

CASH BOND

RECOMMENDED

DEF#1 \$35,000.00

DEF#1 In Custody: 06/01/2023

DEF#2 \$35,000.00

DEF#2 In Custody: 06/01/2023

DEF#3 \$35,000.00

DEF#3 In Custody: 06/01/2023

MICHAEL A. HESTRIN

DISTRICT ATTORNEY

AGENCY#: D231470006 / RSDD

FILED

Superior Court of California
County of Riverside

05/31/2023

LORI K JENSON

BAF2300529

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

(Banning)

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

v.

MIGUEL ANGEL GOMEZ
AKA: ANGEL MIGUEL GOMEZ
DOB: 09/30/1987
BOOKING#: 202321199

JESSICA BROUCKAERT
DOB: 07/29/1987
BOOKING#: 202321202

JON ERIC GALLARDE
AKA: JON ERIC GALLARDEM
AKA: RICHARD JAMES YOST
AKA: JON ERIC GALLARDO
AKA: JOHN ERIC GALLARDO
AKA: JOHN ERIC GALLARDE
AKA: JOHN HAWAIIAN
DOB: 03/01/1970
BOOKING#: 202321198

D.A.#:

CASE NO.

FELONY COMPLAINT

Defendant(s).

COUNT 1

The undersigned, under penalty of perjury upon information and belief, declares: That the above named defendant(s) MIGUEL ANGEL GOMEZ, JESSICA BROUCKAERT and JON ERIC GALLARDE committed a violation of Penal Code section 459, a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully enter a certain building, to wit, an inhabited dwelling house, located at 58111 BONITA VISTA ROAD MOUNTAIN CENTER, CA , with intent to commit theft and a felony. [2/4/6 prison]

It is further alleged that, except in an unusual case where the interest of justice would best be served within the meaning of California Rule of Court 4.413 subdivision (c), probation shall not be granted pursuant to Penal Code section 462, subdivision (a).

It is further alleged that at the time of the offense, another person, other than an accomplice, was present in the residence within the meaning of Penal Code section 667.5, subdivision (c)(21).

COUNT 2

That the above named defendant(s) MIGUEL ANGEL GOMEZ, JESSICA BROUCKAERT and JON ERIC GALLARDE committed a violation of Penal Code section 487, subdivision (a), a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully steal and take and defraud money, labor, real and personal property of JOHN DOE (K.H.), of a value exceeding Nine Hundred Fifty Dollars (\$950.00) to wit: Power Tools and Miscellaneous Property. [16/2/3]

COUNT 3

The charge alleged in this count includes an attempt to commit the following charge within the meaning of Penal Code section 664: That the above named defendant(s) MIGUEL ANGEL GOMEZ, JESSICA BROUCKAERT and JON ERIC GALLARDE committed a violation of Vehicle Code section 10851, subdivision (a), a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully drive or take a certain vehicle, to wit, a 2003 Lexus SUV CA License Plate: 6FJV689, the property of

another, without the consent of and with intent to deprive the owner of title to and possession of said vehicle. [16/2/3]

COUNT 4

That the above named defendant(s) JESSICA BROUCKAERT committed a violation of Vehicle Code section 10851, subdivision (a), a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant(s) did willfully and unlawfully drive or take a certain vehicle, to wit, a Kubota Tractor VIN: 30114, the property of another, without the consent of and with intent to deprive the owner of title to and possession of said vehicle. [16/2/3]

COUNT 5

That the above named defendant(s) MIGUEL ANGEL GOMEZ committed a violation of Vehicle Code section 10851, subdivision (a), a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant did willfully and unlawfully drive or take a certain vehicle, to wit, a Kubota Tractor VIN: 30114, the property of another, without the consent of and with intent to deprive the owner of title to and possession of said vehicle. It is further alleged that prior to the commission of the offense charged herein, the defendant was convicted of a qualifying prior vehicle theft offense within the meaning of Penal Code Section 666.5, subdivision (a), to wit:

<u>CODE VIOLATION</u>	<u>COUNTY OF COURT</u>	<u>CONVICTION DATE</u>
496d(a)	Riverside	11/03/2022
496d(a)	Riverside	11/03/2022

[2/3/4]

It is further alleged that, except in an unusual case where the interest of justice would best be served within the meaning of California Rule of Court 4.413 subdivision (c), probation shall not be granted because the defendant(s), MIGUEL ANGEL GOMEZ, was previously convicted of the following felonies, within the meaning of Penal Code section 1203, subdivision (e)(4): Penal Code, Section 245(A)(1)WEAPON ONLY, Conviction Date: March 15, 2017, County of Court: San Bernardino; Penal Code, Section 530.5(a), Conviction Date: February 23, 2016, County of Court: Riverside.

COUNT 6

That the above named defendant(s) JON ERIC GALLARDE committed a violation of Vehicle Code section 10851, subdivision (a), a felony, in that on or about May 27, 2023, in the County of Riverside, State of California, the defendant did willfully and unlawfully drive or take a certain vehicle, to wit, a Kubota Tractor VIN: 30114, the property of another, without the consent of and with intent to deprive the owner of title to and possession of said vehicle. It is further alleged that prior to the commission of the offense charged herein, the defendant was convicted of a qualifying prior vehicle theft offense within the meaning of Penal Code Section 666.5, subdivision (a), to wit:

<u>CODE VIOLATION</u>	<u>COUNTY OF COURT</u>	<u>CONVICTION DATE</u>
10851(a)	Riverside	04/26/1994
10851(a)	Riverside	04/12/1996
664/10851(a)	Riverside	04/12/1996
664/10851(a)	Riverside	10/12/2021

[2/3/4]

It is further alleged that, except in an unusual case where the interest of justice would best be served within the meaning of California Rule of Court 4.413 subdivision (c), probation shall not be granted because the defendant(s), JON ERIC GALLARDE, was previously convicted of the following felonies, within the meaning of Penal Code section 1203, subdivision (e)(4): Health and Safety Code, Section 11378, Conviction Date: December 16, 2020, County of Court: Riverside; Penal Code, Section 530.5(a), Conviction Date: July 15, 2019, County of Court: Riverside.

AGGRAVATING FACTOR(S)

And it is further alleged the defendant, MIGUEL ANGEL GOMEZ, has served a prior term in prison or county jail under Penal Code section 1170(h), to wit: San Bernardino County cases FWV1300576 and FWV1503854; Riverside County Cases RIF1201690, RIF1500081, RIF2203691, RIF2205040 and & RIF137666 within the meaning of California Rules of Court, rule 4.421(b)(3).

And it is further alleged the prior convictions as an adult and sustained petitions in juvenile

delinquency proceedings of defendant, MIGUEL ANGEL GOMEZ, are numerous and of increasing seriousness within the meaning of California Rules of Court, rule 4.421(b)(2).

And it is further alleged the defendant, JON ERIC GALLARDE, has served a prior term in prison or county jail under Penal Code section 1170(h), to wit: Riverside County cases RIF1100121, RIF1403423, RIF1506469, RIF152889, RIF1700911, RIF1902569, RIF1902634, RIF2004153, RIF2103335 and & RIF1403423 within the meaning of California Rules of Court, rule 4.421(b)(3).

And it is further alleged the defendant, JON ERIC GALLARDE, was on probation, mandatory supervision, post-release community supervision, and parole, to wit: Mandatory Supervision in RIF2103335 when the crime was committed within the meaning of California Rules of Court, rule 4.421(b)(4).

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

MARSY'S LAW

Information contained in the reports being distributed as discovery in this case may contain confidential information protected by Marsy's Law and the amendments to the California Constitution, Article 1, Section 28. Any victim(s) in any above referenced charge(s) is entitled to be free from intimidation, harassment, and abuse. It may be unlawful for defendant(s), defense counsel, and any other person acting on behalf of the defendant(s) to use any information contained in the reports to locate or harass any victim(s) or the victim(s)'s family or to disclose any information that is otherwise privileged and confidential by law.

DISCOVERY REQUEST

Pursuant to Penal Code section 1054.5, subdivision (b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

I declare under penalty of perjury upon information and belief under the laws of the State of California that the foregoing is true and correct.

Dated: May 31, 2023

MICHAEL A. IESTRIN
District Attorney

By: Nicole Marian
Deputy District Attorney

DECLARATION RE FELONIOUS SOURCE OF BAIL
Superior Court of California, County of Riverside
ATTACHMENT A

FACTS AND CIRCUMSTANCES SUPPORTING BELIEF:

Gallarde was arrested while committing a first degree burglary of an occupied residence at 58111 Bonita Vista Rd, Mountain Center, Riverside County, CA. Gallarde was found to be in possession of over \$5000 worth of stolen tools in a previously reported stolen vehicle he was riding in. Gallarde successfully stole a \$36,000 tractor from the property the residence was located on this morning and attempted to steal a 2003 Lexus SUV from the same property. Based on the number of property crimes committed and the thousands of dollars worth of stolen property found in Gallarde's possession I am concerned Gallarde may obtain the funds necessary to bail through the selling of other stolen property he has obtained through other means.

DECLARATION RE FELONIOUS SOURCE OF BAIL
Superior Court of California, County of Riverside
ATTACHMENT A

FACTS AND CIRCUMSTANCES SUPPORTING BELIEF:

Brouckaert was arrested while committing a first degree burglary of an occupied residence at 58111 Bonita Vista Rd, Mountain Center, Riverside County, CA. Brouckaert was found to be in possession of over \$5000 worth of stolen tools in a previously reported stolen vehicle she was driving. Brouckaert successfully stole a \$36,000 tractor from the property the residence was located on this morning and attempted to steal a 2003 Lexus SUV from the same property. Based on the number of property crimes committed and the thousands of dollars worth of stolen property found in Brouckaert's possession I am concerned Brouckaert may obtain the funds necessary to bail through the selling of other stolen property she has obtained through other means.

DECLARATION RE FELONIOUS SOURCE OF BAIL
Superior Court of California, County of Riverside
ATTACHMENT A

FACTS AND CIRCUMSTANCES SUPPORTING BELIEF:

Gomez was arrested while committing a first degree burglary of an occupied residence at 58111 Bonita Vista Rd, Mountain Center, Riverside County, CA. Gomez was found to be in possession of over \$5000 worth of stolen tools in a previously reported stolen vehicle he was riding in. Gomez successfully stole a \$36,000 tractor from the property the residence was located on this morning and attempted to steal a 2003 Lexus SUV from the same property. Based on the number of property crimes committed and the thousands of dollars worth of stolen property found in Gomez's possession I am concerned Gomez may obtain the funds necessary to bail through the selling of other stolen property he has obtained through other means.