

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

MISCHA BARTON

Defendant(s).

CASE NO.

8BV00439

MISDEMEANOR COMPLAINT

FILED
FEB 26 2008

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The undersigned is informed and believes that:

COUNT 1

On or about December 27, 2007, in the County of Los Angeles, the crime of DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, in violation of VEHICLE CODE SECTION 23152(a), a Misdemeanor, was committed by MISCHA BARTON, who did unlawfully, while under the influence of an alcoholic beverage and a drug and under their combined influence, drive a vehicle.

COUNT 2

On or about December 27, 2007, in the County of Los Angeles, the crime of DRIVING WHILE HAVING A 0.08% OR HIGHER BLOOD ALCOHOL, in violation of VEHICLE CODE SECTION 23152(b), a Misdemeanor, was committed by MISCHA BARTON, who did unlawfully, while having 0.08 percent and more, by weight, of alcohol in the blood, drive a vehicle.

COUNT 3

On or about December 27, 2007, in the County of Los Angeles, the crime of UNLICENSED DRIVER, in violation of VEHICLE CODE SECTION 12500(a), a Misdemeanor, was committed by MISCHA BARTON, who did unlawfully drive a motor vehicle upon a highway without holding a valid driver's license issued under the Vehicle Code of the State of California.

COUNT 4

On or about December 27, 2007, in the County of Los Angeles, the crime of POSSESSION OF MARIJUANA 28.5 GRAMS OR LESS, in violation of HEALTH & SAFETY CODE SECTION 11357(b), a Misdemeanor, was committed by MISCHA BARTON, who did unlawfully possess not more than 28.5 grams of marijuana.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

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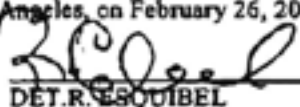
NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1 if the defendant has suffered a prior felony conviction. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* 2007 U.S. LEXIS 1324.

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned believes establish probable cause for the arrest of defendant(s) MISCHA BARTON for the above-listed crimes.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 4 COUNT(S).

Executed at BEVERLY HILLS, County of Los Angeles, on February 26, 2008.


DET. R. ESQUIBEL
DECLARANT AND COMPLAINANT


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STEVEN KATZ, DEPUTY

AGENCY: LASD - WEST HOLLYWOOD PATROL (WHWD)	I/O: DET. R. ESQUIBEL	ID NO.: 2038	PHONE: (310) 855-8850 EXT: 471
DR. NO.: 407082270972242	OPERATOR: DG		
DEFENDANT BARTON, MISCHA	CHI NO. 028954349	BOOKING NO. 1110059	CITATION NO. R208772
			CUSTODY R/TN DATE 02/28/2008

Pursuant to Penal Code Section 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.