

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,  
v.  
GALINA MIGALKO,  
*dob 09/02/63;*  
ROBERT OLDHAM YOUNG,  
*dob 03/06/52;*  
Defendants

CT No. SCN427248  
DA No. OCS346

INFORMATION

PC296 DNA TEST STATUS SUMMARY

Defendant	DNA Testing Requirements
MIGALKO, GALINA	DNA sample required upon conviction
YOUNG, ROBERT OLDHAM	DNA sample has been previously provided

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC368(b)(1) YOUNG, ROBERT OLDHAM	Felony	2-3-4/\$6,000		
2	BP2052(b) MIGALKO, GALINA YOUNG, ROBERT OLDHAM	Felony	16-2-3/\$10,000		
3	PC368(d) MIGALKO, GALINA YOUNG, ROBERT OLDHAM	Felony	2-3-4/\$10,000		
4	BP2052(a) MIGALKO, GALINA	Felony	16-2-3/\$10,000		

## CHARGE SUMMARY (cont'd)

<u>Count</u>	<u>Charge</u>	<u>Issue Type</u>	<u>Sentence Range</u>	<u>Special Allegations</u>	<u>Allegation Effect</u>
4	BP2052(a) YOUNG, ROBERT OLDHAM	Felony	16-2-3/\$10,000		

The District Attorney of the County of San Diego, State of California, accuses the Defendant(s) of committing, in the County of San Diego, State of California, the following crime(s):

### CHARGES

#### **COUNT 1 - WILLFUL CRUELTY TO ELDER/DEPENDENT ADULT - GBI OR DEATH**

On or about and between September 13, 2020 and January 28, 2021, ROBERT OLDHAM YOUNG, being a person who knew and reasonably should have known that JANE CLAYSON was an elder, and who under circumstances and conditions likely to produce great bodily harm or death, did willfully and unlawfully cause and permit an elder to suffer, and did inflict thereon unjustifiable physical pain and mental suffering; and having the care and custody of an elder, did willfully and unlawfully cause and permit the person and health of an elder to be injured; and did willfully and unlawfully cause and permit an elder to be placed in such situation that his or her person and health is endangered in violation of PENAL CODE SECTION 368(b)(1).

#### **COUNT 2 - TREATING THE SICK/AFFLICTED WITHOUT A CERTIFICATE - CONSPIRING**

On or about and between September 13, 2020 and January 28, 2021, GALINA MIGALKO and ROBERT OLDHAM YOUNG did unlawfully conspire with and aid and abet another person to practice and attempt to practice, and advertise and hold himself out as practicing, a system and mode of treating the sick and afflicted in California, and to diagnose, treat, operate for, and prescribe for an ailment, blemish, deformity, disease, disfigurement, disorder, injury, and other physical and mental condition of a person, to with: JANE CLAYSON, LIVER DISEASE, without having at the time of so doing a valid, unrevoked, and unsuspended certificate as provided in Chapter 5 of Division 2 of the Business and Professions Code, and without being authorized to perform the act pursuant to a certificate obtained in accordance with some other provision of law, in violation of BUSINESS AND PROFESSIONS CODE SECTION 2052(b).

## CHARGES (cont'd)

### COUNT 3 - THEFT FROM ELDER/DEPENDENT ADULT (OVER \$950)

On or about and between September 13, 2019 and January 28, 2021, GALINA MIGALKO and ROBERT OLDHAM YOUNG, did unlawfully violate a provision of law proscribing theft, embezzlement, forgery, fraud, and Penal Code Section 530.5 proscribing identity theft with respect to the property and personal identifying information of an elder, knowing and having reason to know that the victim was an elder, when the money, labor, goods, services, and real and personal property taken and obtained was of a value exceeding nine hundred fifty dollars (\$950) in violation of PENAL CODE SECTION 368(d).

### COUNT 4 - TREATING THE SICK/AFFLICTED WITHOUT A CERTIFICATE

On or about and between September 13, 2019 and January 28, 2021, GALINA MIGALKO and ROBERT OLDHAM YOUNG did unlawfully practice and attempt to practice, and advertise and hold himself out as practicing, a system and mode of treating the sick and afflicted in California, and diagnosed, treated, operated for, and prescribed for an ailment, blemish, deformity, disease, disfigurement, disorder, injury, and other physical and mental condition of a person, to wit: JANE CLAYSON, THYROID DISEASE, without having at the time of so doing a valid, unrevoked, and unsuspended certificate as provided in Chapter 5 of Division 2 of the Business and Professions Code, and without being authorized to perform the act pursuant to a certificate obtained in accordance with some other provision of law, in violation of BUSINESS AND PROFESSIONS CODE SECTION 2052(a).

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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.

And it is further alleged that the defendants, GALINA MIGALKO and ROBERT OLDHAM YOUNG, took advantage of a position of trust and confidence to commit the crime within the meaning of California Rules of Court, rule 4.421(a)(11).

And it is further alleged that the victim JANE CLAYSON, was particularly vulnerable within the meaning of California Rules of Court, rule 4.421(a)(3).

And it is further alleged that the offense was carried out with planning, sophistication and professionalism within the meaning of California Rules of Court, rule 4.421(a)(8).

And it is further alleged that the prior convictions as an adult and sustained petitions in juvenile delinquency proceedings of defendant, ROBERT OLDHAM YOUNG, are numerous and of increasing seriousness within the meaning of California Rules of Court, rule 4.421(b)(2).

And it is further alleged that the victim JANE CLAYSON was particularly vulnerable, and unable to defend herself, due to age and significant disability within the meaning of Penal Code section 1170.85(b).

And it is further alleged that the defendant, ROBERT OLDHAM YOUNG, has served a prior prison term, to wit: 3 years, 8 months in CD253359 within the meaning of California Rules of Court, rule 4.421(b)(3).

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

THIS INFORMATION, NUMBERED CN427248, CONSISTS OF 4 COUNTS.

Summer Stephan  
District Attorney  
County of San Diego  
State of California  
by:

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Date

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Deputy District Attorney