

FILED
ALAMEDA COUNTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,
HAYWARD HALL OF JUSTICE 11 SEP -8 AM 9:28

PEOPLE OF THE STATE OF CALIFORNIA

NO.
COMPLAINT

CLERK OF THE SUPERIOR COURT
BY M. Merino
DEPUTY

v.

GISELLE DIWAG ESTEBAN

PFN: BIN376

CEN: 1343344

Defendant(s).

IN CUSTODY

The Undersigned, being sworn says, on Information and belief, that GISELLE DIWAG ESTEBAN did, in the County of Alameda, State of California, on or about May 27, 2011, commit a Felony, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder MICHELLE HOANG LE, a human being.

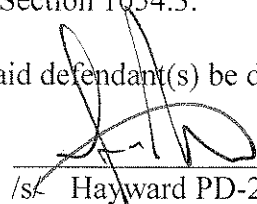
"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

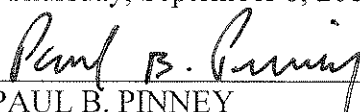
"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

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.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,
Thursday, September 8, 2011


/s/ Hayward PD-2011-9571


PAUL B. PINNEY
Deputy District Attorney
State Bar #146351 pl
Alameda County, California



County of Alameda

DAILY

DECLARATION AND DETERMINATION
Probable Cause for Warrantless Arrest

FILED
ALAMEDA COUNTY



Arrestee/Suspect GISELLE ESTEBAN		DOB 02/04/1984	CDL D4665106 CA	PFN BIN376	Agency Report # 2011-09571
Arresting Agency HAYWARD PD (CA0010600)		Declarant Fraser Ritchie		Agency Phone (510) 293-7000	Agency Fax (510) 293-7183
Arrest Date 09/07/2011	Arrest Time 09:50:00	Arrest Location 35530 MONTERRA TERRACE UNION CITY			
Holds		Arrestee Home Address 35530 MONTERRA TERRACE , #301 UNION CITY CA			
Charges/Violations PC 187(A) F					

N. MARINO

On May 27, 2011, the victim was reported missing after she failed to return to her nursing program at Kaiser Medical Center-Hayward. The victim was last seen walking to her car at the Kaiser Medical Center-Hayward's parking garage. Evidence found at the scene, where the victim's car had been parked, indicated her disappearance was suspicious in nature.

On May 28, 2011 around 09:00 hours, the victim's vehicle was located in a residential neighborhood approximately 1/2 mile south west of the north parking structure of Kaiser Medical Center-Hayward. Recovered security footage, from Kaiser Medical Center-Hayward's parking garage, documented ESTEBAN's presence before and after the victim's disappearance. Blood stains were located in the victim's vehicle. Laboratory analysis confirmed that the victim was the source of the stains. Physical evidence also identified the suspect, GISELLE ESTEBAN, had been inside the victim's vehicle. Cellular telephone records showed (via cell tower activation) that immediately after the victim's disappearance, ESTEBAN's and victim's phone had traveled on a similar path from the Kaiser Hospital-Hayward parking structure towards other locations within Alameda County.

On May 29, 2011 a search warrant was served at ESTEBAN's residence. Among the items recovered was a pair of athletic shoes the suspect had requested to wear. The athletic shoes were later analyzed. Further analysis detected the victim's DNA on one of the shoes.

The Hayward Police Department and members of the community have conducted numerous searches encompassing the areas of cell tower activations as documented in the victim's and suspect's cell phone records. Additional areas in the San Francisco Bay Area were also searched for the victim. Electronic surveillance equipment, infrared cameras, search/rescue canines, cadaver canines, and helicopters were all utilized to search for the victim. Numerous forms of media (newspaper, television, and internet) in local, state, and national markets were utilized in the effort to find the victim. The victim's financial records and social networking sites have shown no activity for the victim since her suspicious disappearance. As of this date, there has been no contact or any information leading to the whereabouts or welfare of the victim.

On September 6, 2011, the Honorable Judge R. Hashimoto endorsed a probable cause arrest warrant (Ramey) in the name of ESTEBAN for the crime of section 187(a) of the California Penal Code.

On September 7, 2011, ESTEBAN was contacted, detained, and arrested on the probable cause arrest warrant as she walked away from her residence.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 09/07/2011 18:45:44

Declarant: Fraser Ritchie

Badge: 225

Reviewed and approved.

Date: 09/07/2011 18:45:59

Supervisor: Fraser Ritchie

Badge: 225

**FELONY
IN CUSTODY**

9/8/2011
PL

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ALAMEDA COUNTY

11 SEP -8 AM 9:28

CLERK OF SUPERIOR COURT

BY 
DEPUTY

437142-5

ESTEBAN, GISELLE DIWAG

2011-9571

187(a) PC