

THE SUPERIOR COURT, STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA BARBARA  
SANTA MARIA DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

Plaintiff,

DA No. 13-10-320101  
Court No.

**FELONY COMPLAINT**

**AB109 INELIGIBLE**

ISMAEL CANCINOS DOB: 04/25/1958  
AKA: ISMAEL ISAIAS CANCINOS DOB: 04/25/1958

MERCEDES ALVAREZ DOB: 05/07/1966  
AKA: MERCEDES V. ALVAREZ DOB: 05/07/1966  
AKA: MERCEDES V. VEGA DOB: 05/07/1966

Defendants.

The undersigned is informed and believes that:

COUNT 1

On or between January 1, 2010 and December 31, 2012, in the County of Santa Barbara, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of **PENAL CODE SECTION 182(a)(1)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of 1<sup>ST</sup> Degree Residential Burglary, in violation of Section 459, of the Penal Code, a Felony; Theft From an Elder, in violation of 368(d) of the Penal Code, a Felony; Grand Theft by False Pretense, in violation of section 487(a) of the Penal Code, a felony; Fraudulent Loan Modification, in violation of section 2945.4 of the Civil Code, a Felony, and Dissuading a Witness From Reporting a Crime, in violation of Section 136.1(b)(1) of the Penal Code, a felony, and that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid conspiracy, the said defendant(s) committed the following overt act and acts at and in the County of Santa Barbara:

1. Forged Loan Modification Documents;
2. Received Payment in Advance of Loan Modification;
3. Committed Perjury in Bankruptcy Court; and
4. Engaged in Business Practice Under Civil Code Section 2945.8 Without a Required Contract

**SPEC ALLEG - AGGRAVATED WHITE COLLAR CRIME**

It is further alleged, pursuant to **Penal Code section 186.11(a)(3)**, that the offenses set forth in COUNTS 1 THROUGH 86, are related felonies, a material element of which is fraud and embezzlement, which involve a pattern of related felony conduct and the pattern of related felony conduct involves the taking of more than one hundred thousand dollars (\$100,000).

## **SPEC ALLEG-EXCESSIVE LOSS-OVER \$100,000**

It is further alleged AS TO COUNTS 1 THROUGH 86 that the above offense is a theft of over \$100,000, within the meaning of Penal Code section 1203.045(a).

### **COUNT 2**

On or about May 16, 2011, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ANASTACIO HERNANDEZ DEL RIO, with the intent to commit larceny or any felony. (LOCATION: 1127 W. GAYLENE DRIVE, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

## **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

## **SPECIAL ALLEGATION FELONY EXCLUDED FROM PROBATION**

It is further alleged that the above offense is an offense for which the defendant(s) ISMAEL CANCINOS and MERCEDES ALVAREZ are excluded from a grant of probation pursuant to **PENAL CODE SECTION 1203.09(a)-(b)(5)**.

### **COUNT 3**

On or about May 16, 2011, in the County of Santa Barbara, the crime of THEFT FROM ELDER OR DEPENDENT ADULT, in violation of **PENAL CODE SECTION 368(d)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who committed theft, embezzlement, forgery, fraud, or identity theft with respect to the property or personal identifying information of an elder or dependent adult, said property, goods, or services taken or obtained having a value exceeding \$950.00, TO WIT: \$2,500.00, and knew or reasonably should have known that said person, ANASTACIO HERNANDEZ DEL RIO (DOB: 11/01/1934), was an elder or dependent adult.

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1109**, the people intend to introduce evidence of any prior act(s) of elder abuse committed by the defendant.”

#### **SPEC ALLEG – FELONY EXCLUDED FROM LOCAL CUSTODY**

It is further alleged that the above offense is an offense for which the defendant ISMAEL CANCINOS and MERCEDES ALVAREZ, is excluded from a state prison sentence to be served in the county jail pursuant to **Penal Code section 1170(h)**.

“NOTICE: Pursuant to **Penal Code section 1170(f)**, notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC”.

#### **COUNT 4**

On or about May 16, 2011, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: ANASTACIO DEL RIO, IN THE AMOUNT OF \$2,500.00)

#### **COUNT 5**

On or about May 16, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to ANASTACIO HERNANDEZ DEL RIO, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### **COUNT 6**

On or between June 1, 2011 and August 31, 2011, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ANGELICA RIOS, with the intent to commit larceny or any felony. (LOCATION: 2003 VIA CARRO, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

**COUNT 7**

On or between June 1, 2011 and August 31, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: ANGELICA RIOS, IN THE AMOUNT OF \$2,000.00)

**COUNT 8**

On or between June 1, 2011 and August 31, 2011, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to ANGELICA RIOS, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

## COUNT 9

On or between January 1, 2012 and May 15, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MARIA YOLANDA ALVAREZ, with the intent to commit larceny or any felony. (LOCATION: 901 W. NARTATEZ, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

## COUNT 10

On or between January 1, 2012 and May 15, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: MARIA YOLANDA ALVAREZ, IN THE AMOUNT OF \$5,500.00)

## COUNT 11

On or between January 1, 2012 and May 15, 2012, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MARIA YOLANDA ALVAREZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);

- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 12

On or between March 1, 2011 and March 30, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: VIRGINIA AND ANTONIO ROSAS, IN THE AMOUNT OF \$2,618.00)

#### COUNT 13

On or between March 1, 2011 and March 30, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of Civil Code Sections 2945.4/2945.7, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to VIRGINIA AND ANTONIO ROSAS, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 3) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 14

On or between November 11, 2010 and August 17, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MARIA AND MARTIN PENA, with the intent to commit larceny or any felony. (LOCATION: 1012 W. ORANGE #12, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### COUNT 15

On or between November 11, 2010 and August 17, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: MARIA AND MARTIN PENA, IN THE AMOUNT OF \$5,498.00)

#### COUNT 16

On or about November 11, 2010, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MARIA AND MARTIN PENA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 17

On or about December 20, 2010, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MARIA AND SALVADOR DIAZ, with the intent to commit larceny or any felony. (LOCATION: 538 N. E STREET, LOMPOC, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

## **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

### **COUNT 18**

On or about December 20, 2010, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: MARIA AND SALVADOR DIAZ, IN THE AMOUNT OF \$3,500.00)

### **COUNT 19**

On or about December 20, 2010, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MARIA AND SALVADOR DIAZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

### **COUNT 20**

On or between February 1, 2010 and February 28, 2010, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: CONSUELO PORRAZ, IN THE AMOUNT OF \$5,131.00)

## COUNT 21

On or between February 1, 2010 and February 28, 2010, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to CONSUELO PORRAZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

## COUNT 22

On or about June 1, 2010, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by SONIA TORRES, with the intent to commit larceny or any felony. (LOCATION: 966 W. MCELHANY, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

### COUNT 23

On or about June 1, 2010, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: SONIA TORRES, IN THE AMOUNT OF \$1,700.00)

### COUNT 24

On or about June 1, 2010, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to SONIA TORRES, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

### COUNT 25

On or about January 1, 2008, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MIGUEL JARAMILLO, with the intent to commit larceny or any felony. (LOCATION: 1591 JENSEN RANCH ROAD, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### COUNT 26

On or between January 1, 2008 and January 20, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: MIGUEL JARAMILLO, IN THE AMOUNT OF \$22,420.00)

#### COUNT 27

On or between January 1, 2008 and January 20, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MIGUEL JARAMILLO, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 28

On or between May 1, 2011 and June 30, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by JOSE MANUEL CORONA, with the intent to commit larceny or any felony. (LOCATION: 1317 SUTTER LANE, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

## **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

### **COUNT 29**

On or between May 1, 2011 and June 30, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: JOSE MANUEL CORONA, IN THE AMOUNT OF \$8,500.00)

### **COUNT 30**

On or between May 1, 2011 and June 30, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to JOSE MANUEL CORONA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

### **COUNT 31**

On or between September 26, 2009 and October 19, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by YOLANDA COLORES, with the intent to commit larceny or any felony. (LOCATION: 723 E. ALVIN, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 32**

On or between September 26, 2009 and October 19, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: YOLANDA COLORES, IN THE AMOUNT OF \$8,500.00)

#### **COUNT 33**

On or between September 26, 2009 and October 19, 2011, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to YOLANDA COLORES, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### **COUNT 34**

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by OSCAR ZAPATA ESTRADA, with the intent to commit larceny or any felony. (LOCATION: 4608 CHILON WAY, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 35**

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: OSCAR ZAPATA ESTRADA, IN THE AMOUNT OF \$9,300.00)

#### **COUNT 36**

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to OSCAR ZAPATA ESTRADA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### **COUNT 37**

On or about November 28, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by YOLANDA LIMON AND JOSE LIMON YBARRA, with the intent to commit larceny or any felony.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 38**

On or about November 28, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: YOLANDA LIMON AND JOSE LIMON YBARRA, IN THE AMOUNT OF \$3,000.00)

#### **COUNT 39**

On or about November 28, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to YOLANDA LIMON AND JOSE LIMON YBARRA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 40

On or between June 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by IGNACIO GONZALEZ, with the intent to commit larceny or any felony.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### COUNT 41

On or between June 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: IGNACIO GONZALEZ, IN THE AMOUNT OF \$12,000.00)

#### COUNT 42

On or between June 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to IGNACIO GONZALEZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);

- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 43

On or between September 1, 2012 and December 31, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by FRANCISCA OLIVARRIA DE JIMENEZ, with the intent to commit larceny or any felony. (LOCATION: 245 CAMPODONICO, GUADALUPE, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 44

On or between September 1, 2012 and December 31, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: FRANCISCA OLIVARRIA DE JIMENEZ, IN THE AMOUNT OF \$3,000.00)

#### COUNT 45

On or between September 1, 2012 and December 31, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to FRANCISCA OLIVARRIA DE JIMENEZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 46

On or between October 10, 2009 and March 12, 2012, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ALVA AND JOSE LUIS MAGANA, with the intent to commit larceny or any felony. (LOCATIONS: 1734 DOMINGUES STREET, SANTA MARIA, CA, AND 920 W. CRESTON, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 47

On or between October 10, 2009 and March 12, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: ALVA AND JOSE LUIS MAGANA, IN THE AMOUNT OF \$13,140.00)

COUNT 48

On or between October 10, 2009 and March 12, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to ALVA AND JOSE LUIS MAGANA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 49

On or between July 1, 2011 and July 31, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by CRISPIN AND MARIA CORONA, with the intent to commit larceny or any felony. (LOCATION: 836 E. STAFFORD, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### COUNT 50

On or between July 1, 2011 and August 29, 2011, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: CRISPIN AND MARIA CORONA, IN THE AMOUNT OF \$4,600.00)

#### **SPEC ALLEG – FELONY EXCLUDED FROM LOCAL CUSTODY**

It is further alleged that the above offense is an offense for which the defendant ISMAEL CANCINOS and MERCEDES ALVAREZ, is excluded from a state prison sentence to be served in the county jail pursuant to **Penal Code section 1170(h)**.

“NOTICE: Pursuant to **Penal Code section 1170(f)**, notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC”.

#### COUNT 51

On or between July 1, 2011 and August 29, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to CRISPIN AND MARIA CORONA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 52

On or between January 1, 2012 and April 23, 2012, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: MARIBEL NAVA, IN THE AMOUNT OF \$3,300.00)

### COUNT 53

On or between January 1, 2012 and April 23, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MARIBEL NAVA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

### COUNT 54

On or between January 1, 2012 and February 28, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by DAVID LEMUS ZAVALA AND GUADALUPE LOPEZ LEMUS, with the intent to commit larceny or any felony. (LOCATION: 306 E. COX LANE, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### COUNT 55

On or between January 1, 2012 and February 28, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: DAVID LEMUS ZAVALA AND GUADALUPE LOPEZ LEMUS, IN THE AMOUNT OF \$3,500.00)

#### COUNT 56

On or between January 1, 2012 and February 28, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to DAVID LEMUS ZAVALA AND GUADALUPE LOPEZ LEMUS, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 57

On or about February 19, 2013, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: JESUS ZERAFIN CHAVEZ, IN THE AMOUNT OF \$270.00)

#### **SPEC ALLEG – FELONY EXCLUDED FROM LOCAL CUSTODY**

It is further alleged that the above offense is an offense for which the defendant ISMAEL CANCINOS and MERCEDES ALVAREZ, is excluded from a state prison sentence to be served in the county jail pursuant to **Penal Code section 1170(h)**.

“NOTICE: Pursuant to **Penal Code section 1170(f)**, notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC”.

#### COUNT 58

On or about February 19, 2013, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to JESUS ZERAFIN CHAVEZ, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 59

On or between April 1, 2011 and April 1, 2012, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: JESUS BECERRA RIVERA, IN THE AMOUNT OF \$5,000.00)

#### COUNT 60

On or between April 1, 2011 and April 1, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to JESUS BECERRA RIVERA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### COUNT 61

On or between December 1, 2011 and March 31, 2012, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by JORGE GONZALEZ NIETO AND GLORIA LAZARO SOLANO, with the intent to commit larceny or any felony. (LOCATION: 118 N. PALISADE, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

**COUNT 62**

On or between December 1, 2011 and March 31, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: JORGE GONZALEZ NIETO AND GLORIA LAZARO SOLANO, IN THE AMOUNT OF \$3,800.00)

**COUNT 63**

On or between December 1, 2011 and March 31, 2012, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to JORGE GONZALEZ NIETO AND GLORIA LAZARO SOLANO, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 64

On or between June 8, 2010 and October 8, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ALELI GUZMAN AND ADALBERTO HERRERA, with the intent to commit larceny or any felony. (LOCATION: 836 W. CRESTON AVE., SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 65

On or between June 8, 2010 and October 8, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIMS: ALELI GUZMAN AND ADALBERTO HERRERA, IN THE AMOUNT OF \$16,870.00)

COUNT 66

On or between June 8, 2010 and October 8, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to ALELI GUZMAN AND ADALBERTO HERRERA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 67

On or between January 1, 2012 and December 31, 2012, in the County of Santa Barbara, the crime of GRAND THEFT BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: BELIA ROSAS, IN THE AMOUNT OF \$3,500.00)

COUNT 68

On or between January 1, 2012 and December 31, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to BELIA ROSAS, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 69

On or between September 1, 2009 and September 30, 2009, in the County of Santa Barbara, the crime of FIRST DEGREE BURGLARY, PERSON PRESENT, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by EVERARDO GARCIA, with the intent to commit larceny or any felony. (LOCATION: 429 VIA DE LA CRUZ, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 70**

On or between August 3, 2010 and January 3, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: EVERARDO GARCIA, IN THE AMOUNT OF \$7,070.00)

#### **COUNT 71**

On or between August 1, 2009 and January 3, 2011, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to EVERARDO GARCIA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### **COUNT 72**

On or between July 1, 2011 and March 31, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MOISES PALMERIN, with the intent to commit larceny or any felony. (LOCATION: 525 W. AGNES, SANTA MARIA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 73**

On or between February 1, 2012 and March 31, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: MOISES PALMERIN, IN THE AMOUNT OF \$3,500.00)

#### **COUNT 74**

On or between July 1, 2011 and March 31, 2012, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MOISES PALMERIN, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

## COUNT 75

On or between September 15, 2011 and September 30, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ANTONIO RAMIREZ PRECIADO, with the intent to commit larceny or any felony.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

## COUNT 76

On or between September 15, 2011 and July 31, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: ANTONIO RAMIREZ PRECIADO, IN THE AMOUNT OF \$950.00)

## COUNT 77

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by ESTEBAN OSCAR ZAPATA, with the intent to commit larceny or any felony. (LOCATION: 7265 TUOLUMNE DRIVE, GOLETA, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 78**

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: ESTEBAN OSCAR ZAPATA, IN THE AMOUNT OF \$8,700.00)

#### **COUNT 79**

On or between July 1, 2011 and October 4, 2011, in the County of Santa Barbara, the crime of **Prohibited Practices of a Foreclosure Consultant**, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to ESTEBAN OSCAR ZAPATA, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

#### **COUNT 80**

On or between February 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by MARGARITA MEDRANO, with the intent to commit larceny or any felony. (LOCATION: 18460 LAMARSH STREET #12, NORTHRIDGE, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

#### **COUNT 81**

On or between February 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of **DISSUADING A WITNESS FROM REPORTING A CRIME**, in violation of **PENAL CODE SECTION 136.1(b)(1)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did unlawfully attempt to prevent or dissuade MARGARITA MEDRANO, a victim or witness of a crime from making a report of such victimization to a peace officer, state or local law enforcement officer, probation, parole, or correctional officer, prosecuting agency, or judge.

It is further alleged that the above offense is a Serious Felony within the meaning of **Penal Code Section 1192.7(c)(37)**.

“NOTICE: Pursuant to the provisions of **Penal Code Section 293.5**, the pseudonym “Jane or John Doe”, if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim.”

#### **SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 82

On or between February 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: MARGARITA MEDRANO, IN THE AMOUNT OF \$4,100.00)

COUNT 83

On or between February 1, 2012 and June 30, 2012, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to MARGARITA MEDRANO, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

COUNT 84

On or between September 15, 2011 and July 31, 2012, in the County of Santa Barbara, the crime of **FIRST DEGREE BURGLARY, PERSON PRESENT**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did enter an inhabited dwelling house, trailer coach or inhabited portion of a building occupied by FERNANDO TORRES, with the intent to commit larceny or any felony. (LOCATION: 715 BEVERLY, NIPOMO, CA)

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(18)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(21)**.

It is further alleged that the above offense is a violation of **Penal Code Section 462(a)**.

COUNT 85

On or between September 15, 2011 and July 31, 2012, in the County of Santa Barbara, the crime of **GRAND THEFT BY FALSE PRETENSES**, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, in that said defendant intentionally deceived a property owner by false representation intending the owner of property to let said defendant take possession of the property and the property owner gave up possession of the property in reliance upon the false representation. (VICTIM: FERNANDO TORRES, IN THE AMOUNT OF \$950.00)

COUNT 86

On or about September 15, 2011, in the County of Santa Barbara, the crime of Prohibited Practices of a Foreclosure Consultant, in violation of **CIVIL CODE SECTIONS 2945.4/2945.7**, a Felony, was committed by ISMAEL CANCINOS and MERCEDES ALVAREZ, who did willfully and unlawfully act as a foreclosure consultant to FERNANDO TORRES, and did one and more of the following activities:

- 1) Did claim, demand, charge, collect, and receive compensation before said foreclosure consultant had fully performed each and every service the foreclosure consultant contracted to perform and represented she would perform, all in violation of Civil Code Section 2945.4(a);
- 2) Did induce or attempt to induce any owner to enter into a contract which does not comply in all respects with Sections 2945.2 and 2945.3, all in violation of Civil Code Section 2945.4(g).

\* \* \* \* \*

Pursuant to Penal Code Section 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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 86 COUNT(S).

Executed at Santa Maria, California, on October 25, 2013.



KELLY D. SCOTT  
CHIEF DEPUTY DISTRICT ATTORNEY

Agency: LODA

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>STS</u>	<u>COURT DATE</u>
Ismael Cancinos	M		502	175	BRO	BLK	C6503759	AW	
Mercedes Alvarez	F		503	140	BRO	BLK	C6963253	AW	

ms