 (\$400.00), to-wit: \$869,203 FROM KEIFER SUTHERLAND, .

14
15 PC 186.11(A)(2) AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

16 It is further alleged, pursuant to Penal Code 186.11(a), that
17 the offense(s) set forth in count(s) 1,2,3,7 AND 8 are related
18 felonies, a material element of which is fraud and embezzlement,
19 which involve a pattern of related felony conduct, and the
20 pattern of related felony conduct involves the taking of more
21 than five hundred thousand dollars (\$500,000.00).

22
23 PC 1203.045(A) THEFT OF MORE THAN \$100,000

24 It is further alleged that in the commission of the above
25 offense the said defendant(s) MICHAEL WAYNE CARR, with the
26 intent so to do, took funds and property of a value exceeding
27 \$100,000, the property of A, BUSINESS, within the meaning of
28 Penal Code Section 1203.045(a).

1 PC 12022.6(A)(2) TAKE, DAMAGE OR DESTROY PROPERTY OVER \$200,000

2 It is further alleged that in the commission of the above
3 offense(s) the said defendant(s) MICHAEL WAYNE CARR, with the
4 intent to do so, took, damaged and destroyed property of a value
5 exceeding \$200,000.00, within the meaning of Penal Code Section
6 12022.6(b).

7
8 PC 532(A) OBTAIN MONEY BY FALSE PRETENSES

9 COUNT: 008, for a further and separate cause of complaint, being
10 a different offense from but connected in its commission with
11 the charge set forth in Count 007, complainant further complains
12 and says: On or about 10/06/06 the crime of OBTAINING MONEY,
13 LABOR, OR PROPERTY UNDER FALSE PRETENSES, in violation of
14 Section 532(a) of the Penal Code, a FELONY, was committed by
15 MICHAEL WAYNE CARR, who at the time and place last aforesaid,
16 did unlawfully, knowingly, designedly and fraudulently get
17 possession of money and property, to wit: \$869,230 FROM KEIFER
18 SUTHERLAND and obtain labor and service of another in violation
19 this section.

20
21 PC 186.11(A)(2) AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

22 It is further alleged, pursuant to Penal Code 186.11(a), that
23 the offense(s) set forth in count(s) 1,2,3,7 AND 8 are related
24 felonies, a material element of which is fraud and embezzlement,
25 which involve a pattern of related felony conduct, and the
26 pattern of related felony conduct involves the taking of more
27 than five hundred thousand dollars (\$500,000.00).

28

1 PC 1203.045(A) THEFT OF MORE THAN \$100,000

2 It is further alleged that in the commission of the above
3 offense the said defendant(s) MICHAEL WAYNE CARR, with the
4 intent so to do, took funds and property of a value exceeding
5 \$100,000, the property of \$100,000.00, A BUSINESS, within the
6 meaning of Penal Code Section 1203.045(a).

7
8 PC 12022.6(A)(2) TAKE, DAMAGE OR DESTROY PROPERTY OVER \$200,000

9 It is further alleged that in the commission of the above
10 offense(s) the said defendant(s) MICHAEL WAYNE CARR, with the
11 intent to do so, took, damaged and destroyed property of a value
12 exceeding \$200,000.00, within the meaning of Penal Code Section
13 12022.6(b).

14
15 PC 470(D) FORGERY

16 COUNT: 009, for a further and separate cause of complaint, being
17 a different offense from but connected in its commission with
18 the charge set forth in Count 008, complainant further complains
19 and says: On or about 10/06 the crime of FORGERY, in violation
20 of Section 470(d) of the Penal Code, a FELONY, was committed by
21 MICHAEL WAYNE CARR, who at the time and place last aforesaid
22 did, with the intent to defraud, falsely make, alter, forge and
23 counterfeit, utter, publish, pass and attempt and offer to pass,
24 as true and genuine, to wit: FALSE CONTRACTS FOR SALE OF CATTLE
25 INVOLVING KEIFER SUTHERLAND-, knowing the same to be false,
26 altered, forged and counterfeited.

27
28