

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 CRIMINAL DIVISION

FILED
 JAN -2 P 4: 14

THE PEOPLE OF THE STATE OF CALIFORNIA,

vs.

Plaintiff

Ger Lee

Anthony Montes
 AKA Anthony Michael Montes

Porge Kue

Billy Xiong

Defendant(s)

COMPLAINT - CRIMINAL

FELONY COMPLAINT
 COURT CASE NO.

SEARCH WARRANT NO.

DA FILE NO. 20-33

SUPERIOR COURT
 OF CALIFORNIA
 COUNTY OF FRESNO

F20900024

D1 - NS - 23,770,000
 D2 - IC - 23,770,000
 D3 - IC - 23,770,000
 DA - IC - 23,770,000

Agency: Fresno Police Department

Agency Report Number: 19-74661

Defendant	Birth Date	JID	Booking No.
Lee, Ger	10/21/1992		
Montes, Anthony	06/13/1992	7075273	7938997
Kue, Porge	08/20/1993	7052899	1938996
Xiong, Billy	07/30/1994	7059598	1938400

Personally appeared before me, who first being duly sworn, complains and alleges:

COUNT: 1

On or about November 17, 2019, in the above named judicial district, the crime of MURDER, in violation of Penal Code Section 187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully, and with malice aforethought murder Kou Xiong, a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 190.2(a)(3) MULTIPLE MURDER

It is further alleged as to count(s) 01 that the offenses charged in counts 1 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

Enhancement - PC 190.2(a)(22) "GANG RELATED" MURDER

It is further alleged within the meaning of Penal Code section 190.2(a)(22) as to count(s) 01 that the murder was intentional and the defendant was an active participant in a criminal street gang, as defined in Penal Code section 186.22(f), and the murder was carried out to further the activities of the criminal street gang.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendants Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Kou Xiong within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 01 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 2

On or about November 17, 2019, in the above named judicial district, the crime of MURDER, in violation of Penal Code Section 187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully, and with malice aforethought murder Phia Vang, a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendants Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Phia Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 190.2(a)(3) MULTIPLE MURDER

It is further alleged as to count(s) 02 that the offenses charged in counts 2 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 02 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 190.2(a)(22) "GANG RELATED" MURDER

It is further alleged within the meaning of Penal Code section 190.2(a)(22) as to count(s) 02 that the murder was intentional and the defendant was an active participant in a criminal street gang, as defined in Penal Code section 186.22(f), and the murder was carried out to further the activities of the criminal street gang.

COUNT: 3

On or about November 17, 2019, in the above named judicial district, the crime of MURDER, in violation of Penal Code Section 187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully, and with malice aforethought murder Kalaxang Thao, a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 190.2(a)(3) MULTIPLE MURDER

It is further alleged as to count(s) 03 that the offenses charged in counts 3 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendants Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Kalaxang Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 190.2(a)(22) "GANG RELATED" MURDER

It is further alleged within the meaning of Penal Code section 190.2(a)(22) as to count(s) 03 that the murder was intentional and the defendant was an active participant in a criminal street gang, as defined in Penal Code section 186.22(f), and the murder was carried out to further the activities of the criminal street gang.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 03 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 4

On or about November 17, 2019, in the above named judicial district, the crime of MURDER, in violation of Penal Code Section 187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully, and with malice aforethought murder Xy Lee , a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 190.2(a)(3) MULTIPLE MURDER

It is further alleged as to count(s) 04 that the offenses charged in counts 4 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 04 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendants Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Xy Lee within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 190.2(a)(22) "GANG RELATED" MURDER

It is further alleged within the meaning of Penal Code section 190.2(a)(22) as to count(s) 04 that the murder was intentional and the defendant was an active participant in a criminal street gang, as defined in Penal Code section 186.22(f), and the murder was carried out to further the activities of the criminal street gang.

COUNT: 5

On or about November 17, 2019, in the above named judicial district, the crime of CONSPIRACY TO COMMIT MURDER, in violation of Penal Code Section 182/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully, and with malice aforethought conspire to murder Seng Cha Vang, Keng Vang, Lue Vang, Chang Vang, Moua Vang, Thong Thao, Lor Vang, Phia Vang, Cher Lee, Xy Lee, Tong Vang, Kou Xiong, Kalaxang Thao, Soua Yang, Nou Vue, and Voua Thao, a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Overt Act 1

On November 17, 2019, at approximately 4:19 a.m., Fresno Police Officers were dispatched to 3094 East Dwight Avenue, apartment 102 in Fresno, California, regarding a shooting and resultant death of Randy Xiong. Randy was a brother to and roommate of known Mongolian Boys Society (MBS) Criminal Street Gang member Deuce. As a result of this shooting a message was sent to the MBS criminal street gang members requiring their mandatory attendance at a pre-arranged meeting location.

Overt Act 2

On November 17, 2019, at approximately 4:00 p.m., MBS gang members began arriving at 5764 East Pitt Avenue in Fresno, California where retaliation against the Asian Crips Criminal Street Gang for the death of Randy Xiong was discussed and planned.

Overt Act 3

On November 17, 2019 at the 5764 East Pitt Avenue residence, MBS gang member Ger Lee (aka 'STOMPER') led the meeting and directed what part each gang member would undertake in their retaliatory strike against the A.C. criminal street gang.

Overt Act 4

On November 17, 2019 at the 5764 East Pitt Avenue residence, Ger Lee directed Johnny Xiong (aka 'Johnny'), Jhovanny Delgado (aka 'Jhio'), and Pao Vang (aka 'Clownsy') to take up strategic vehicular lookout positions in the vicinity surrounding the intended target area. They were instructed to watch for any law enforcement movement in their prearranged stakeout locations. Ger Lee accompanied Johnny Xiong in the vehicle parked at the intersection of McKinley and Peach Avenues. Jhovanny Delgado was parked in a vehicle located at the intersection of Clovis and Olive Avenues. Pao Vang was in a vehicle parked near the intersection of Olive and Peach Avenues. All locations were within the County of Fresno.

Overt Act 5

On November 17, 2019 at the 5764 East Pitt Avenue residence, Ger Lee directed Billy Xiong (aka 'B.G.') to drive Anthony Montes (aka 'Montana') and Porgue Kue (aka 'Slick') to the targeted residential area where Anthony Montes and Porge Kue were to be the primary shooters.

Overt Act 6

On November 17, 2019 at the 5764 East Pitt Avenue residence, MBS gang members Anthony Montes and Billy Xiong produced two hand guns which they proceeded to clean and oil prior to the planned retaliatory strike against the A.C. criminal Street Gang.

Overt Act 7

On November 17, 2019, prior to 7:45 p.m., Ger Lee accompanied Johnny Xiong in the vehicle parked at the intersection of Mckinley and Peach Avenues. Jhovanny Delgado was parked in a vehicle

located at the intersection of Clovis and Olive Avenues. Pao Vang was in a vehicle parked near the intersection of Olive and Peach Avenues. This all occurred while Billy Xiong, Anthony Montes, and Porge Kue were in a separate vehicle circulating in the residential neighborhood just northeast of the Olive and Peach Avenue intersection. All locations were within the County of Fresno.

Overt Act 8

On November 17, 2019 at approximately 7:48 p.m., Fresno Police received a call regarding multiple shooting victims at 5361 East Lamona in Fresno California, just northeast of the Olive and Peach Avenue intersection. The shooting resulted in four murders, six surviving gunshot wound victims, and six other intended targets that escaped serious physical injury. Scene investigation yielded up to nineteen (19) rounds of expended shell casings.

Overt Act 9

On November 17, 2019 shortly after the shooting at 5361 East Lamona in Fresno California, MBS gang member shooting participants returned to the 5764 East Pitt Avenue residence where they were commanded by Get Lee to not discuss the shooting.

COUNT: 6

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Chang Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Chang Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 06 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 06 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Chang Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 06 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Chang Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Chang Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 06 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 7

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Moua Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with

premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Moua Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 07 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Moua Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 07 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Moua Vang within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 07 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 07 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Moua Vang within the meaning of Penal Code section 12022.53(d).

COUNT: 8

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Thong Thao, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Thong Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 08 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 08 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Thong Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 08 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Thong Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 08 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Thong Thao within the meaning of Penal Code section 12022.53(d).

COUNT: 9

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Lue Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 09 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 09 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 09 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 09 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 10

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Nou Vue , a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with

premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 10 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Nou Vue within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 10 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Nou Vue within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Nou Vue within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 10 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 10 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Nou Vue within the meaning of Penal Code section 12022.53(d).

COUNT: 11

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Voua Thao, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 11 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Voua Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Voua Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 11 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 11 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Voua Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 12022.53(d) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Voua Thao within the meaning of Penal Code section 12022.53(d).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 11 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 12

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Keng Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 12 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 12 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 12 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 12 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

COUNT: 13

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who

did unlawfully and with malice aforethought attempt to murder Seng Cha Vang , a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 13 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 13 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 13 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 13 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 14

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Tong Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 14 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 14 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 14 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 14 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

COUNT: 15

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Lor Vang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 15 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 15 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 15 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 15 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

COUNT: 16

On or about November 17, 2019, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 664/187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Cher Lee, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 16 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 16 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 16 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 16 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

COUNT: 17

On or about November 17, 2019, in the above named judicial district, the crime of WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Penal Code Section 187(a), a Felony, was committed by Ger Lee, Anthony Montes, Porge Kue, and Billy Xiong, who did unlawfully and with malice aforethought attempt to murder Soua Yang, a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Ger Lee personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 17 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Anthony Montes personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 17 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that said defendant Porge Kue personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 17 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 186.22(b)(1) STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1) as to count(s) 17 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

Enhancement - PC 12022.53(c) PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

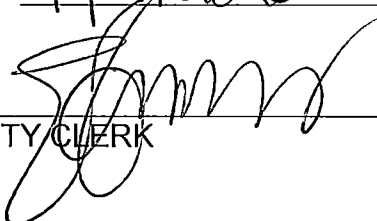
It is further alleged that said defendant Billy Xiong personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c).

All of which is contrary to the form, force, and effect of the Statute in such case made and provided, and against the peace and dignity of the people of the State of California.

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

Subscribed and sworn to before me on

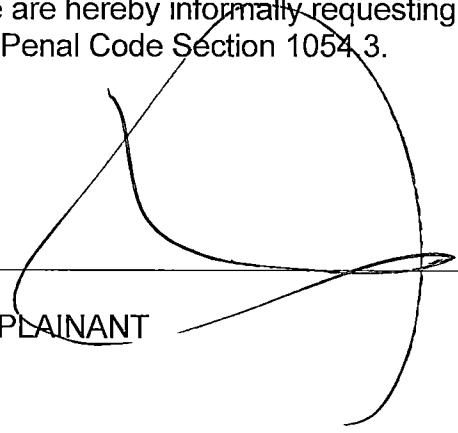
DATE: 1/2/2020

Attest: 

DEPUTY CLERK



COMPLAINANT

A large, stylized handwritten signature in black ink, positioned to the right of the court seal and above the "COMPLAINANT" label.