

1 JAN SCULLY

2 DISTRICT ATTORNEY

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4 SACRAMENTO, CA 95814

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SSD-10-244936

S. TRIPLETT, DDA

TEAM: (MC)

XRef: 1471557

XRef: 2397685

XRef: 3338546

XRef: 3907551

XRef: 3898002

XRef: 4172488

12
13 **SUPERIOR COURT OF CALIFORNIA**
14 **COUNTY OF SACRAMENTO**

15
16 THE PEOPLE OF THE STATE OF CALIFORNIA,

17 vs.

18 CHARLES EDWARD BARKSDALE,

19 JAMES LEO CARNEY,

20 LARRY DEAN JONES,

21 DOMINIQUE MARCELL LOTT,

22 LONNIE ORLANDO MITCHELL,

23 LOUIS JAMES MITCHELL,

24
25 Defendant(s).

26 The People of the State of California upon oath of the undersigned, upon information and belief
27 complain against the defendant(s) above named for the crime(s) as follows:

28 **COUNT ONE**

29
30 On or about December 14, 2010, at and in the County of Sacramento, State of California,

31 defendant(s) CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN

32 JONES, DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS

33 JAMES MITCHELL did commit a felony namely: a violation of Section 187(a) of the Penal Code

34 of the State of California, in that said defendant(s) unlawfully, and with malice aforethought

35 murder MONIQUE NELSON, a human being.
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4 "NOTICE: The above offense is a serious and violent felony within the meaning of Penal Code
5 Sections 1192.7(c)(1) and 667.5(c)(1)."
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8 It is further alleged that in the commission and attempted commission of the above offense that said
9 defendant(s), CHARLES EDWARD BARKSDALE, was a principal in the commission and attempted
10 commission of said offense, and while not personally armed with a firearm, to wit, a handgun, said
11 defendant(s) knew that another principal was personally armed with a firearm, within the meaning of
12 Penal Code Section 12022(d).
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15 It is further alleged that in the commission and attempted commission of the above offense that said
16 defendant(s), DOMINIQUE MARCELL LOTT, was a principal in the commission and attempted
17 commission of said offense, and while not personally armed with a firearm, to wit, a handgun, said
18 defendant(s) knew that another principal was personally armed with a firearm, within the meaning of
19 Penal Code Section 12022(d).
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23 It is further alleged that the defendant(s), CHARLES EDWARD BARKSDALE and DOMINIQUE
24 MARCELL LOTT, principals personally and intentionally discharged a firearm, to wit, a handgun,
25 which proximately caused great bodily injury and death to MONIQUE NELSON, within the meaning
26 of Penal Code Sections 12022.53(d) and (e)(1).
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30 It is further alleged that the defendant(s), CHARLES EDWARD BARKSDALE and DOMINIQUE
31 MARCELL LOTT, principals personally and intentionally discharged a firearm, to wit, a handgun,
32 within the meaning of Penal Code Sections 12022.53(c) and (e)(1).
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35 It is further alleged that the defendant(s), CHARLES EDWARD BARKSDALE and DOMINIQUE
36 MARCELL LOTT, principals personally used a firearm, to wit, a handgun, within the meaning of
37 Penal Code Sections 12022.5(a)(1) and 12022.53(b) and (e)(1).
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4 It is further alleged, pursuant to Penal Code Section 12022.53, that in the commission and attempted
5 commission of the above offense(s), the defendant(s), JAMES LEO CARNEY, used, and intentionally
6 and personally discharged a firearm, to wit, a .38 caliber handgun, and thereby proximately caused
7 great bodily injury or death to MONIQUE NELSON, who was not an accomplice of the defendant,
8 within the meaning of Penal Code Section 12022.53(d).
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12 It is further alleged that in the commission and attempted commission of the above offense that said
13 defendant(s), LARRY DEAN JONES, was a principal in the commission and attempted commission of
14 said offense, and while not personally armed with a firearm, to wit, a handgun, said defendant(s) knew
15 that another principal was personally armed with a firearm, within the meaning of Penal Code Section
16 12022(d).
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20 It is further alleged that in the commission and attempted commission of the above offense that said
21 defendant(s), LOUIS JAMES MITCHELL, was a principal in the commission and attempted
22 commission of said offense, and personally armed with a firearm, to wit, a .45 caliber handgun, said
23 defendant(s) knew that another principal was personally armed with a firearm, within the meaning of
24 Penal Code Section 12022(d).
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28 It is further alleged that in the commission and attempted commission of the above offense that said
29 defendant(s), LOUIS JAMES MITCHELL, was a principal in the commission and attempted
30 commission of said offense, and personally armed with a firearm, to wit, an Intra 9mm handgun, said
31 defendant(s) knew that another principal was personally armed with a firearm, within the meaning of
32 Penal Code Section 12022(d).
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5 It is further alleged that in the commission and attempted commission of the above offense that said
6 defendant(s), LONNIE ORLANDO MITCHELL, was a principal in the commission and attempted
7 commission of said offense, and personally armed with a firearm, to wit, a 9mm handgun, said
8 defendant(s) knew that another principal was personally armed with a firearm, within the meaning of
9 Penal Code Section 12022(d).
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12 It is further alleged that in the commission and attempted commission of the above offense(s), the
13 defendant(s), LONNIE ORLANDO MITCHELL, personally used a deadly and dangerous weapon(s),
14 to wit, an AK-47 semi-automatic assault rifle, said use not being an element of the above offense,
15 within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious
16 felony within the meaning of Penal Code Section 1192.7(c)(23).
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20 It is further alleged that the defendant(s), CHARLES EDWARD BARKSDALE, JAMES LEO
21 CARNEY, LARRY DEAN JONES and DOMINIQUE MARCELL LOTT, committed the above
22 offense(s) for the benefit of, at the direction of, and in association with criminal street gangs, to wit, G-
23 MOBB and OAK PARK BLOODS, with the specific intent to promote, further and assist in criminal
24 conduct by gang members, pursuant to Penal Code Section 186.22(b)(1).
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27 **COUNT TWO**

28 For a further and separate cause of action, being a different offense of the same class of crimes and
29 offenses and connected in its commission with the charges set forth in Count One hereof: On or
30 about December 14, 2010, at and in the County of Sacramento, State of California, defendant(s)
31 CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN JONES,
32 DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS JAMES
33 MITCHELL did commit a felony namely: a violation of Section 245(a)(2) of the Penal Code of
34 the State of California, in that said defendant(s) did willfully and unlawfully commit an assault on
35 ADAM WADE, with a firearm.
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4 It is further alleged that, pursuant to Penal Code Section 1203.095, there is a presumptive minimal
5 jail time required if you are convicted of this charge.
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7 **COUNT THREE**

8 For a further and separate cause of action, being a different offense of the same class of crimes and
9 offenses and connected in its commission with the charges set forth in Counts One and Two hereof:
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11 On or about December 14, 2010, at and in the County of Sacramento, State of California,
12 defendant(s) CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN
13 JONES, DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS
14 JAMES MITCHELL did commit a felony namely: a violation of Section 245(a)(2) of the Penal
15 Code of the State of California, in that said defendant(s) did willfully and unlawfully commit an
16 assault on JOSHUA BELCHER, with a firearm.
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20 It is further alleged that, pursuant to Penal Code Section 1203.095, there is a presumptive minimal
21 jail time required if you are convicted of this charge.
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23 **COUNT FOUR**

24 For a further and separate cause of action, being a different offense of the same class of crimes and
25 offenses and connected in its commission with the charges set forth in Counts One through Three
26 hereof: On or about December 14, 2010, at and in the County of Sacramento, State of California,

27 defendant(s) CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN
28 JONES, DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS
29 JAMES MITCHELL did commit a felony namely: a violation of Section 245(a)(2) of the Penal
30 Code of the State of California, in that said defendant(s) did willfully and unlawfully commit an
31 assault on JOHN ESCOTO, with a firearm.
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35 It is further alleged that, pursuant to Penal Code Section 1203.095, there is a presumptive minimal
36 jail time required if you are convicted of this charge.
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5 **COUNT FIVE**

6 For a further and separate cause of action, being a different offense of the same class of crimes and
7 offenses and connected in its commission with the charges set forth in Counts One through Four
8 hereof: On or about December 14, 2010, at and in the County of Sacramento, State of California,
9 defendant(s) CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN
10 JONES, DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS
11 JAMES MITCHELL did commit a felony namely: a violation of Section 245(a)(2) of the Penal
12 Code of the State of California, in that said defendant(s) did willfully and unlawfully commit an
13 assault on GRALIN MADISON, with a firearm.
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18 It is further alleged that, pursuant to Penal Code Section 1203.095, there is a presumptive minimal
19 jail time required if you are convicted of this charge.
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21 **COUNT SIX**

22 For a further and separate cause of action, being a different offense from but connected in its
23 commission as the charges set forth in Counts One through Five hereof: On or about December 14,
24 2010, at and in the County of Sacramento, State of California, defendant(s) LONNIE ORLANDO
25 MITCHELL did commit a felony namely: a violation of Section 12280(b) of the Penal Code of the
26 State of California, in that said defendant did unlawfully possess an assault weapon, to wit, an AK-
27 47 semi-automatic rifle.
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30 **COUNT SEVEN**

31 For a further and separate cause of action, being a different offense of the same class of crimes and
32 offenses and connected in its commission with the charges set forth in Counts One through Six
33 hereof: On or about December 14, 2010, at and in the County of Sacramento, State of California,
34 defendant(s) DOMINIQUE MARCELL LOTT did commit a felony namely: a violation of Section
35 12021(a)(1) of the Penal Code of the State of California, in that said defendant did willfully and
36 unlawfully own, possess and have custody and control of a firearm, to wit, a semi-automatic
37 handgun, the said defendant having therefore been duly and legally convicted of a felony, to wit,
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4 the crime of possession of a controlled substance, in violation of Section 11350 of the Health and
5 Safety Code, on or about October 12, 2004, by and before the Superior Court of the State of
6 California for the County of Sacramento. It is further alleged that the said defendant having
7 therefore been duly and legally convicted of a felony, to wit, the crime of felon in possession of a
8 firearm, in violation of Section 12021 of the Penal, on or about May 26, 2006, by and before the
9 Superior Court of the State of California for the County of Sacramento. It is further alleged that the
10 said defendant having therefore been duly and legally convicted of a felony, to wit, the crime of
11 possession of a controlled substance, in violation of Section 11350 of the Health and Safety Code,
12 on or about May 26, 2006, by and before the Superior Court of the State of California for the
13 County of Sacramento. It is further alleged that the said defendant having therefore been duly and
14 legally convicted of a felony, to wit, the crime of possession of a deadly weapon, in violation of
15 Section 12020 of the Penal Code, on or about April 1, 2009, by and before the Superior Court of
16 the State of California for the County of Alameda.
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22 **COUNT EIGHT**

23 For a further and separate cause of action, being a different offense from but connected in its
24 commission as the charges set forth in Counts One through Seven hereof: On or about December
25 14, 2010, at and in the County of Sacramento, State of California, defendant(s) JAMES LEO
26 CARNEY did commit a felony namely: a violation of Section 12021(a)(1) of the Penal Code of
27 the State of California, in that said defendant did willfully and unlawfully own, possess and have
28 custody and control of a firearm, to wit, a .38 caliber revolver, the said defendant having therefore
29 been duly and legally convicted of a felony, to wit, the crime of possession of a controlled
30 substance, in violation of Section 11350 of the Health and Safety Code Code, on or about January
31 13, 2005, by and before the Superior Court of the State of California for the County of
32 Sacramento. It is further alleged that the said defendant having therefore been duly and legally
33 convicted of a felony, to wit, the crime of sale/transportation of a controlled substance, in violation
34 of Section 11379 of the Health and Safety Code, on or about April 22, 2009, by and before the
35 Superior Court of the State of California for the County of Sacramento. It is further alleged that the
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4 said defendant having therefore been duly and legally convicted of a felony, to wit, the crime of
5 sale/transportation of a controlled substance, in violation of Section 11352 of the Health and Safety
6 Code, on or about March 27, 2010, by and before the Superior Court of the State of California for
7 the County of Sacramento.
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11 That attached hereto and by this reference incorporated herein is a declaration setting forth facts in
12 support of probable cause for the issuance of a warrant of arrest herein.
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15 I declare upon information and belief and under penalty of perjury that the foregoing is true and
16 correct.
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18 Executed at Sacramento County, California, the 9th day of February, 2011.
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22 _____
23 Declarant
24 SACRAMENTO COUNTY DISTRICT ATTORNEY

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26 (916) 874-6218
27 Telephone Number
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30 CGS
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____It appearing to me that the offense(s) in the within complaint has/have been committed, and that there is sufficient cause to believe that the defendant, CHARLES EDWARD BARKSDALE, is guilty thereof,

Exceptions/Additions/Conditions: _____

Date:_____ Dept._____

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4 **HOLDING ORDER – DEFENDANT JAMES LEO CARNEY**

5 _____It appearing to me that the offense(s) in the within complaint has/have been committed,
6 and that there is sufficient cause to believe that the defendant, JAMES LEO CARNEY, is
7 guilty thereof,

8 _____The defendant, JAMES LEO CARNEY, having waived preliminary hearing to the
9 offense(s) set forth in this complaint,

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11 Exceptions/Additions/Conditions: _____
12 _____
13 _____

14 I order that the defendant be held to answer to same. In my capacity as Judge of the Superior
15 Court, I deem the within complaint to be an Information and order it filed in the Superior
16 Court.

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19 Date:_____ Dept._____ _____

20 Judge of the Superior Court Sitting as Magistrate
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HOLDING ORDER – DEFENDANT LARRY DEAN JONES

____ It appearing to me that the offense(s) in the within complaint has/have been committed, and that there is sufficient cause to believe that the defendant, LARRY DEAN JONES, is guilty thereof,

____ The defendant, LARRY DEAN JONES, having waived preliminary hearing to the offense(s) set forth in this complaint,

Exceptions/Additions/Conditions: _____

I order that the defendant be held to answer to same. In my capacity as Judge of the Superior Court, I deem the within complaint to be an Information and order it filed in the Superior Court.

Date: _____ Dept. _____

Judge of the Superior Court Sitting as Magistrate

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4 **HOLDING ORDER – DEFENDANT DOMINIQUE MARCELL LOTT**

5 _____It appearing to me that the offense(s) in the within complaint has/have been committed,
6 and that there is sufficient cause to believe that the defendant, DOMINIQUE MARCELL
7 LOTT, is guilty thereof,

8 _____The defendant, DOMINIQUE MARCELL LOTT, having waived preliminary hearing to
9 the offense(s) set forth in this complaint,

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11 Exceptions/Additions/Conditions: _____
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14 I order that the defendant be held to answer to same. In my capacity as Judge of the Superior
15 Court, I deem the within complaint to be an Information and order it filed in the Superior
16 Court.

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19 Date:_____ Dept._____ _____

20 Judge of the Superior Court Sitting as Magistrate
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4 **HOLDING ORDER – DEFENDANT LONNIE ORLANDO MITCHELL**

5 _____It appearing to me that the offense(s) in the within complaint has/have been committed,
6 and that there is sufficient cause to believe that the defendant, LONNIE ORLANDO
7 MITCHELL, is guilty thereof,

8 _____The defendant, LONNIE ORLANDO MITCHELL, having waived preliminary hearing
9 to the offense(s) set forth in this complaint,

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11 Exceptions/Additions/Conditions: _____
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14 I order that the defendant be held to answer to same. In my capacity as Judge of the Superior
15 Court, I deem the within complaint to be an Information and order it filed in the Superior
16 Court.

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19 Date:_____ Dept._____ _____

20 Judge of the Superior Court Sitting as Magistrate
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HOLDING ORDER – DEFENDANT LOUIS JAMES MITCHELL

____ It appearing to me that the offense(s) in the within complaint has/have been committed, and that there is sufficient cause to believe that the defendant, LOUIS JAMES MITCHELL, is guilty thereof,

____ The defendant, LOUIS JAMES MITCHELL, having waived preliminary hearing to the offense(s) set forth in this complaint,

Exceptions/Additions/Conditions: _____

I order that the defendant be held to answer to same. In my capacity as Judge of the Superior Court, I deem the within complaint to be an Information and order it filed in the Superior Court.

Date: _____ Dept. _____

Judge of the Superior Court Sitting as Magistrate

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4 **DECLARATION IN SUPPORT OF ARREST WARRANT**

5 (Made under 2015.5 CCP)
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7 The undersigned hereby declares:

8 That your declarant is currently employed as a Deputy District Attorney for the County
9 of Sacramento, State of California.

10 That pursuant to said employment, your declarant has been assigned to investigate
11 allegations that CHARLES EDWARD BARKSDALE, JAMES LEO CARNEY, LARRY DEAN
12 JONES, DOMINIQUE MARCELL LOTT, LONNIE ORLANDO MITCHELL and LOUIS
13 JAMES MITCHELL, did commit the crime(s) as set forth in the attached complaint.

14 That pursuant to said assignment, your declarant has contacted person(s) having
15 knowledge of said offense(s) and who has/have prepared written reports and/or statements,
16 and/or has received and read written reports and/or statements prepared by others known by
17 your declarant to be law enforcement officers, all of which reports and/or statements are
18 included in a report consisting of 35 page(s) which is attached hereto as Exhibit I and
19 incorporated by references as though fully set forth.

20 That each of these documents is presently an official record of a law enforcement
21 agency.

22 WHEREFORE, your declarant prays that a warrant issue for the arrest of the
23 hereinabove-named defendant(s) and that said defendant(s) be dealt with according to law.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Executed on the 9th day of February, 2011, Sacramento, California.
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29 _____
30 Declarant

31 901 G Street,

32 Sacramento, California 95814

33 Sacramento County District Attorney
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