

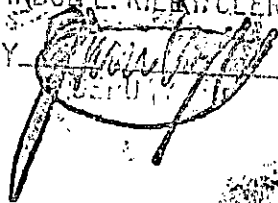
1 TORI VERBER SALAZAR
2 District Attorney
3 San Joaquin County
4 State Bar No. 213636
5 By: Kelly McDaniel
6 Deputy District Attorney
7 222 E. Weber Avenue
8 Stockton, CA 95202

209.468.2400; Fax 209.465.0371
Attorneys for Plaintiff

FILED
SUPERIOR COURT-STOCKTON

2021 JAN 14 AM 10:25

BRANDON E. RILEY CLERK

BY: 

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

Stockton Branch

STR-CR-FECOD-2021- 337

The People of the State of California,
Plaintiff,

No. SO21-00568, SP20-
23849
SO CASE
DA Case: CR-2021-4240164

v.

COMPLAINT

JAMES ALBERT TOWLES
RUSSELL-ALTHEIDE

Defendant(s).

I, the undersigned, say, on information and belief, that in the
County of SAN JOAQUIN, State of California:

COUNT 1: USE/ETC EXPLOSIVE DEVICE WITH INTENT TO INJURE/ETC PC.18740

On or about January 9, 2021, in the County of San Joaquin,
California, JAMES ALBERT TOWLES, did commit the crime of USE/ETC
EXPLOSIVE DEVICE WITH INTENT TO INJURE/ETC, in violation of Section
18740 of the Penal Code, a FELONY who at the time and place last

1 aforesaid, did willfully and unlawfully possess, explode, ignite or
2 attempt to explode or ignite a destructive device or any explosive
3 with the intent to injure, intimidate, or terrify any person or with
4 the intent to wrongfully injure or destroy any property.

5
6 For a further and separate cause of complaint, being a different
7 offense from but connected in its commission with the charge(s)
8 above, complainant further complains and says:
9

10
11 **COUNT 2: RECKLESS POSSESSION OF EXPLOSIVE/DEVICE ON PUBLIC**
12 **STREET/HWY PC.18715(a) (1)**

13 On or about January 10, 2021, in the County of San Joaquin,
14 California, JAMES ALBERT TOWLES, did commit the crime of POSSESSION
15 OF A DESTRUCTIVE DEVICE NEAR CERTAIN PLACES, in violation of Section
16 18715(a) (1) of the Penal Code, a FELONY, who at the time and place
17 last aforesaid, did recklessly and maliciously possess a destructive
18 device and explosive on a public street and highway in and near a
19 theater and hall in and near a school and college in and near a
20 church in and near a hotel in and near a public building in and near
21 a private habitation in, on and near in aircraft, railway passenger
22 train, car, cable road and cable car and vessel engaged in carrying
23 passengers for hire and other public place ordinarily passed by
24 human beings. It is further alleged that, pursuant to Penal Code
25 Section 18780, imposition of sentence cannot be suspended or
26 probation granted.
27
28

1 For a further and separate cause of complaint, being a different
2 offense from but connected in its commission with the charge(s)
3 above, complainant further complains and says:
4

5 **COUNT 3: EVADING P.O.:WANTON DISREG VC.2800.2(a)**

6 On or about January 10, 2021, in the County of San Joaquin,
7 California, JAMES ALBERT TOWLES, did commit the crime of EVADING A
8 PEACE OFFICER, in violation of Section 2800.2(a) of the Vehicle
9 Code, a FELONY, who at the time and place last aforesaid did
10 willfully and unlawfully, while operating a motor vehicle and with
11 the intent to evade, flee or otherwise to elude a pursuing peace
12 officer's motor vehicle while all of the following conditions
13 existed: the peace officer's motor vehicle exhibited at least one
14 lighted red lamp visible from the front and the defendant either saw
15 or reasonable should have seen the lamp, the peace officer's motor
16 vehicle was sounding its siren as was reasonably necessary, the
17 peace officer's motor vehicle was operated by a peace officer and
18 that the defendant drove said vehicle in willful or wanton disregard
19 for the safety of persons or property.
20
21
22

23 For a further and separate cause of complaint, being a different
24 offense from but connected in its commission with the charge(s)
25 above, complainant further complains and says:
26

27 //
28

1 **COUNT 4: HIT AND RUN RESULTING IN INJURY VC.20001(B)(1)**

2 On or about January 10, 2021, in the County of San Joaquin,
3 California, JAMES-ALBERT TOWLES did commit the crime of HIT AND RUN
4 RESULTING IN INJURY, in violation of Section 20001(B)(1) of the
5 Vehicle Code, a FELONY, who at the time and place last aforesaid,
6 did willfully, unlawfully, and knowingly, being a driver of a
7 vehicle involved in an accident resulting in injury to a person
8 other than himself/herself, to wit: MARIA SALAZAR, AND ALLISON
9 CHAVEZ, fail, refuse, and neglect to give to the injured person and
10 to a traffic and police officer at the scene of the accident said
11 defendant's name and address, the registration number of said
12 defendant's vehicle, and the name of the owner of said vehicle; to
13 exhibit said defendant's operator's license; to render reasonable
14 assistance to the injured person; and perform the duties specified
15 in Vehicle Code Section 20003 and 20004.
16
17

18
19 For a further and separate cause of complaint, being a different
20 offense from but connected in its commission with the charge(s)
21 above, complainant further complains and says:
22

23 **COUNT 5: POSSESSION OF A DESTRUCTIVE DEVICE PC.18710(a)**

24 On or about June 23, 2020, in the County of San Joaquin, California,
25 JAMES ALBERT TOWLES did commit the crime of POSSESSION OF
26 DESTRUCTIVE DEVICE, in violation of Section 18710(a) of the Penal
27 Code, a FELONY, who at the time and place aforesaid, being a person,
28

1 firm or corporation, did willfully and unlawfully possess any
2 destructive device, other than fixed ammunition of a caliber greater
3 than .60 caliber, to-wit: 4 HOMEMADE DESTRUCTIVE DEVICES.
4

5 For a further and separate cause of complaint, being a different
6 offense from but connected in its commission with the charge(s)
7 above, complainant further complains and says:
8

9
10 **COUNT 6: RECKLESS POSS EXPLOSIVE/DESTRUCTIVE IN PRIVATE HABITATION**
11 **PC.18715 (A) (3)**

12 On or about January 11, 2021, in the County of San Joaquin,
13 California, RUSSELL ALTHEIDE, did commit the crime of RECKLESS POSS
14 EXPLOSIVE/DESTRUCTIVE IN PRIVATE HABITATION, in violation of Section
15 18715(a) (3) of the Penal Code, a FELONY, who at the time and place
16 last aforesaid, did recklessly and maliciously possess a destructive
17 device and explosive in and near a private habitation.
18

19
20 **ARMED WITH FIREARM DURING FELONY PC.12022 (A) (1)**

21 As to RUSSELL ALTHEIDE it is further alleged that in the commission
22 and attempted commission of the above offense, a principal in said
23 offense was armed with a firearm, to-wit: LOADED 38 CALIBER
24 REVOLVER, said arming not being an element of the above offense,
25 within the meaning of Penal Code Section 12022(a) (1).
26

27 //
28

1 For a further and separate cause of complaint, being a different
2 offense from but connected in its commission with the charge(s)
3 above, complainant further complains and says:
4

5 **COUNT 7: POSSESSION OF THE INGREDIENTS TO MAKE A DESTRUCTIVE DEVICE**
6 **PC.18720**

7 On or about January 11, 2021, in the County of San Joaquin,
8 California, RUSSELL ALTHEIDE, did commit the crime of POSSESSION OF
9 THE INGREDIENTS TO MAKE A DESTRUCTIVE DEVICE, in violation of
10 Section 18720 of the Penal Code a FELONY, who at the time and place
11 last aforesaid, did unlawfully possess a substance and material, and
12 a combination of substances and materials, with the intent to make a
13 destructive device and explosive without a valid permit so to do.
14

15
16 **ARMED WITH FIREARM DURING FELONY PC.12022 (A) (1)**

17 As to RUSSELL ALTHEIDE it is further alleged that in the commission
18 and attempted commission of the above offense, a principal in said
19 offense was armed with a firearm, to-wit: LOADED 38 CALIBER
20 REVOLVER, said arming not being an element of the above offense,
21 within the meaning of Penal Code Section 12022(a) (1).
22

23
24 For a further and separate cause of complaint, being a different
25 offense from but connected in its commission with the charge(s)
26 above, complainant further complains and says:
27
28

1 COUNT 8: RESIST, OBSTRUCT, DELAY OF PEACE OFFICER OR EMT

2 PC.148(A) (1)

3 On or about January 10, 2021, in the County of San Joaquin,
4 California, JAMES ALBERT TOWLES, did commit the crime of RESIST,
5 OBSTRUCT, DELAY OF PEACE OFFICER OR EMT, in violation of Section
6 148(a) (1) of the Penal Code, a MISDEMEANOR, who at the time and
7 place last aforesaid did willfully and unlawfully resist, delay and
8 obstruct DEPUTY ARTURO CORONA AND DEPUTY EDWARD MURAKIK, who was
9 then and there a PEACE OFFICERS, attempting to and discharging the
10 duty of his/her office and employment.
11

12

13 For a further and separate cause of complaint, being a different
14 offense from but connected in its commission with the charge(s)
15 above, complainant further complains and says:
16

17

18

COUNT 9: POSSESSION OF A DEADLY WEAPON PC.22210

19

20 On or about January 10, 2021, in the County of San Joaquin,
21 California, JAMES ALBERT TOWLES, did commit the crime of POSSESSION
22 OF A DEADLY WEAPON, in violation of Section 22210 of the Penal
23 Code, a MISDEMEANOR, who at the time and place last aforesaid, did
24 unlawfully manufacture, cause to be manufactured, import into the
25 State, keep for sale, offer or expose for sale, or give, lend, or
26 possess any leaded cane, or any instrument or weapon of the kind
27 commonly known as a billy, blackjack, sandbag, sandclub, sap or
28 slungshot, to-wit: SLUNGSHOT.

1 For a further and separate cause of complaint, being a different
2 offense from but connected in its commission with the charge(s)
3 above, complainant further complains and says:
4

5 **COUNT 10: DRIVE WHILE LICENSE SUSPENDED VC.14601.1(A)**

6 On or about January 10, 2021, in the County of San Joaquin,
7 California, ~~JAMES ALBERT TOWLES~~, did commit the crime of DRIVING
8 WHEN PRIVILEGE SUSPENDED OR REVOKED, in violation of Section
9 14601.1(a) of the Vehicle Code, a MISDEMEANOR, who at the time and
10 place last aforesaid, did willfully and unlawfully drive a motor
11 vehicle upon a highway when that person's driving privilege was
12 suspended or revoked for a reason other than those listed in
13 Sections 14601 or 14601.2 of the Vehicle Code, and when said person
14 had knowledge of such suspension and revocation.
15
16

17 If the above-named defendant(s) is/are presently on probation in San
18 Joaquin County, any evidence presented at a preliminary hearing in
19 the instant case will be used not only as a basis for a holding
20 order in this case but also as evidence of a violation of probation
21 and, at any formal hearing on that violation of probation, the
22 People will move the transcript of the preliminary hearing into
23 evidence as a basis for the violation.
24

25 //

26 //

