

STANISLAUS COUNTY SUPERIOR COURT  
STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA, )

vs )

CARL TROY KUBICEK )  
(DOB: 6-1-1972) )  
(BAILED) )

DEFENDANT(S) )

No. 1242074 )

COMPLAINT -- CRIMINAL )  
TPD 08-1311 )  
Booking No. 1204242 )

State of California )  
County of Stanislaus ) ss.

On February 28, 2008, B. ROSATA, DISTRICT ATTORNEY'S OFFICE, complains and alleges, upon information and belief, that said defendant(s) did commit the following crime(s) in the County of Stanislaus, State of California.

COUNT I: On or about February 6, 2008, defendant(s) did commit a felony, UNLAWFUL SEXUAL INTERCOURSE, violation of Section 261.5(c) of the California Penal Code, in that the defendant(s) did willfully, unlawfully and feloniously have and accomplish an act of sexual intercourse, **in the victim's home**, with and upon **JANE DOE**, age seventeen years old, who was then and there a female person under the age of eighteen years, and who was more than three years younger than the defendant, and not then and there the wife of the said defendant.

COUNT II: On or about and between September 1, 2007 to February 5, 2008, defendant(s) did commit a felony, UNLAWFUL SEXUAL INTERCOURSE, violation of Section 261.5(c) of the California Penal Code, in that the defendant(s) did willfully, unlawfully and feloniously have and accomplish an act of sexual intercourse, **in the home of T. VINCENT**, with and upon **JANE DOE**, age seventeen years old, who was then and there a female person under the age of eighteen years, and who was more than three years younger than the defendant, and not then and there the wife of the said defendant.

COUNT III: On or about and between September 1, 2007 to February 5, 2008, defendant(s) did commit a felony, UNLAWFUL SEXUAL INTERCOURSE, violation of Section 261.5(c) of the California Penal Code, in that the defendant(s) did willfully, unlawfully and feloniously have and accomplish an act of sexual intercourse (at **500 Bennington, Turlock**), with and upon **JANE DOE**, age seventeen years old, who was then and there a female person under the age of eighteen years, and who was more than three years younger than the defendant, and not then and there the wife of the said defendant.

COUNT IV: On or about and between September 1, 2007 to February 5, 2008, defendant(s) did commit a felony, UNLAWFUL SEXUAL INTERCOURSE, violation of Section 261.5(c) of the California Penal Code, in that the defendant(s) did willfully, unlawfully and feloniously have and accomplish an act of sexual intercourse, **in a classroom of Pittman High School**, with and upon **JANE DOE**, age seventeen years old, who was then and there a female person under the age of eighteen years, and who was more than three years younger than the defendant, and not then and there the wife of the said defendant.

COUNT V: On or about and between September 1, 2007 to February 5, 2008, defendant(s) did commit a felony, ORAL COPULATION OF A PERSON UNDER 18, a violation of Section 288a(b)(1) of the California Penal Code, in that the defendant(s) did willfully, unlawfully, and feloniously participate in an act of oral copulation (**in a classroom of Pittman High School**), with **JANE DOE**, age seventeen years old.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

COUNT VI: On or about and between September 1, 2007 to February 5, 2008, defendant(s) did commit a misdemeanor, EXPLOITATION OF A MINOR, violation of Section 311.3(a) of the California Penal Code, in that the defendant(s) did unlawfully and knowingly exploit a child by developing, duplicating, printing or exchanging any representation of information or image including but not limited to any film, photograph, negative or slide that depicts a person under the age of 18 years old engaged in sexual conduct.

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All of which is contrary to law in such cases made and provided, and against the peace and dignity of the People of the State of California.

Said Complaint therefore prays that a warrant be issued for the arrest of said defendant(s) and that said defendant(s) be dealt with according to law.

I certify under penalty of perjury, at Modesto, California, that the foregoing is true and correct.

Dated:

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Complainant