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**COPY**

**FILED**  
SEP 10 2009

MERCED SUPERIOR COURT  
BY CINDY HOSKINS

SUPERIOR COURT, COUNTY OF MERCED  
STATE OF CALIFORNIA

**CRL 001412**

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THE PEOPLE OF THE STATE OF CALIFORNIA	)
	)
PLAINTIFF,	)
	)
VS.	)
	)
	)
EUGENE ESMOND FORTE 02/26/1952	)
DEFENDANT(S)	)
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DA NO. DLM0904729  
CRIMINAL COMPLAINT  
CRL

THE DISTRICT ATTORNEY OF MERCED COUNTY, CALIFORNIA HEREBY ACCUSES THE ABOVE NAMED DEFENDANT(S) OF THE FOLLOWING CRIMINAL OFFENSES OCCURRING IN THE COUNTY OF MERCED, STATE OF CALIFORNIA.

COUNT 1

ON OR ABOUT FEBRUARY 24, 2009, DEFENDANT(S)  
EUGENE ESMOND FORTE  
DID COMMIT A MISDEMEANOR, NAMELY, A  
VIOLATION OF SECTION 148(A) OF THE CALIFORNIA PENAL CODE, RESISTING,  
IN THAT SAID DEFENDANT DID WILLFULLY AND UNLAWFULLY RESIST, DELAY  
OR OBSTRUCT DEPUTY C. PICINICH

, WHO WAS/WERE THEN AND THERE A POLICE OFFICER,  
PUBLIC OFFICER, OR AN EMERGENCY MEDICAL TECHNICIAN ATTEMPTING TO OR  
DISCHARGING ANY DUTY OF HIS/HER/THEIR OFFICE AND EMPLOYMENT.

COUNT 2

ON OR ABOUT FEBRUARY 24, 2009, DEFENDANT(S)  
EUGENE ESMOND FORTE  
DID COMMIT A MISDEMEANOR, NAMELY, A  
VIOLATION OF SECTION 415(2) OF THE CALIFORNIA PENAL CODE, DISTURBING THE

PEACE, IN THAT SAID DEFENDANT(S) DID WILLFULLY, UNLAWFULLY, AND MALICIOUSLY DISTURB ANOTHER PERSON BY LOUD AND UNREASONABLE NOISE.

COUNT 3

ON OR ABOUT FEBRUARY 24, 2009, DEFENDANT(S)  
EUGENE ESMOND FORTE  
DID COMMIT A MISDEMEANOR, NAMELY, A  
VIOLATION OF SECTION 240 OF THE CALIFORNIA PENAL CODE, ASSAULT, IN THAT  
SAID DEFENDANT DID WILLFULLY AND UNLAWFULLY HAVING THEN AND THERE THE  
PRESENT ABILITY TO DO SO, ATTEMPT TO COMMIT A VIOLENT INJURY ON THE  
PERSON(S) OF JAMES P. PADRON

COUNT 4

ON OR ABOUT JULY 21, 2009, DEFENDANT(S)  
EUGENE ESMOND FORTE  
DID COMMIT A MISDEMEANOR, NAMELY, A  
VIOLATION OF SECTION 148(A) OF THE CALIFORNIA PENAL CODE, RESISTING,  
IN THAT SAID DEFENDANT DID WILLFULLY AND UNLAWFULLY RESIST, DELAY  
OR OBSTRUCT DEPUTY C. PICINICH

, WHO WAS/WERE THEN AND THERE A POLICE OFFICER,  
PUBLIC OFFICER, OR AN EMERGENCY MEDICAL TECHNICIAN ATTEMPTING TO OR  
DISCHARGING ANY DUTY OF HIS/HER/THEIR OFFICE AND EMPLOYMENT.

COUNT 5

ON OR ABOUT JULY 21, 2009, DEFENDANT(S)  
EUGENE ESMOND FORTE  
DID COMMIT A MISDEMEANOR, NAMELY, A  
VIOLATION OF SECTION 415(2) OF THE CALIFORNIA PENAL CODE, DISTURBING THE  
PEACE, IN THAT SAID DEFENDANT(S) DID WILLFULLY, UNLAWFULLY, AND  
MALICIOUSLY DISTURB ANOTHER PERSON BY LOUD AND UNREASONABLE NOISE.

AN INVESTIGATION HAS BEEN CONDUCTED TO DETERMINE IF SAID  
DEFENDANT(S) DID COMMIT THE STATED CRIME. REPORTS OF THE  
INVESTIGATION, ATTACHED HERETO AND INCORPORATED BY REFERENCE,