

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
VICTORVILLE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
Plaintiff)

vs.)

Derick Tyrone McGruder ,)
aka Derrick Tyrone McGruder,)
aka Derrick Turner McGruder,)
aka Derrick Tyrone McGryder,)
aka Derik Tyron McGruder,)
aka Derick Tyrone McGuder,)
aka Derick T McGuder,)
aka Derick T McGruder,)
aka Derick Tirone McGruder)

Defendant)

FELONY COMPLAINT

DA CASE NO 2020-00-0051827

The undersigned is informed and believes that:

COUNT 1

On or about November 8, 2020, in the above named judicial district, the crime of ATTEMPTED FIRST DEGREE RESIDENTIAL ROBBERY, in violation of PENAL CODE SECTION 664/211, a felony, was committed by Derick Tyrone McGruder, who did unlawfully and by means of force and fear attempt to take personal property from the person, possession and immediate presence of Dacen Dean Sherrod and said offense was perpetrated in an inhabited dwelling house, trailer coach and inhabited portion of a building.

"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 as to count(s) 1, 2, 3 pursuant to Penal Code section 667(a)(1) that the defendant(s) Derick Tyrone McGruder, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
A474479	PC211	09/22/1987	Los Angeles	CA	Superior
NA042097	PC211	11/03/1999	Los Angeles	CA	Superior

It is further alleged as to count(s) 1, 2, 3 that said defendant(s) Derick Tyrone McGruder personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

COUNT 2

On or about November 8, 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 Derick Tyrone McGruder, who did enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Dacen Dean Sherrod , 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 pursuant to Penal Code section 667(a)(1) that the defendant(s) Derick Tyrone McGruder, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
A474479	PC211	09/22/1987	Los Angeles	CA	Superior
NA042097	PC211	11/03/1999	Los Angeles	CA	Superior

It is further alleged as to count(s) 1, 2, 3 that said defendant(s) Derick Tyrone McGruder personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

COUNT 3

On or about November 8, 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 Derick Tyrone McGruder, who did willfully and unlawfully commit an assault on Dacen Dean Sherrod 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)."

It is further alleged as to count(s) 1, 2, 3 pursuant to Penal Code section 667(a)(1) that the defendant(s) Derick Tyrone McGruder, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
A474479	PC211	09/22/1987	Los Angeles	CA	Superior
NA042097	PC211	11/03/1999	Los Angeles	CA	Superior

It is further alleged as to count(s) 1, 2, 3 that said defendant(s) Derick Tyrone McGruder personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

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 that said defendant(s) Derick Tyrone McGruder, 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
NA042097	PC211	11/03/1999	Los Angeles	CA	Superior
A474479	PC211	09/22/1987	Los Angeles	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 3 COUNT(S).

Executed at Victorville, California, on November 10, 2020.

MELISSA PEDROZA

MELISSA PEDROZA
DECLARANT AND COMPLAINANT

Agency: Apple Valley Police Department

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Derick Tyrone McGruder	01/24/1966	2011370237	A06555173	