

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO  
RANCHO CUCAMONGA DISTRICT

|  |   |                            |
|--|---|----------------------------|
| THE PEOPLE OF THE STATE OF CALIFORNIA,   | ) |                            |
|  | ) |                            |
| Plaintiff                                | ) |                            |
|  | ) |                            |
| vs.                                      | ) |                            |
|  | ) |                            |
| Osbaldo Gonzalez                         | ) | FELONY COMPLAINT           |
|  | ) |                            |
|  | ) |                            |
| Defendant                                | ) | DA CASE NO 2021-00-0016690 |
| <hr style="border: 0.5px solid black;"/> |   |                            |

The undersigned is informed and believes that:

COUNT 1

On or about June 7, 2017 through June 6, 2018, in the above named judicial district, the crime of LEWD ACT UPON A CHILD UNDER AGE 14, in violation of PENAL CODE SECTION 288(a), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Jane Doe, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to Penal Code Section 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report."

"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)."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged, as to count(s) 1, 5, 6, 7, 8 within the meaning of Penal Code sections 667.61(j)(2) and (e), that the victim in the above offense was a child under 14 years of age and that the following circumstance applies : Multiple Victims.

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#### COUNT 2

On or about March 1, 2021 through March 31, 2021, in the above named judicial district, the crime of LEWD ACT UPON A CHILD AGE 14 OR 15, in violation of PENAL CODE SECTION 288(c)(1), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Jane Doe, who was 15 years old, with the intent of arousing, appealing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s), who was at least 10 years older than Jane Doe.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

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### COUNT 3

On or about March 1, 2021 through March 31, 2021, in the above named judicial district, the crime of LEWD ACT UPON A CHILD AGE 14 OR 15, in violation of PENAL CODE SECTION 288(c)(1), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Jane Doe, who was 15 years old, with the intent of arousing, appealing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s), who was at least 10 years older than Jane Doe.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or

prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

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#### COUNT 4

On or about March 1, 2021 through March 31, 2021, in the above named judicial district, the crime of LEWD ACT UPON A CHILD AGE 14 OR 15, in violation of PENAL CODE SECTION 288(c)(1), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Jane Doe, who was 15 years old, with the intent of arousing, appealing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s), who was at least 10 years older than Jane Doe.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction;

defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

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#### COUNT 5

On or about October 26, 2015 through October 25, 2017, in the above named judicial district, the crime of LEWD ACT UPON A CHILD UNDER AGE 14, in violation of PENAL CODE SECTION 288(a), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Mary Doe, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to Penal Code Section 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report."

"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)."

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It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or

violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged, as to count(s) 1, 5, 6, 7, 8 within the meaning of Penal Code sections 667.61(j)(2) and (e), that the victim in the above offense was a child under 14 years of age and that the following circumstance applies : Multiple Victims.

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#### COUNT 6

On or about October 26, 2015 through October 25, 2017, in the above named judicial district, the crime of LEWD ACT UPON A CHILD UNDER AGE 14, in violation of PENAL CODE SECTION 288(a), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Mary Doe, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to Penal Code Section 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report."

"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)."

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It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged, as to count(s) 1, 5, 6, 7, 8 within the meaning of Penal Code sections 667.61(j)(2) and (e), that the victim in the above offense was a child under 14 years of age and that the following circumstance applies : Multiple Victims.

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#### COUNT 7

On or about October 26, 2015 through October 25, 2017, in the above named judicial district, the crime of LEWD ACT UPON A CHILD UNDER AGE 14, in violation of PENAL CODE SECTION 288(a), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Mary Doe, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to Penal Code Section 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5

limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report."

"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)."

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It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged, as to count(s) 1, 5, 6, 7, 8 within the meaning of Penal Code sections 667.61(j)(2) and (e), that the victim in the above offense was a child under 14 years of age and that the following circumstance applies : Multiple Victims.

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#### COUNT 8

On or about October 26, 2015 through October 25, 2017, in the above named judicial district, the crime of LEWD ACT UPON A CHILD UNDER AGE 14, in violation of PENAL CODE SECTION 288(a), a felony, was committed by Osbaldo Gonzalez, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Mary Doe, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to Penal Code Section 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report."

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"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged, as to count(s) 1, 5, 6, 7, 8 within the meaning of Penal Code sections 667.61(j)(2) and (e), that the victim in the above offense was a child under 14 years of age and that the following circumstance applies : Multiple Victims.

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#### COUNT 9

On or about December 9, 2015 through December 9, 2017, in the above named judicial district, the crime of SEXUAL BATTERY, in violation of PENAL CODE SECTION 243.4(e)(1), a

misdemeanor, was committed by Osbaldo Gonzalez, who did willfully and unlawfully touch an intimate part of Alice Doe, against the will and for the specific purpose of sexual arousal, sexual gratification and sexual abuse.

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

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#### COUNT 10

On or about December 9, 2017 through December 8, 2019, in the above named judicial district, the crime of CHILD MOLESTING, in violation of PENAL CODE SECTION 647.6(a)(1), a misdemeanor, was committed by Osbaldo Gonzalez, who did unlawfully annoy and molest a child, Alice Doe, under the age of eighteen years.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Osbaldo Gonzalez is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Osbaldo Gonzalez has a prior serious or violent felony conviction; defendant(s) Osbaldo Gonzalez is required to register as a sex offender pursuant to Penal Code section 290; defendant(s) Osbaldo Gonzalez has been convicted of a crime with a Penal Code section 186.11 enhancement; the crime is not punishable pursuant to Penal Code section 1170(h)(3).

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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 10 COUNT(S).

Executed at Rancho Cucamonga, California, on April 13, 2021.

N. Santoyo  
N. Santoyo  
DECLARANT AND COMPLAINANT

Agency: Fontana Police Department

Prelim Est. 00:00

|                  |            |             |           |      |
|------------------|------------|-------------|-----------|------|
| Defendant        | Birth Date | Booking No. | CII No.   | NCIC |
| Osbaldo Gonzalez | 08/10/1976 | 2104340841  | A12003009 |      |