



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

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

"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 213(a)(1)(A), that the above offense was committed by the defendant(s) who voluntarily acted in concert and entered a structure described in that section.

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#### COUNT 2

On or about October 28, 2020, in the above named judicial district, the crime of ASSAULT WITH A FIREARM, in violation of PENAL CODE SECTION 245(a)(2), a felony, was committed by Kurt Kenneth Duisen and David Macias, who did willfully and unlawfully commit an assault on Jane Doe, Valerie Franco , Benito Sandoval and Juan Antonio Bucio with a firearm.

"NOTICE: It is further alleged that, pursuant to Penal Code section 1203.095, there is a presumptive minimal jail time required if you are convicted of this charge."

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

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#### COUNT 3

On or about October 28, 2020, in the above named judicial district, the crime of ASSAULT UPON PEACE OFFICER OR FIREFIGHTER, in violation of PENAL CODE SECTION 245(c), a felony, was committed by Kurt Kenneth Duisen, who did willfully and unlawfully commit an assault with a deadly weapon and instrument and by force likely to produce great bodily injury upon the person of Ryan Martin Rappisi when said defendant(s) Kurt Kenneth Duisen knew and should

have known that said person was a peace officer then and there engaged in the performance of his/her duties .

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

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#### COUNT 4

On or about October 28, 2020, in the above named judicial district, the crime of ASSAULT UPON PEACE OFFICER OR FIREFIGHTER, in violation of PENAL CODE SECTION 245(c), a felony, was committed by Kurt Kenneth Duisen, who did willfully and unlawfully commit an assault with a deadly weapon and instrument and by force likely to produce great bodily injury upon the person of Andrei Tarankow when said defendant(s) Kurt Kenneth Duisen knew and should have known that said person was a peace officer then and there engaged in the performance of his/her duties .

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

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#### COUNT 5

On or about October 28, 2020, in the above named judicial district, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a felony, was committed by Kurt Kenneth Duisen, who did unlawfully attempt by means of threats and violence to deter and prevent Ryan Martin Rappisi and Andrei Tarankow , who was then and there an executive officer, from performing a duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his/her duty.

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#### COUNT 6

On or about October 28, 2020, in the above named judicial district, the crime of EVADING AN OFFICER AGAINST TRAFFIC, in violation of VEHICLE CODE SECTION 2800.4, a felony, was committed by Kurt Kenneth Duisen, who did willfully and unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a pursuing peace officer's

motor vehicle while all the following conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front and the defendant(s) either saw or reasonably should have seen the lamp, the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the peace officer's motor vehicle was distinctively marked, and the peace officer's motor vehicle was operated by a peace officer.

It is further alleged that defendant(s) willfully drove the pursued vehicle on a highway in a direction opposite to that in which the traffic lawfully moves upon that highway.

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#### COUNT 7

On or about October 28, 2020, in the above named judicial district, the crime of EVADING AN OFFICER, WILLFUL DISREGARD, in violation of VEHICLE CODE SECTION 2800.2(a), a felony, was committed by Kurt Kenneth Duisen, who did willfully and unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a pursuing peace officer's motor vehicle while all of the following conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front and the defendant(s) saw and reasonably should have seen the lamp, the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the peace officer's motor vehicle was distinctively marked, the peace officer's motor vehicle was operated by a peace officer. It is further alleged that the defendant(s) drove with a willful or wanton disregard for the safety of persons and property.

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#### COUNT 8

On or about October 28, 2020, in the above named judicial district, the crime of POSSESSION OF FIREARM BY A FELON, in violation of PENAL CODE SECTION 29800(a)(1), a felony, was committed by Kurt Kenneth Duisen, who did unlawfully own, purchase, receive, possess, and have custody and control of a firearm, to wit, Shotgun, the said defendant(s) having been convicted of a felony under the laws of the United States, the state of California and any other state, government and county:

Court Case	Code/Statute	Conv Date	County	State	Court Type
SCR39948	PC 192.3(A)	05/20/1983	San Bernardino	CA	Superior
SC044797	PC 496.1	04/10/1991	Kern	CA	Superior

BAF000849	H&S11378	06/28/1999	Riverside	CA	Superior
FSB048183	PC 487(a)	03/08/2005	San Bernardino	CA	Superior
FVI013392	PC422	10/11/2001	San Bernardino	CA	Superior
FSB13808	HS11377(a)	12/21/1999	San Bernardino	CA	Superior
FSB801767	PC12020(a)(1)	05/19/2008	San Bernardino	CA	Superior
FSB1000224	VC10851	12/06/2010	San Bernardino	CA	Superior
SCR39948	VC 23153(a)	05/20/1983	San Bernardino	CA	Superior
FVI08184	VC 10851(a)	04/16/1999	San Bernardino	CA	Superior
FVI08184	VC 10851(a)	10/11/2001	San Bernardino	CA	Superior
FSB1201767	PC 496	04/26/2012	San Bernardino	CA	Municipal

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### COUNT 9

On or about October 28, 2020, in the above named judicial district, the crime of POSSESSION OF FIREARM BY A FELON, in violation of PENAL CODE SECTION 29800(a)(1), a felony, was committed by David Macias, who did unlawfully own, purchase, receive, possess, and have custody and control of a firearm, to wit, Handgun, the said defendant(s) having been convicted of a felony under the laws of the United States, the state of California and any other state, government and county:

Court Case	Code/Statute	Conv Date	County	State	Court Type
C87552	PC211	11/01/1991	Orange	CA	Superior
C87552	VC10851	11/01/1991	Orange	CA	Superior
KA012408	PC12021	08/12/1992	Los Angeles	CA	Superior
KA014038	HS11379	08/20/1992	Los Angeles	CA	Superior
KA029773	PC12021	12/12/1995	Los Angeles	CA	Superior
KA029773	HS1370.1	12/12/1995	Los Angeles	CA	Superior
KA029773	HS11378	12/12/1995	Los Angeles	CA	Superior
FSB03611	VC2800.2	10/29/2002	San Bernardino	CA	Superior
FSB03611	VC10851	10/29/2002	San Bernardino	CA	Superior
FWV034345	PC245(a)(1)	05/23/2005	San Bernardino	CA	Superior

FSB046142	PC470	12/22/2005	San Bernardino	CA	Superior
FSB1001440	2800.4	06/23/2010	San Bernardino	CA	Superior
FSB1001440	PC469D	06/23/2010	San Bernardino	CA	Superior
POMKA10940901	2800.2	04/06/2015	Los Angeles	CA	Superior
FWV1001088	2800.2	10/26/2010	San Bernardino	CA	Superior

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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, 8 that said defendant(s) Kurt Kenneth Duisen, 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
FVI013392	PC422	10/11/2001	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, 9 that said defendant(s) David Macias, 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
C87552	PC211	11/01/1991	Orange	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 9 COUNT(S).

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

J. Uhlman

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J. Uhlman

DECLARANT AND COMPLAINANT

Agency: SB Sheriff Central Station

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Kurt Kenneth Duisen	10/23/1961	2010300961	A06802361	
David Macias	02/28/1973		A09420450	