

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF ORANGE, HARBOR JUSTICE CENTER
3 LAGUNA NIGUEL FACILITY

4 THE PEOPLE OF THE STATE OF CALIFORNIA,) FELONY COMPLAINT
5)
6 Plaintiff,)
7)
8 vs.) No. 08SF0488
9) OCSO 08-100778
10 JOSHUA MICHAEL PHILLIP 12/20/88) LAGUNA HILLS
11 WARING)
12 D8287716)
13 AKA JOSHUA PHILIP WARING)
14 JOSHUAMICHAEL PHILLIP WARING)
15)
16 Defendant(s))

17 The Orange County District Attorney charges that in Orange
18 County, California, the law was violated as follows:

19 COUNT 1: On or about June 01, 2008, in violation of Section
20 11351 of the Health and Safety Code (POSSESSION FOR SALE OF A
21 CONTROLLED SUBSTANCE), a FELONY, JOSHUA MICHAEL PHILLIP WARING
22 did unlawfully possess for sale and purchase for sale a
23 controlled substance, HEROIN.

24 COUNT 2: On or about June 01, 2008, in violation of Section
25 11378 of the Health and Safety Code (POSSESSION FOR SALE OF
26 ECSTASY (MDMA)), a FELONY, JOSHUA MICHAEL PHILLIP WARING did
27 unlawfully possess for purpose of sale a substance, 3,4-
28 METHYLENEDIOXY METHAMPHETAMINE, commonly known as ECSTASY
(MDMA), which is an analog, as defined in Health and Safety Code
section 11401, of a listed controlled substance: 3,4-
METHYLENEDIOXY AMPHETAMINE, a Schedule I substance.

COUNT 3: On or about June 01, 2008, in violation of Section 4140
of the Business and Professions Code (UNAUTHORIZED POSSESSION OF
HYPODERMIC NEEDLE OR SYRINGE), a MISDEMEANOR, JOSHUA MICHAEL
PHILLIP WARING did knowingly and unlawfully have in his/her
possession and under his/her control a hypodermic needle and
syringe.

1 COUNT 4: On or about June 01, 2008, in violation of Section
2 11550(a) of the Health and Safety Code (UNDER THE INFLUENCE OF A
3 CONTROLLED SUBSTANCE), a MISDEMEANOR, JOSHUA MICHAEL PHILLIP
4 WARING did unlawfully use and was under the influence of a
5 controlled substance known as HEROIN.

6 OTHER ALLEGATION(S)

7 As to Count(s) 1, it is further alleged pursuant to Penal Code
8 section 1203.07(a)(1) and Health and Safety Code section 11352.5
9 (1), that defendant JOSHUA MICHAEL PHILLIP WARING violated
10 section 11351 of the Health and Safety Code by possessing for
11 sale 14.25 grams and more of a substance containing heroin.

12 I declare under penalty of perjury, on information and belief,
13 that the foregoing is true and correct.

14 Dated 06/03/08 at Orange County, California.
15 CV/AC 08F04195

16 TONY RACKAUCKAS, DISTRICT ATTORNEY

17 by _____ Deputy
18 Complainant

19 RESTITUTION CLAIMED

- 20 [] None
- 21 [] \$ _____
- 22 [X] To be determined

23 PROP36/PC1000 ELIGIBILITY:

24 JOSHUA MICHAEL PHILLIP WARING - Prop36 INELIGIBLE/PC1000
25 INELIGIBLE

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NOTICES:

The People request that defendant and counsel disclose, within 15 days, all of the materials and information described in Penal Code section 1054.3, and continue to provide any later-acquired materials and information subject to disclosure, and without further request or order.

Pursuant to Penal Code Section 296.1, defendant, JOSHUA MICHAEL PHILLIP WARING , is required to provide DNA samples and thumb and palm prints.

