

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE OF THE STATE OF CALIFORNIA

v.

**LUIS CRUZ**

Also Known As LUIS ARIAS

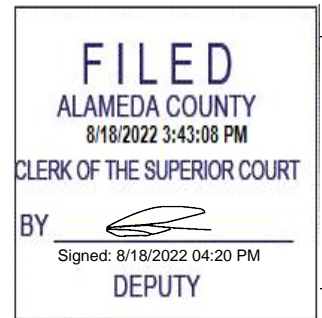
Defendant(s)

**NO.22-CR-009853**

COMPLAINT

PFN:BJS705

CEN:2380921



The undersigned, being sworn says, on information and belief, that LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11351 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for sale and purchase for sale a controlled substance, to wit: Fentanyl.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**SECOND COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: TRANSPORTATION OF A CONTROLLED SUBSTANCE FOR SALE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully transport for sale a controlled substance, to wit: Fentanyl.

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**THIRD COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11378 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for purpose of sale a controlled substance, to wit: Methamphetamine. "NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**CIRC. IN AGGRAVATION – QUANTITY OF CONTROLLED SUBSTANCES AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to Penal Code sections 1170.73 and 1170(b), that the quantity of controlled substance, 179.2 grams of methamphetamine, should be considered by the court as a circumstance in aggravation for purposes of sentencing.

**CIRC. IN AGGRAVATION – CRYSTALLINE FORM OF METHAMPHETAMINE AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to Penal Code sections 1170.74 and 1170(b), that the controlled substance is the crystalline form of methamphetamine and that this fact should be considered by the court as a circumstance in aggravation for purposes of sentencing.

**FOURTH COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: TRANSPORTATION OF A CONTROLLED SUBSTANCE, a violation of section 11379(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully transport for sale a controlled substance, to wit, Methamphetamine.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**CIRC. IN AGGRAVATION – QUANTITY OF CONTROLLED SUBSTANCES AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to Penal Code sections 1170.73 and 1170(b), that the quantity of controlled substance, 179.2 grams of methamphetamine, should be considered by the court as a circumstance in aggravation for purposes of sentencing.

**CIRC. IN AGGRAVATION – CRYSTALLINE FORM OF METHAMPHETAMINE AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to Penal Code sections 1170.74 and 1170(b), that the controlled substance is the crystalline form of methamphetamine and that this fact should be considered by the court as a circumstance in aggravation for purposes of sentencing.

**FIFTH COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: POSSESSION FOR SALE OF COCAINE BASE, a violation of section 11351.5 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for sale and purchase for purposes of sale cocaine base.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**SIXTH COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: SALE/OFFER TO SELL CONTROLLED SUBSTANCE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully sell and offer to sell a controlled substance, to wit, Cocaine Base.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**SEVENTH COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11351 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for sale and purchase for sale a controlled substance, to wit: cocaine. "NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**EIGHTH COUNT**

The undersigned further deposes and says on information and belief, that said LUIS CRUZ did, in the County of Alameda, on or about **August 17, 2022**, commit a FELONY, to wit: TRANSPORTATION OF A CONTROLLED SUBSTANCE FOR SALE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully transport for sale a controlled substance, to wit: cocaine.

**LARGE QUANTITY OF CONTRABAND – 4.421(A)(10) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(a)(10) and Penal Code section 1170(b), that the crime involved a large quantity of contraband.

**PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT(S) ON PROBATION, SUPERVISION, PRCS, OR PAROLE – 4.421(B)(4) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(4) and Penal Code section 1170(b), that defendant(s) was/were on probation, mandatory supervision, post release community supervision, or parole when the crime was committed.

**DEFENDANT(S) HAD UNSATISFACTORY PERFORMANCE – 4.421(B)(5) AS TO  
DEFENDANT LUIS CRUZ**

It is further alleged, pursuant to California Rules of Court 4.421(b)(5) and Penal Code section 1170(b), that defendant(s) had unsatisfactory prior performance on probation, mandatory supervision, post release community supervision, or parole.

**FIRST PRIOR CONVICTION AS TO  
DEFENDANT LUIS CRUZ**

The undersigned further alleges that before the commission of the offense specified above, said defendant LUIS CRUZ, on or about February 15, 2022, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: ACCESSORY AFTER THE FACT-(KNOWLEDGE OF CRIME), a violation of section 32 of the PENAL CODE of California, and received a Probation term therefor.

**SECOND PRIOR CONVICTION AS TO  
DEFENDANT LUIS CRUZ**

The undersigned further alleges that before the commission of the offense specified above, said defendant LUIS CRUZ, on or about June 26, 2015, was convicted in the Superior Court of the State of California, in and for the COUNTY of SAN FRANCISCO, of the crime of a Felony, to wit: TRANSPORTATION OF A CONTROLLED SUBSTANCE FOR SALE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, and received a Probation term therefor.

---

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

Subscribed and sworn to before me,  
Thursday, August 18, 2022

This document was filed electronically in  
compliance with Penal Code section 959.1



CHRIS VACCAREZZA  
DEPUTY DISTRICT ATTORNEY  
State Bar #300886  
Alameda County, California

SFPD 220-553-603