

1 XAVIER BECERRA
Attorney General of California
2 ROBERT MORGESTER
Senior Assistant Attorney General
3 NATASHA HOWARD
Deputy Attorney General
4 State Bar No. 225406
300 South Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6176
6 Fax: (213) 897-2806
E-mail: natasha.howard@doj.ca.gov
7 *Attorneys for People*

FILED
Superior Court of California
County of Los Angeles

OCT 27 2017

Sherril R. Carter, Executive Officer/Clerk
By Mike Torr s Deputy
Mike Torr s

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES

11
12 **PEOPLE OF THE STATE OF
CALIFORNIA,**

13
14 Plaintiff,

Case No. BA452833

15
16 v.

FELONY INFORMATION

17 **SERHAT DANIEL GUMRUKCU**
18 **(DOB: 11/15/1982),**

19
20 Defendant.

21
22 The Attorney General of the State of California accuses the above-named Defendant of the
23 following offenses, which are connected to each other in their commission:

24 **COUNT 1**

25 On or about and between July 2, 2014 through December 18, 2014, in the County of Los
26 Angeles, the crime of OBTAINING MONEY, LABOR or PROPERTY BY FALSE
27 PRETENSES in violation of PENAL CODE SECTION 532(a), a Felony, was committed by
28 Defendant SERHAT DANIEL GUMRUKCU, who did unlawfully knowingly, designedly and

1 fraudulently get possession of money and property, and obtain labor and service of another in
2 violation of this section.

3 COUNT 2

4 On or about and between July 2, 2014 through December 18, 2014, in the County of Los
5 Angeles, the crime of GRAND THEFT OF PERSONAL PROPERTY in violation of PENAL
6 CODE SECTION 487(a), a Felony, was committed by Defendant SERHAT DANIEL
7 GUMRUKCU, who did unlawfully take money and personal property of a value exceeding Nine
8 Hundred Fifty Dollars (\$950), to wit, Nine Hundred Thirty Thousand Dollars (\$930,000).

9 COUNT 3

10 On or about and between July 2, 2014 through December 18, 2014, in the County of Los
11 Angeles, the crime of FALSE PERSONATION in violation of PENAL CODE SECTION
12 529(a)(3), a Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully and
13 falsely personate Benjamin Kacev in a private and official capacity and in such assumed character
14 did an act whereby, if done by the person falsely personated, he might, in any event, become
15 liable to a suit or prosecution, and to pay a sum of money, and to incur a charge, forfeiture and
16 penalty, and whereby a benefit might accrue to the defendant, and to another.

17 COUNT 4

18 On or about and between July 2, 2014 through December 18, 2014, in the County of Los
19 Angeles, the crime of IDENTITY THEFT in violation of PENAL CODE SECTION 530.5(a), a
20 Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully and unlawfully
21 with the intent to defraud acquire and retain possession of personal identifying information of
22 another person, to wit, Benjamin Kacev, and used that information for an unlawful purpose and to
23 obtain, and attempt to obtain credit, goods, services, real property, and medical information
24 without the consent of Benjamin Kacev.

25 COUNT 6

26 On or about July 10, 2014, in the County of Los Angeles, the crime of IDENTITY THEFT
27 in violation of PENAL CODE SECTION 530.5(a), a Felony, was committed by SERHAT
28 DANIEL GUMRUKCU, who did willfully and unlawfully with the intent to defraud acquire and

1 retain possession of personal identifying information of another person, to wit, Timothy J. Scully
2 Jr., and used that information for an unlawful purpose and to obtain, and attempt to obtain credit,
3 goods, services, real property, and medical information without the consent of Timothy J. Scully
4 Jr..

5 **COUNT 7**

6 On or about April 5, 2016, in the County of Los Angeles, the crime of SECOND DEGREE
7 COMMERCIAL BURGLARY in violation of PENAL CODE SECTION 459, a Felony, was
8 committed by Defendant SERHAT DANIEL GUMRUKCU, who did unlawfully enter a
9 commercial building occupied by WELLS FARGO West Hollywood ATM with the intent to
10 commit larceny and any felony.

11 **COUNT 8**

12 On or about April 5, 2016, in the County of Los Angeles, the crime of PASSING A NON-
13 SUFFICIENT FUNDS CHECK EXCEEDING \$950 in violation of PENAL CODE SECTION
14 476a(a), a Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully, with
15 the intent to defraud, made, drew uttered and/or delivered the following check, draft or order
16 upon a bank, depository, person, firm or corporation, for the payment of money in an amount
17 exceeding nine hundred fifty dollars (\$950), knowing that the maker, drawer or corporation had
18 not sufficient funds or credit for the payment of that check, draft, or order and all other checks,
19 drafts, or orders upon funds then outstanding, in full upon its presentation: check #1196 in the
20 amount of \$7,500 payable to "Ermes LLC."

21 **COUNT 9**

22 On or about April 5, 2016, in the County of Los Angeles, the crime of SECOND DEGREE
23 COMMERCIAL BURGLARY in violation of PENAL CODE SECTION 459, a Felony, was
24 committed by Defendant SERHAT DANIEL GUMRUKCU, who did unlawfully enter a
25 commercial building occupied by WELLS FARGO West Hollywood with the intent to commit
26 larceny and any felony.

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1 COUNT 10

2 On or about April 5, 2016, in the County of Los Angeles, the crime of PASSING A NON-
3 SUFFICIENT FUNDS CHECK EXCEEDING \$950 in violation of PENAL CODE SECTION
4 476a(a), a Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully, with
5 the intent to defraud, made, drew uttered and/or delivered the following check, draft or order
6 upon a bank, depository, person, firm or corporation, for the payment of money in an amount
7 exceeding mine hundred fifty dollars (\$950), knowing that the maker, drawer or corporation had
8 not sufficient funds or credit for the payment of that check, draft, or order and all other checks,
9 drafts, or orders upon funds then outstanding, in full upon its presentation: check #1197 in the
10 amount of \$4,200 payable to "Serhat Gumrukcu."

11 COUNT 11

12 On or about May 13, 2016, in the County of Los Angeles, the crime of SECOND DEGREE
13 COMMERCIAL BURGLARY in violation of PENAL CODE SECTION 459, a Felony, was
14 committed by Defendant SERHAT DANIEL GUMRUKCU, who did unlawfully enter a
15 commercial building occupied by WELLS FARGO West Hollywood with the intent to commit
16 larceny and any felony.

17 COUNT 12

18 On or about May 13, 2016, in the County of Los Angeles, the crime of PASSING A NON-
19 SUFFICIENT FUNDS CHECK EXCEEDING \$950 in violation of PENAL CODE SECTION
20 476a(a), a Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully, with
21 the intent to defraud, made, drew uttered and/or delivered the following check, draft or order
22 upon a bank, depository, person, firm or corporation, for the payment of money in an amount
23 exceeding mine hundred fifty dollars (\$950), knowing that the maker, drawer or corporation had
24 not sufficient funds or credit for the payment of that check, draft, or order and all other checks,
25 drafts, or orders upon funds then outstanding, in full upon its presentation: checks #1202 and
26 #1203 each in the amount of \$150,000 and payable to "Quadrant Financial Group LLC."

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1 **COUNT 13**

2 On or about May 16, 2016, in the County of Los Angeles, the crime of SECOND DEGREE
3 COMMERCIAL BURGLARY in violation of PENAL CODE SECTION 459, a Felony, was
4 committed by Defendant SERHAT DANIEL GUMRUKCU, who did unlawfully enter a
5 commercial building occupied by WELLS FARGO West Hollywood with the intent to commit
6 larceny and any felony.

7 **COUNT 14**

8 On or about May 16, 2016, in the County of Los Angeles, the crime of PASSING A NON-
9 SUFFICIENT FUNDS CHECK EXCEEDING \$950 in violation of PENAL CODE SECTION
10 476a(a), a Felony, was committed by SERHAT DANIEL GUMRUKCU, who did willfully, with
11 the intent to defraud, made, drew uttered and/or delivered the following check, draft or order
12 upon a bank, depository, person, firm or corporation, for the payment of money in an amount
13 exceeding nine hundred fifty dollars (\$950), knowing that the maker, drawer or corporation had
14 not sufficient funds or credit for the payment of that check, draft, or order and all other checks,
15 drafts, or orders upon funds then outstanding, in full upon its presentation: checks #1211 and
16 #1212 each in the amount of \$150,000 and payable to "Quadrant Financial Group LLC."

17 **SPECIAL ALLEGATION - 1**

18 **AGGRAVATED WHITE COLLAR CRIME**

19 It is further alleged, pursuant to Penal Code section 186.11(a)(2), that the offenses set forth
20 in Counts 1 through 6 are related felonies and, a material element of which is fraud and
21 embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony
22 conduct involves the taking of more than One Hundred Thousand Dollars (\$500,000).

23 **SPECIAL ALLEGATION - 2**

24 **EXCESSIVE LOSS OVER \$200,000**

25 It is further alleged that in the commission of the offenses set forth in Counts 1 and 2, the
26 said Defendant, with the intent to do so, took, damaged, and destroyed property of a value
27 exceeding \$200,000, within the meaning of Penal Code section 12022.6(a)(2).

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NOTICE TO DEFENDANTS AND ATTORNEYS

Pursuant to Penal Code section 1054.5(b), the People of the State of California hereby informally request that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

NOTICE TO ATTORNEYS

Any materials accompanying this complaint or provided by the People in this case may contain information about witnesses. Such information is subject to Penal Code section 1054.2, which provides, "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."