

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,  
  
v.  
  
MICHAEL MARTIN GARRETT,  
*dob 06/04/84, Booking No. 17136173A;*  
Defendant

CT No. SCD272355

DA No. AEE850

INFORMATION

PC296 DNA TEST STATUS SUMMARY

Defendant

GARRETT, MICHAEL MARTIN

DNA Testing Requirements

DNA sample has been previously provided

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC459 GARRETT, MICHAEL MARTIN	Felony	2-4-6	PC460(a)	
2	VC2800.2(a) GARRETT, MICHAEL MARTIN	Felony	16-2-3		
3	VC10851(a) GARRETT, MICHAEL MARTIN	Felony	16-2-3		
4	PC496d GARRETT, MICHAEL MARTIN	Felony	16-2-3		
5	PC148(a)(1) GARRETT, MICHAEL MARTIN	Misdemeanor	1 Yr		
6	VC20002(a) GARRETT, MICHAEL MARTIN	Misdemeanor	6 Mos\Fine		
7	HS11364 GARRETT, MICHAEL MARTIN	Misdemeanor	6 Mos		

The District Attorney of the County of San Diego, State of California, accuses the Defendant(s) of committing, in the County of San Diego, State of California, the following crime(s):

## **CHARGES**

### **COUNT 1 - BURGLARY, BURGLARY OF THE FIRST DEGREE**

On or about June 4, 2017, MICHAEL MARTIN GARRETT did unlawfully enter a building with the intent to commit theft, in violation of PENAL CODE SECTION 459.

And it is further alleged that said burglary was a burglary of the inhabited portion of a building, within the meaning of PENAL CODE SECTION 460(a).

### **COUNT 2 - EVADING OFFICER WITH RECKLESS DRIVING**

On or about June 8, 2017, MICHAEL MARTIN GARRETT did unlawfully, while operating a motor vehicle and hearing a siren and seeing a lighted red lamp emanating from a distinctively marked vehicle operated by a peace officer, evade, flee and otherwise attempt to elude the pursuing peace officers' motor vehicle, and in doing so did drive and attempt to drive a vehicle in willful and wanton disregard for the safety of persons and property, in violation of VEHICLE CODE SECTION 2800.2(a).

### **COUNT 3 - UNLAWFUL TAKE AND DRIVE A VEHICLE**

On or about June 8, 2017, MICHAEL MARTIN GARRETT did unlawfully drive and take a vehicle, the personal property of Robert Rose, without the consent of and with intent either permanently or temporarily to deprive the owner of title to and possession of said vehicle, in violation of VEHICLE CODE SECTION 10851(a).

### **COUNT 4 - BUY/RECEIVE/CONCEAL/SELL/WITHHOLD STOLEN VEHICLE**

On or about June 8, 2017, MICHAEL MARTIN GARRETT did unlawfully buy, receive, conceal, sell, withhold and aid in concealing, selling and withholding a motor vehicle, as defined in Section 415 of the Vehicle Code, which property had been stolen and obtained in any manner constituting theft or extortion, knowing such property to be stolen or so obtained, in violation of PENAL CODE SECTION 496d.

### **COUNT 5 - RESISTING AN OFFICER**

On or about June 8, 2017, MICHAEL MARTIN GARRETT did willfully and unlawfully resist, delay and obstruct a public officer, peace officer and emergency medical technician in the discharge of and the attempt to discharge a duty of his/her office and employment, in violation of PENAL CODE SECTION 148(a)(1).

## **CHARGES (cont'd)**

### **COUNT 6 - HIT-RUN DRIVING**

On or about June 8, 2017, MICHAEL MARTIN GARRETT, the driver of a vehicle involved in an accident resulting in damage to property, did unlawfully fail, refuse, and neglect to locate and notify the owner and person in charge of such vehicle involved and did willfully and unlawfully fail, refuse, and neglect to leave in a conspicuous place on the vehicle and other property damaged a written notice giving the name and address of the driver and of the owner of the vehicle involved and a statement of the circumstances thereof and without unnecessary delay notify the appropriate authorities of the place where the collision occurred, in violation of VEHICLE CODE SECTION 20002(a).

### **COUNT 7 - POSSESSION OF PARAPHERNALIA USED FOR NARCOTICS**

On or about June 8, 2017, MICHAEL MARTIN GARRETT did unlawfully possess a device, contrivance, instrument, and paraphernalia used for unlawfully injecting and smoking controlled substances, in violation of HEALTH AND SAFETY CODE SECTION 11364.

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Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

**MANDATORY STATE PRISON INCARCERATION:** An executed sentence for a felony shall be served by defendant MICHAEL MARTIN GARRETT in state prison pursuant to PENAL CODE SECTIONS 1170(f) and (h)(3).

THIS INFORMATION, NUMBERED CD272355, CONSISTS OF 7 COUNTS.

Summer Stephan  
District Attorney  
County of San Diego  
State of California  
by:

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Date

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Deputy District Attorney