

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

THE PEOPLE OF THE STATE OF CALIFORNIA,)
))
Plaintiff)
))
vs.)
))
Giovanni Holmes ,)
aka Giovanni Angelica Holmes,)
David Treyvon R McClain ,)
aka Dqavid McClain,)
aka David McClain,)
aka David Treyvon McClain,)
aka David T McClain)
))
Defendant)

FELONY COMPLAINT
DA CASE NO 2020-00-0045336

The undersigned is informed and believes that:

COUNT 1

On or about September 26, 2020, 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 Giovanni Holmes and David Treyvon R McClain, who did enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Dominique Lashawn Mansion , 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 that in the commission and attempted commission of the above offense a principal in said offense was armed with a firearm(s), to wit, Handgun, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

It is further alleged as to count(s) 1 pursuant to Penal Code section 667(a)(1) that the defendant(s) David Treyvon R McClain, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FSB1201557	PC245(a)(2)	08/14/2012	San Bernardino	CA	Superior
FVI19002967	PC 664/422	06/03/2020	San Bernardino	CA	Superior

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

Court Case	Code/Statute	Conv Date	County	State	Court Type
FSB1404864	PC 32/gang enhancement	09/19/2017	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 that said defendant(s) Giovanni Holmes, 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
FSB1404864	PC 32/gang enhancement	09/19/2017	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 that said defendant(s) David Treyvon R McClain, 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
FSB1201557	PC245(a)(2)	08/14/2012	San Bernardino	CA	Superior

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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(S).

Executed at San Bernardino, California, on September 30, 2020.

Timothy Dixon

Timothy Dixon

DECLARANT AND COMPLAINANT

Agency: Highland Police Station

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Giovanni Holmes	08/05/1996	2009342552	A32630086	
David Treyvon R McClain	04/13/1995	2009342527	A32630087	