

ORIGINAL

D.A. # WC-2015-72
GILBERT G. OTERO
District Attorney
Imperial County
County Administration Center, 1st Floor
940 West Main Street
El Centro, CA 92243
Telephone (442) 265-1175

Attorney for Plaintiff

FILED

APR 30 2015

SUPERIOR COURT
COUNTY OF IMPERIAL
TAMMY L. GRIMM, CLERK
BY: _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF IMPERIAL

BRAWLEY DEPARTMENT

THE PEOPLE OF THE STATE OF CALIFORNIA
Plaintiff,

vs.

JETHRO MARRUJO dba OSTS INTERPRETING
Defendant(s)

No. JCF34657
**FIRST AMENDED
COMPLAINT
(FELONY)**

THE UNDERSIGNED, ON INFORMATION AND BELIEF, COMPLAINS AND SAYS, THAT WITHIN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, THE DEFENDANT(S) COMMITTED THE FOLLOWING CRIME(S) AS FOLLOWS:

COUNT 1

On or about the 1st day of March, 2009, and the 30th day of June, 2013, said defendant(s), **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **FELONY**, namely: **OBTAIN MONEY/LABOR/PROPERTY BY FALSE PRETENSES** a violation of Section 532(a) of the Penal Code of the State of California, in that said: defendant did willfully, unlawfully, knowingly, designedly and fraudulently get possession of money and property, and obtain labor and service of another in violation of this section.

COUNT 2

On or about the 1st day of May, 2012, and through and including the 31st day of December, 2012, said defendant(s), **JETHRO MARRUJO dba OST'S INTERPRETING**; did commit a **FELONY**, namely: **INSURANCE FRAUD** a violation of Section 550(a)(7) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully aid, abet, solicit, conspire with another and did knowingly submit a claim for a health care benefit which was not use by, or on behalf of, the defendant.

IT IS FURTHER ALLEGED that the claim or amount at issue exceeds Nine Hundred Fifty Dollars (\$950).

COUNT 3

On or about the 1st day of March, 2009, and through and including the 31st day of December, 2009, said defendant(s), **JETHRO MARRUJO dba OST'S INTERPRETING**; did commit a **MISDEMEANOR**, namely: **INSURANCE FRAUD** a violation of Section 550(a)(7) of the Penal Code of the State of California, in that said :defendant did willfully and unlawfully aid, abet, solicit, conspire with another and did knowingly submit a claim for a health care benefit which was not use by, or on behalf of, the defendant.

IT IS FURTHER ALLEGED that the claim or amount at issue was Nine Hundred Fifty Dollars (\$950) or less.

COUNT 4

On or about the 1st day of January, 2010, and the 31st day of October, 2010, said defendant(s), **JETHRO MARRUJO dba OST'S INTERPRETING**; did commit a **MISDEMEANOR**, namely: **INSURANCE FRAUD** a violation of Section 550(a)(7) of the Penal Code of the State of California, in

that said: defendant did willfully and unlawfully aid, abet, solicit, conspire with another and did knowingly submit a claim for a health care benefit which was not use by, or on behalf of, the defendant.

IT IS FURTHER ALLEGED that the claim or amount at issue was Nine Hundred Fifty Dollars (\$950) or less.

COUNT 5

On or about the 1st day of February, 2011, and through and including the 31st day of December, 2011, said defendant(s), **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **MISDEMEANOR**, namely: **INSURANCE FRAUD** a violation of Section 550(a)(7) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully aid, abet, solicit, conspire with another and did knowingly submit a claim for a health care benefit which was not use by, or on behalf of, the defendant.

IT IS FURTHER ALLEGED that the claim or amount at issue was Nine Hundred Fifty Dollars (\$950) or less.

COUNT 6

On or about the 1st day of January, 2013, and through and including the 30th day of June, 2013, said defendant(s), **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **MISDEMEANOR**, namely: **INSURANCE FRAUD** a violation of Section 550(a)(7) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully aid, abet, solicit, conspire with another and did knowingly submit a claim for a health care benefit which was not use by, or on behalf of, the defendant.

IT IS FURTHER ALLEGED that the claim or amount at issue was Nine Hundred Fifty Dollars (\$950) or less.

COUNT 7

On or about the 1st day of June, 2009, and the 31st day of January, 2013, said defendant(s), **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **FELONY**, namely: **GRAND THEFT OF PERSONAL PROPERTY** a violation of Section 487(a) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit, **MONIES IN THE APPROXIMATE AMOUNT OF \$1620.00, the property of STATE COMPENSATION INSURANCE FUND.**

COUNT 8

On or about the 1st day of July, 2009, and through and including the 31st day of January, 2013, said defendant(s) **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **FELONY**, namely: **GRAND THEFT OF PERSONAL PROPERTY** a violation of Section 487(a) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit, **MONIES IN THE APPROXIMATE AMOUNT OF \$1850.00, the property of ZENITH INSURANCE COMPANY.**

COUNT 9

Between the 1st day of October, 2012, and the 31st day of January, 2013, said defendant(s), **JETHRO MARRUJO dba OSTS INTERPRETING**; did commit a **MISDEMEANOR**, namely: **PETTY THEFT** a violation of Section 484(a) of the Penal Code of the State of California, in that said: defendant did willfully and unlawfully steal, take, and carry away the personal property of another, to wit, **MONIES IN THE APPROXIMATE AMOUNT OF \$650.00, the property of YORK INSURANCE.**

I declare under penalty of perjury that the foregoing is true and correct and executed on Tuesday, April 28, 2015 at El Centro, California.



IMPERIAL COUNTY DISTRICT ATTORNEY

DISCOVERY REQUEST: 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.

GILBERT G. OTERO, DISTRICT ATTORNEY

By: 

DEBORAH D. OWEN
ASSISTANT DISTRICT ATTORNEY

SUBSCRIBED AND SWORN TO BEFORE ME ON _____, AT BRAWLEY, COUNTY OF IMPERIAL, CALIFORNIA, AND IT APPEARING TO THE COURT THAT PROBABLE CAUSE EXISTS FOR THE ISSUANCE OF A WARRANT OF ARREST FOR THE ABOVE-NAMED DEFENDANT(S), THE WARRANT IS SO ORDERED.

JUDGE OF THE SUPERIOR COURT

ERC/tp

SUPERIOR COURT OF CALIFORNIA, COUNTY OF IMPERIAL	JUN 18 2018 <small>For Court 12-000</small>
PEOPLE vs <u>Jethro Marrojo</u> Defendant	SUPERIOR COURT COUNTY OF IMPERIAL BY <u>Armed</u> CLERK DEPUTY
PLEA OF GUILTY/NO CONTEST - FELONY	Court Number: JCF- <u>34657</u>

I, the defendant in the above-entitled case, in support of my plea of Guilty/No Contest, personally declare as follows:

1. Of those charges now filed against me in this case, I plead No Contest to the following offenses and admit the enhancements, allegations and prior convictions as follows:

COUNT	CHARGE	ENHANCEMENT/ALLEGATION
2	PC 550 (a) (7)	/

PRIORS: (LIST ALLEGATION SECTION, CONVICTION DATE, COUNTY, CASE NUMBER, AND CHARGE)

/
/

2. I have not been induced to enter this plea by any promise or representation of any kind, except: (State any agreement with the District Attorney.)
- If Restitution of \$4,120 is paid by P/H's, then reduce 176
ISS 3SP CTS OAL fines/Fees 4M/W 100 CWS
If not 3SP CTS OAL fines/Fees 4M/W 100 CWS

3. I am entering my plea freely and voluntarily, without fear or threat to me or anyone closely related to me.
4. I understand that a plea of No Contest is the same as a plea of Guilty for all purposes.
5. I am sober and my judgment is not impaired. I have not consumed any drug, alcohol or narcotic within the past 24 hours.

CONSTITUTIONAL RIGHTS

- 6a. I understand that I have the right to be represented by a lawyer at all stages of the proceedings. I can hire my own lawyer or the Court will appoint a lawyer for me if I cannot afford one.

I understand that as to all charges, allegations and prior convictions filed against me, and as to any facts that may be used to increase my sentence, now or in the future, I also have the following constitutional rights, which I now give up to enter my plea of guilty/no contest:

- 6b. I have the right to a speedy and public trial by jury. I now give up this right.
- 6c. I have the right to confront and cross-examine all the witnesses against me. I now give up this right.
- 6d. I have the right to remain silent (unless I choose to testify on my own behalf). I now give up this right.
- 6e. I have the right to present evidence in my behalf and to have the court subpoena my witnesses at no cost to me. I now give up this right.

Defendant:

Jethro Mwanjia

CASE NUMBER:
JCF-

34657

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST

7a. I understand that I may receive this maximum punishment as a result of my plea: 5 years imprisonment or imprisonment plus a term of mandatory supervision; \$ 50,000 fine; and 1 years parole or post-release community supervision, with return to custody for every violation of a condition thereof. If I am not sentenced to imprisonment, I may be granted probation for a period up to 5 years or the maximum term of imprisonment, whichever is greater. As conditions of probation I may be given up to a year in jail custody, plus the fine, and any other conditions deemed reasonable by the Court. I understand that if I violate any condition of probation I can be sentenced to imprisonment for the maximum term as stated above.

JM

7b. I understand that I must pay a restitution fine (\$280 - \$10,000), that I will also be subject to a suspended fine in the same amount, and that I must pay full restitution to all victims.

JM

7c. I understand that my conviction in this case will be a serious/violent felony ("strike") resulting in mandatory denial of probation, substantially increased penalties, and a term in State Prison in any future felony case.

JM

7d. I understand that if I am not a U.S. citizen, this plea of Guilty/No Contest may result in my removal/deportation, exclusion from admission to the U.S. and/or denial of naturalization. Additionally, if this plea is to an "Aggravated Felony" then I will be deported, excluded from admission to the U.S., and denied naturalization.

JM

7e. I understand that my plea of Guilty or No Contest in this case could result in revocation of my probation, mandatory supervision, parole or post-release supervision in other cases, and consecutive sentences.

JM

7f. My attorney has explained to me that other possible consequences of this plea may be:
(Circle applicable consequences.)

JM

- | | | |
|--|--|---|
| <input type="checkbox"/> (1) Consecutive sentences | <input type="checkbox"/> (9) Prison prior | <input type="checkbox"/> a. Limited local credits (290/serious/prior) |
| <input type="checkbox"/> (2) Loss of driving privileges | <input type="checkbox"/> (10) Mandatory imprisonment | <input type="checkbox"/> b. Violent Felony (No credit or max. 15%) |
| <input type="checkbox"/> (3) Lifetime registration as an arson / sex offender | <input type="checkbox"/> (11) Mandatory State Prison | <input type="checkbox"/> c. Prior Strike(s) (No credit to max. 20%) |
| <input type="checkbox"/> (4) Registration as a narcotic / gang offender | <input type="checkbox"/> (12) Presumptive imprisonment | <input type="checkbox"/> d. Murder on/after 6/3/98 (No credit) |
| <input checked="" type="checkbox"/> (5) Cannot possess firearms or ammunition | <input type="checkbox"/> (13) Presumptive State Prison | <input type="checkbox"/> (17) Domestic Violence treatment program |
| <input checked="" type="checkbox"/> (6) Blood test and saliva sample | <input type="checkbox"/> (14) Sexually Violent Predator Law | <input type="checkbox"/> (18) Other: _____ |
| <input type="checkbox"/> (7) Priors (increased punishment for future offenses) | <input type="checkbox"/> (15) Possible/Mandatory hormone suppression treatment | |
| <input checked="" type="checkbox"/> (8) Restitution, Attorney's fee's, Probation fee's | <input type="checkbox"/> (16) Reduced conduct/work credits | |

JM

8. (Appeal Rights) I give up my right to appeal the following: 1) denial of my 1538.5 motion, 2) issues related to strike priors (under PC sections 667(b)-(l) and 1170.12), and 3) any sentence stipulated herein.

JM

9. (Harvey Waiver) The sentencing judge may consider my prior criminal history and the entire factual background of the case, including any unfilled, dismissed or stricken charges or allegations or cases when granting probation, ordering restitution or imposing sentence.

JM

10. (Cruz Waiver) Negotiated Disposition pursuant to PC 1192.5: I understand that if pending sentencing I am arrested for or commit another crime, violate any condition of my release, or willfully fail to appear for my probation interview or my sentencing hearing, the sentence portion of this agreement will be cancelled. I will be sentenced unconditionally, and I will not be allowed to withdraw my guilty/no contest plea(s).

JM

11. (Arbuckle Waiver) I give up my right to be sentenced by the judge who accepts this plea.

JM

12. (Probation Report) I give up my right to a full probation report before sentencing.

JM

13. Unless previously agreed to as indicated in paragraph two (2), I understand that the matter of probation and/or sentence will be determined solely by the court.

JM

Defendant: Jeffrey Marmaja CASE NUMBER: JCF- 34652

14. (Evidence Disposal Waiver) I give up my interest in all non-biological property/evidence impounded during the investigation of this case except _____ and acknowledge that if I listed any property here, I must also file a claim with the impounding agency within 60 days after pronouncement of judgment or my ability to make a claim will expire. JM

PLEA

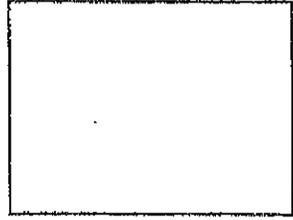
15. I now plead Guilty/No Contest and admit the charges, convictions and allegations described in paragraph #1, above. I admit that on the dates charged, I: (Describe facts as to each charge and allegation)
People v. West

16. I declare under penalty of perjury that I have read, understood, and initialed each item above and any attached addendum, and everything on the form and any attached addendum is true and correct. JM

Dated: 6/13/16 Defendant's Signature Jeffrey Marmaja

Defendant's Address: 297 Charles Elmore Street
El Centro CA 92243
City State Zip

Telephone Number: (760) 562-1185



ATTORNEY'S STATEMENT

I, the attorney for the defendant in the above-entitled case, personally read and explained to the defendant the entire contents of this plea form and any addendum thereto. I discussed all charges and possible defenses with the defendant, and the consequences of this plea, including any immigration consequences. I personally observed the defendant fill in and initial each item, or read and initial each item to acknowledge his/her understanding and waivers. I observed the defendant date and sign this form and any addendum. I concur in the defendant's plea and waiver of constitutional rights.

Dated: 6/13/16 Ben Warren Attorney for Defendant (Signature)
(Print Name) (Circle one: PD / AC / RETAINED)

INTERPRETER'S STATEMENT (If Applicable)

I, the sworn _____ language interpreter in this proceeding, truly translated for the defendant the entire contents of this form and any attached addendum. The defendant indicated understanding of the contents of this form and any addendum and then initialed and signed the form and any addendum.

Dated: _____ (Print Name) Court Interpreter (Signature)

PROSECUTOR'S STATEMENT

The People of the State of California, plaintiff, by its attorney, the District Attorney for the County of Imperial, concurs with the defendant's plea of Guilty/No Contest as set forth above.

Dated: 6/13/2016 Eileen R. Cavil Deputy District Attorney (Signature)
(Print Name)

COURT'S FINDING AND ORDER

The Court, having questioned the defendant and defendant's attorney concerning the defendant's plea of Guilty/No Contest and admissions of the prior convictions and allegations, if any, finds that: The defendant understands and voluntarily and intelligently waives his/her constitutional rights; the defendant's plea and admissions are freely and voluntarily made; the defendant understands the nature of the charges and the consequences of the plea and admissions; and there is a factual basis for same. The Court accepts the defendant's plea and admissions, and the defendant is convicted thereby.

Dated: 6/13/16 Paul Judge of the Superior Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE BY MAIL
(C.C.P. section 1013(a), 2015.5)

I am over the age of 18 years and not a party to the entitled action. My business address is 1515 Clay Street, 18th Floor, Oakland, California 94612.

I served the following documents:

- **NOTICE OF PROVIDER SUSPENSION-WORKERS' COMPENSATION**
- **FIRST AMENDED COMPLAINT (FELONY) IN *People of the State of California v. Jethro Marrujo* (No. JCF 34657) – SUPERIOR COURT OF CALIFORNIA (IMPERIAL COUNTY)**
- **PLEA OF GUILTY/NO CONTEST – FELONY – *People of the State of California v. Jethro Marrujo* (No. JCF 34657) – SUPERIOR COURT OF CALIFORNIA (IMPERIAL COUNTY)**

on the following person(s) at the following address(es):

Jethro Marrujo
297 Charles Elmore Drive
El Centro, CA 92243

The documents were served by the following means:

(BY U.S. CERTIFIED MAIL) I enclosed the documents in a sealed envelope or package addressed to the person(s) at the address(es) listed above and:

Placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope or package with the postage fully prepaid.

I declare under penalty of perjury under the laws of State of California that the above is true and correct.

Executed on March 15, 2017, at Oakland, California.



CATHY FUJITA-LAM