



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 that prison custody time for the above offense is to be served in state prison.

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### COUNT 2

On or about March 6, 2021, in the above named judicial district, the crime of CRIMINAL THREATS, in violation of PENAL CODE SECTION 422(a), a felony, was committed by Brian Lynn Stanley, who did willfully and unlawfully threaten to commit a crime which would result in death and great bodily injury to Lora Way , with the specific intent that the statement be taken as a threat.

It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to Lora Way a gravity of purpose and an immediate prospect of execution.

It is further alleged that the said Lora Way was reasonably in sustained fear of his/her safety and the safety of his/her immediate family.

"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 that prison custody time for the above offense is to be served in state prison.

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### COUNT 3

On or about March 6, 2021, in the above named judicial district, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a felony, was committed by Brian Lynn Stanley, who did unlawfully attempt by means of threats and violence to deter and prevent Michael Whitney , 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.

It is further alleged as to count(s) 3 that in the commission of the above offense the said defendant(s) Brian Lynn Stanley, personally inflicted great bodily injury upon Michael Whitney , not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8) and a violent felony within the meaning of Penal Code Section 667.5(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged as to count(s) 1, 2, 3 that prison custody time for the above offense is to be served in state prison.

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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 counts 1, 2 and 3 that said defendant Brian Lynn Stanley, has suffered the following prior conviction of a serious or violent felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FVI21000308	PC459-1st	03/04/2021	San Bernardino	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 March 9, 2021.

Kristianna M. Parde  
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Kristianna M. Parde  
DECLARANT AND COMPLAINANT

Agency: Victorville City Police Dept

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Brian Lynn Stanley	10/05/1961		A05701218	