

1 DAN DOW
2 DISTRICT ATTORNEY
3 STATE BAR # 237986
4 COUNTY OF SAN LUIS OBISPO
5 COURTHOUSE ANNEX, 4TH FLOOR
6 SAN LUIS OBISPO, CA 93408
7 TELEPHONE: (805) 781-5800

DV Case
 BOOKING REQ

FILED

MAR 17 2020

SAN LUIS OBISPO SUPERIOR COURT
BY *L. Morais*
L. Morais, Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN LUIS OBISPO
10 DEPARTMENT

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA
13
14 vs.
15 **JEREMY WALTER PEMBERTON**
16 DOB: 05/13/1984 ID NO. *D000440491*
17
18 Defendant.

COURT CASE NO. *20F-02244*
COMPLAINT
DA CASE NO. **079-628055**
Appearance Date:

19 The District Attorney of San Luis Obispo County, California, hereby accuses the
20 above named defendant of the following criminal offenses:

21 Count 1

22 Between about April, 2017 and August, 2017, in the County of San Luis Obispo, State of
23 California, the crime of Sale Of Securities By Means Of False Or Misleading
24 Statements/Omissions in violation of California Corporations Code Section 25401, a
25 Felony, was committed in that JEREMY WALTER PEMBERTON did willfully and
26 unlawfully offer and sell a security in this state, by means of any written and oral
27 communication that includes an untrue statement of a material fact and omits to state a
28 material fact necessary to make the statements made, in the light of the circumstances

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1 under which the statements were made, not misleading, to wit, failure to advise investors
2 Jacob and Joanne Crawford of a default on the lease at 1144 Chorro Street, San Luis
3 Obispo, misrepresenting the amount of financing received by other investors, among other
4 material misrepresentations and omissions.

5 Count 2

6 Between about April, 2017 and August, 2017, in the County of San Luis Obispo, State of
7 California, the crime of Sale Of Securities By Means Of False Or Misleading
8 Statements/Omissions in violation of California Corporations Code Section C25401, a
9 Felony, was committed in that JEREMY WALTER PEMBERTON did willfully and
10 unlawfully offer and sell a security in this state, by means of any written and oral
11 communication that includes an untrue statement of a material fact and omits to state a
12 material fact necessary to make the statements made, in the light of the circumstances
13 under which the statements were made, not misleading, to wit, failure to advise investor
14 Carlos Fajardo of a default on the lease at 1144 Chorro Street, San Luis Obispo,
15 misrepresenting the amount of financing received by other investors, among other material
16 misrepresentations and omissions.

17 Count 3

18 During August, 2017, in the County of San Luis Obispo, State of California, the crime of
19 Theft From Elder Or Dependent Adult in violation of PC368(d), a Felony, was committed in
20 that JEREMY WALTER PEMBERTON did unlawfully commit theft, embezzlement, forgery,
21 fraud, and identity theft with respect to the property and personal identifying information of
22 an elder and dependent adult, said property, moneys, labor, goods, and services taken
23 and obtained having a value exceeding \$950.00, and knew and reasonably should have
24 known that said persons, Jacob and Joanne Crawford, were elder and dependent adults.

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Count 4

During August, 2017, in the County of San Luis Obispo, State of California, the crime of Grand Theft Of Personal Property in violation of PC487(a), a Felony, was committed in that JEREMY WALTER PEMBERTON did unlawfully take money and personal property, by the use of false pretenses and misrepresentations, of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit money in the amount of \$200,000, the property of Jacob and Joanne Crawford.

Count 5

During August, 2017, in the County of San Luis Obispo, State of California, the crime of Grand Theft Of Personal Property in violation of PC487(a), a Felony, was committed in that JEREMY WALTER PEMBERTON did unlawfully take money and personal property, by the use of false pretenses and misrepresentations, of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit money in the amount of \$500,000, the property of Carlos Fajardo.

Enhancement

PC186.11(a)(2): Spec Alleg - Aggravated White Collar Crime

It is further alleged, pursuant to Penal Code section 186.11(a), that the offenses set forth in Counts 1, 2, 3, 4, and 5 are related felonies, a material element of which is fraud and embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than Five Hundred Thousand Dollars (\$500,000).

Enhancement

PC12022.6(a)(2): Spec Alleg-Excessive Loss Over \$200,000

It is further alleged as to Counts 2 and 5, that in the commission of the above offenses the said defendant, JEREMY WALTER PEMBERTON, with the intent to do so, took, damaged, and destroyed property of a value exceeding \$200,000, within the meaning of Penal Code section 12022.6(a)(2).

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Enhancement

PC12022.6(a)(1): Spec Alleg-Excessive Loss Over \$65,000

It is further alleged as to Counts 1, 3, and 4, that in the commission of the above offenses the said defendant, JEREMY WALTER PEMBERTON, with the intent to do so, took, damaged, and destroyed property of a value exceeding \$65,000, within the meaning of Penal Code section 12022.6(a)(1).

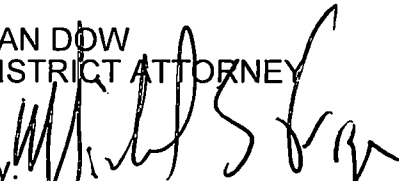
1 All of which is contrary to the statute in such cases made and provided, and against
2 the peace and dignity of the People of the State of California.

3 I declare that an investigation has been conducted to determine if said Defendant(s)
4 did commit the stated crime, which reports are attached hereto and incorporated herein by
5 reference, and that the facts therein show probable cause that the said Defendant(s) did
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if
7 said Defendant(s) do not appear voluntarily in response to an appearance letter, or if no
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are
10 hereby informally requesting that defense counsel provide discovery to the people as
11 required by Penal Code Section 1054.3.

12 On this day March 17, 2020, in the County of San Luis Obispo, I certify and declare
13 under penalty of perjury that the foregoing is true and correct.

14 Dated: March 17, 2020

15 DAN DOW
16 DISTRICT ATTORNEY
17 By: 
18 MICHAEL S FRYE
19 DEPUTY DISTRICT ATTORNEY

20 Upon review of the reports attached and incorporated herein by reference, I find sufficient
21 probable cause to warrant the defendant(s) continued detention.

22 Dated: _____
23 _____
24 Judge of the Superior Court

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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	CC25401		Jeremy Walter Pemberton		
2	CC25401		Jeremy Walter Pemberton		
3	PC368(d)		Jeremy Walter Pemberton		
4	PC487(a)		Jeremy Walter Pemberton		
5	PC487(a) PC186.11(a)(2), PC12022.6(a)(2), PC12022.6(a)(1)		Jeremy Walter Pemberton		