

1 XAVIER BECERRA
Attorney General of California
2 JAMES ROOT
Senior Assistant Attorney General
3 DIANA CALLAGHAN
Supervising Deputy Attorney General
4 AMANDA PLISNER
VIKRAM MANDLA
5 Deputy Attorneys General
State Bar No. 287101
6 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
7 Telephone: (323) 765-2019
Fax: (213) 897-2806
8 E-mail: Vikram.Mandla@doj.ca.gov
Attorneys for People of the State of California

Electronically filed
by Superior Court of CA,
County of Santa Clara,
on 5/1/2020 4:24 PM
Reviewed By: Joseph Paura
Case #C1912332
Env #4303556

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SANTA CLARA

13 **PEOPLE OF THE STATE OF**
14 **CALIFORNIA,**
15
16 Plaintiff,
17
18 v.
19 **SHU MEI LIN aka "Shelly" (),**
SHAO LEE aka "Cindy" (),
PEIHSIN LEE aka "Boss Lili" (),
PENGCHENG CAI aka "Bao Bao"
(),
DAFENG WEN ()
20
21 Defendant.

Case No. C1912332

**NOTICE OF MOTION AND MOTION
FOR LEAVE TO FILE THIRD
AMENDED COMPLAINT;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION**

Date: May 8, 2020
Time: 9:00 a.m.
Dept.: 34

22 **TO THE SUPERIOR COURT OF SANTA CLARA COUNTY, AND THE**
23 **DEFENDANTS AND THEIR COUNSEL:**

24 **PLEASE TAKE NOTICE** that on May 8, 2020, at 9:00 a.m., or as soon thereafter as the
25 matter may be heard in the above referenced Court, the People will move for leave to file a Third
26 Amended Complaint¹, pursuant to California Code of Civil Procedure Sections 473 and 576.

27 _____
¹ A copy of the Third Amended Complaint is attached herewith.

1 576.

2 This motion is made on the grounds that the People have discovered facts to support
3 adding additional causes of action arising from the same general set of facts. This motion will be
4 based on this notice, the memorandum of points and authorities, all pleadings and documents
5 contained in the court's file, the declaration in support hereof and on such evidence as may be
6 presented at the hearing of the motion.

7

8 Dated: 4/23/2020


Respectfully Submitted,

9

XAVIER BECERRA
Attorney General of California

10

11



VIKRAM MANDLA
Deputy Attorney General
*Attorneys for People of the State of
California*

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 MEMORANDUM OF POINTS AND AUTHORITIES

2
3 **I. STATEMENT OF FACTS AND RELEVANT PROCEDURAL HISTORY**

4 On June 26, 2019, JING HUANG, SHU MEI LIN and SHAO LEE were charged in a
5 Felony Complaint For Arrest Warrant with one count each of violating Penal Code sections
6 182(a)(1)/266h(a) [CONSPIRACY TO COMMIT PIMPING].

7 On September 10, 2019, an Amended Felony Complaint For Arrest Warrant was filed to
8 include additional charges for JING HUANG, SHU MEI LIN and SHAO LEE, as well as charges
9 for PEIHSIN LEE and PENGCHENG CAI, as follows:

- 10 1. JING HUANG was charged with two counts of violating Penal Code sections
11 182(a)(1)/236.1(c) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING OF
12 A MINOR FOR A SEX ACT], two counts of violating Penal Code section
13 236.1(c) [HUMAN TRAFFICKING OF A MINOR FOR A SEX ACT], three
14 counts of violating Revenue and Taxation Code section 19706 [FAILURE TO
15 FILE A TAX RETURN], and one count of violating Penal Code section
16 186.10(a)(2) [MONEY LAUNDERING];
- 17 2. SHU MEI LIN was charged with one count of violating Penal Code sections
18 182(a)(1)/236.1(c) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING OF
19 A MINOR FOR A SEX ACT], one count of violating Penal Code section 236.1(c)
20 [HUMAN TRAFFICKING OF A MINOR FOR A SEX ACT], and one count of
21 violating Penal Code section 186.10(a)(2) [MONEY LAUNDERING];
- 22 3. SHAO LEE was charged with one count of violating Penal Code sections
23 182(a)(1)/236.1(c) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING OF
24 A MINOR FOR A SEX ACT], one count of violating Penal Code section 236.1(c)
25 [HUMAN TRAFFICKING OF A MINOR FOR A SEX ACT], and two counts of
26 violating Penal Code section 186.10(a)(2) [MONEY LAUNDERING]; and
27
28

1 4. PEIHSIN LEE and PENGCHENG CAI were each charged with one count of
2 violating Penal Code sections 182(a)(1)/236.1(c) [CONSPIRACY TO COMMIT
3 HUMAN TRAFFICKING OF A MINOR FOR A SEX ACT], and one count of
4 violating Penal Code section 236.1(c) [HUMAN TRAFFICKING OF A MINOR
5 FOR A SEX ACT].

6 On September 11, 2019, a Second Amended Felony Complaint was filed, in which Counts
7 One through Five alleging violations of Penal Code section 236.1(c) [HUMAN TRAFFICKING
8 OF A MINOR FOR A SEX ACT] were amended to reflect violations of Penal Code section
9 236.1(b) [HUMAN TRAFFICKING FOR A SEX ACT]. Additionally, PENGCHENG CAI and
10 DAFENG WEN were charged in an additional count of violating Penal Code section 236.1(a)
11 [HUMAN TRAFFICKING], and DAFENG WEN was also charged with violating
12 182(a)(1)/236.1(b) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING FOR A SEX
13 ACT].

14 On January 16, 2020, JING HUANG plead guilty to one count of violating Penal Code
15 sections 182(a)(1)/236.1(c) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING FOR A
16 SEX ACT], three counts of violating Revenue and Taxation Code section 19706 [FAILURE TO
17 FILE A TAX RETURN], and one count of violating Penal Code section 186.10(a)(2) [MONEY
18 LAUNDERING], sentencing is scheduled on December 18, 2020.

19 On or about January 28, 2020, the People learned about an investigation being conducted
20 by the Concord Police Department and the Contra Costa District Attorney's Office regarding
21 PENGCHENG CAI and DAFENG WEN. Upon further investigation and review of documents
22 obtained by investigators, the People concluded that an additional count of violating Penal Code
23 section 236.1(b) [HUMAN TRAFFICKING FOR A SEX ACT] should be charged as to
24 PENGCHENG CAI and DAFENG WEN. On April 15, 2020, the People notified Daniel Taylor
25 counsel for PEIHSIN LEE, Glenn Sugihara counsel for SHU MEI LIN, Tim Clancy counsel for
26 PENGCHENG CAI, and Leon Mezzetti counsel for DAFENG WEN that the People would be
27 filing a Third Amended Felony Complaint.
28

1 **II. LEGAL ARGUMENT**

2 **A. The Motion to amend the complaint is necessary and in furtherance of justice**

3 A court may, in the furtherance of justice, allow a party to amend any pleading on any
4 terms as may be proper (California Code of Civil Procedure Sections 473 and 576). “This
5 statutory provision giving the courts the power to permit amendments in furtherance of justice
6 has received a very liberal interpretation by the courts of this state.” (*Klopstock v. Superior Ct.*
7 (1941) 17 Cal.2d 13, 19; see also *Nestle v. City of Santa Monica* (1972) 6 Cal.3d 920, 939.)
8 “that the trial courts are to liberally permit such amendments, at any stage of the proceeding, has
9 been established policy of this state since 1901.” (*Hirsa v. Superior Ct.* (1981) 118 Cal.App.3d
10 486, 488-89). “If discovery and investigation develop factual grounds justifying a timely
11 amendment to a pleading, leave to amend must be liberally granted.” (*Mabie v. Hyatt* (1998) 61
12 Cal.App.4th 581, 596.)

13 The policy favoring leave to amend is so strong that it is an abuse of discretion to deny an
14 amendment unless the adverse party can show meaningful prejudice, such as the running of the
15 statute of limitations, trial delay, the loss of critical evidence, or added preparation costs.
16 (*Atkinson v. Elk Corp.* (2003) 109 Cal.App.4th 739, 761; *Solit v. Taokai Bank, Ltd.* (1999) 68
17 Cal.App.4th 1435, 1448.) Absent a showing of such prejudice, delay alone is not grounds for
18 denial of a motion to amend. (*Kittredge Sports Co. v. Superior Ct.* (1989) 213 Cal.App.3d 1045,
19 1048; *Higgins v. Del Faro* (1981) 123 Cal.App.3d 558, 563-65.)

20 After the Second Amended Felony Complaint was filed on September 11, 2019, the
21 People received information from the Concord Police Department and the Contra Costa District
22 Attorney’s Office, suggesting that PENGCHENG CAI and DAFENG WEN trafficked a
23 previously unknown victim. The People seek to file a Third Amended Felony Complaint to recite
24 new facts and legal theories based on the newly discovered evidence, and to charge PENCHENG
25 CAI and DAFENG WEN with an additional count of Penal Code section 236.1(b) [HUMAN
26 TRAFFICKING FOR A SEX ACT]. Therefore, it is in the interests of justice to permit the
27 proposed amendment.
28

1 **B. The Motion to amend the complaint does not result in unfair prejudice to the**
2 **defendants and should be permitted**

3 Leave to amend the complaint in the present case is authorized because the defendants
4 will not be prejudiced by the proposed amendment. The amendment is not barred by the statute
5 of limitations because the amendment relates back to the filing of the original Complaint.
6 Additionally, the proposed amendment will not delay the trial and will not necessitate any added
7 preparation costs (*Solit, supra*, 68 Cal.App.4th at 1448.)

8 Even when a plaintiff seeks to add new legal theories or causes of action, the amended
9 complaint relates back to the date of the filing of the original complaint and thus avoids the bar
10 of the statute of limitations so long as recovery sought in both pleadings is based upon the same
11 general set of facts (*Smeltzley v. Nicholson Manufacturing Co.* (1977) 18 Cal.3d 932, 939-940;
12 See also *Kittredge Sports Co., supra*, 213 Cal.App.3d 1048; *Hirsa, supra*, 118 Cal.App.3d 489.)

13 In the present case, no preliminary hearing date has been set, and there is a voluminous
14 amount of discovery. Therefore, the Third Amended Complaint will not will not result in unfair
15 prejudice or necessitate any added preparation costs to the defendants.

16
17 **III. CONCLUSION**

18 It is in the interests of justice to permit the People to amend the complaint to allege the
19 facts and legal theories derived from the newly discovered evidence. The People, therefore,
20 respectfully request that the Court grant their Motion for Leave to File a Third Amended
21 Complaint.

22 **DECLARATION**

23 I, VIKRAM MANDLA, hereby declare on the basis of information and belief as follows:

24 That I am a Deputy Attorney General for the Attorney Generals Office, State of
25 California; I further declare that I am informed and believe that the above-entitled matter is set for
26 Emergency Motion For Pretrial Release by PENGCHENG CAI and DAFENG WEN on April 30,
27 2020, in the above-entitled court on charges of violations of Penal Code sections

1 182(a)(1)/236.1(b) [CONSPIRACY TO COMMIT HUMAN TRAFFICKING FOR A SEX
2 ACT], Penal Code section 236.1(b) [HUMAN TRAFFICKING FOR A SEX ACT] and Penal
3 Code section 236.1(a) [HUMAN TRAFFICKING].

4 The People's motion to file a Third Amended Felony Complaint is based upon the following:

5 Upon review of the applicable law and police reports, the Attorney General's Office has
6 determined that the Second Amended Felony Complaint should be amended to include additional
7 counts alleging a violation of Penal Code section 236.1(b) [HUMAN TRAFFICKING FOR A
8 SEX ACT].

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11

12 Dated: 4/27/2020

13

14

15

16

17

18

19

20

21

22

23

24

25

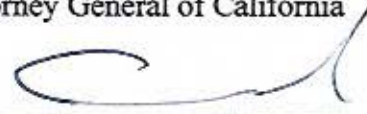
26

27

28

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California



VIKRAM MANDLA
Deputy Attorney General
*Attorneys for People of the State of
California*

1 XAVIER BECERRA
Attorney General of California
2 JAMES ROOT
Senior Assistant Attorney General
3 DIANA CALLAGHAN
Supervising Deputy Attorney General
4 AMANDA G. PLISNER (SBN 258157)
VIKRAM MANDLA (SBN 287101)
5 Deputy Attorneys General
300 S. Spring Street, Suite 1702
6 Los Angeles, CA 90013
Telephone: (323) 765-2019
7 E-mail: Vikram.Mandla@doj.ca.gov
Attorneys for People of the State of California
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SANTA CLARA
11

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

14 Plaintiff,

15 v.

16 **JING CHIANG HUANG aka "Lili" (██████████)**
17 **SHU MEI LIN aka "Shelly" (██████████),**
18 **SHAO LEE aka "Cindy" (██████████),**
19 **PEIHSIN LEE aka "Boss Lili" (██████████),**
20 **PENGCHENG CAI aka "Bao Bao"**
(██████████),
DAFENG WEN (██████████),

21 Defendants.

Case No. C1912332

**THIRD AMENDED FELONY
COMPLAINT**

Action Filed: June 26, 2019

22 THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA accuses the above-
23 named defendant of the following crimes, which are connected to one another in their
24 commission:

25 **COUNT ONE**

26 On or between September 26, 2016, and October 13, 2019, in the County of Santa Clara,
27 defendants JING CHIANG HUANG, SHU MEI LIN and SHAO LEE committed the crime of
28

1 CONSPIRACY, in violation of PENAL CODE SECTION 182(a)(1), in that they did unlawfully
2 conspire together, and with other persons whose identity is unknown, to commit the crime of
3 HUMAN TRAFFICKING, in violation of PENAL CODE SECTION 236.1(b) a felony, and that
4 pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid
5 conspiracy, the said defendants committed the following overt act(s) at and in the County of
6 Santa Clara:

7 OVERT ACT 1

8 On March 16, 2016, defendant JING CHIANG HUANG transferred \$4,500 from her
9 Bank of America account ending 4717 to defendant SHU-MEI LIN'S Bank of America account
10 ending [REDACTED].

11 OVERT ACT 2

12 On April 21, 2016, defendant SHAO LEE paid \$500 to Backpage.com for advertisements
13 associated with the email [REDACTED].

14 OVERT ACT 3

15 On September 26, 2016, defendant SHU MEI LIN traveled from her home in San Jose to
16 meet YL at the Premier Inn.

17 OVERT ACT 4

18 Defendant JING CHIANG HUANG arranged for the October 7, 2016 activation of a
19 phone that was later provided to YL.

20 OVERT ACT 5

21 Between October 6, 2016, and October 13, 2016, defendant JING CHIANG HUANG
22 called defendant SHAO LEE at least five times.

23 OVERT ACT 6

24 Between October 6, 2016, and October 11, 2016, defendant SHAO LEE called defendant
25 JING CHIANG HUANG at least four times.

26 //

27 //

28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

OVERT ACT 7

In October 2016, defendant SHAO LEE used her [REDACTED] email address to post advertisements featuring photos of young Asian women available to provide "Incall" in exchange for cash.

OVERT ACT 8

On October 8, 2016, defendant SHU MEI LIN called YL and told her she was not free to leave the Premier Inn and would be performing sex act in exchange for money there.

OVERT ACT 9

Between October 8, 2016, and October 13, 2016, while YL was at the Premier Inn, defendant JING CHIANG HUANG called YL 6 times.

OVERT ACT 10

On October 9, 2016, defendant SHAO LEE called YL and informed her that a customer had arrived to the Premier Inn for her.

OVERT ACT 11

On October 13, 2016, defendant SHAO LEE directed a Ventura County Sheriff's Detective to Room 118 of the Premier Inn to meet "Sammy," later identified as YL.

OVERT ACT 12

On December 30, 2016, defendant JING CHIANG HUANG accompanied defendant SHU MEI LIN to an ATM where defendant SHU MEI LIN deposited \$7,160 in cash into her Bank of America account ending in [REDACTED].

OVERT ACT 13

On March 1, 2017, defendant JING CHIANG HUANG provided housing for a commercial sex worker was on "rest for period."

OVERT ACT 14

On September 29, 2017, defendant JING CHIANG HUANG used her home for a condom unwrapping operation.

//
//

1 OVERT ACT 15

2 In October 2016, defendant SHAO LEE telephonically directed commercial sex buyers to
3 multiple brothel locations.

4 COUNT TWO

5 For a further and separate cause of action, being a different offense from but connected in
6 its commission as the charges set forth in Count One: On or between June 1, 2019, and July 7,
7 2019, in the County of Santa Clara, defendants JING CHIANG HUANG, PEIHSIN LEE,
8 PENGCHENG CAI and DAFENG WEN committed the crime of CONSPIRACY, in violation of
9 PENAL CODE SECTION 182(a)(1), in that they did unlawfully conspire together, and with other
10 persons whose identity is unknown, to commit the crime of HUMAN TRAFFICKING, in
11 violation of PENAL CODE SECTION 236.1(b) a felony, and that pursuant to and for the purpose
12 of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants
13 committed the following overt act(s) at and in the County of Santa Clara:

14 OVERT ACT 1

15 On or between June 1, 2019, and June 26, 2019, defendant PENGCHENG CAI directed
16 ZW to work at various brothel locations.

17 OVERT ACT 2

18 On or between June 1, 2019, and June 26, 2019, defendant PENGCHENG CAI collected
19 money from ZW.

20 OVERT ACT 3

21 On or between June 1, 2019, and June 26, 2019, defendant PENGCHENG CAI threatened
22 ZW regarding future job opportunities if she stopped working for him.

23 OVERT ACT 4

24 On or between June 1, 2019, and June 26, 2019, defendant DAFENG WEN directed
25 commercial sex buyers to brothel locations.

26 OVERT ACT 5

27 On or between June 1, 2019, and June 26, 2019, defendant DAFENG WEN directed the
28 collection of money earned from commercial sex acts.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

OVERT ACT 6

On or between June 1, 2019, and June 26, 2019, defendant DAFENG WEN directed the commission of particular sex acts as requested by commercial sex buyers.

OVERT ACT 7

On or between June 1, 2019, and June 26, 2019, defendant DAFENG WEN arranged the distribution of condoms to brothel locations.

OVERT ACT 8

On June 26, 2019, defendant JING CHIANG HUANG stored ZW's passport at defendant JING CHIANG HUANG'S residence on Clifton.

OVERT ACT 9

On July 2, 2019, defendant JING CHIANG HUANG asked defendants PEIHSIN LEE and PENGCHENG CAI to collect debts owed to her.

OVERT ACT 10

On July 2, 2019, defendant PENGCHENG CAI told defendant JING CHIANG HUANG he would give her money he collected from four locations.

OVERT ACT 11

On July 3, 2019, defendant PEIHSIN LEE told ZW to pay whatever she makes committing commercial sex acts to defendant JING CHIANG HUANG.

OVERT ACT 12

On July 7, 2019, defendant JING CHIANG HUANG called defendant PEIHSIN LEE and directed her to have a 3rd party delete pictures of prostitutes on his phone.

COUNT THREE

For a further and separate cause of action, being a different offense from but connected in its commission as the charges set forth in Counts One and Two: On or between September 26, 2016, and October 13, 2019, in the County of Santa Clara, defendants JING CHIANG HUANG, SHAO LEE, and SHU MEI LIN committed the crime of HUMAN TRAFFICKING FOR A SEX ACT, a violation of PENAL CODE SECTION 236.1(b), a felony, in that they did willfully and

1 unlawfully deprive and/or violate the personal liberty of YL with the intent to maintain a violation
2 of PENAL CODE SECTION 266h.

3 **COUNT FOUR**

4 For a further and separate cause of action, being a different offense from but connected in
5 its commission as the charges set forth in Counts One through Three: On or between June 1,
6 2019, and July 7, 2019, in the County of Santa Clara, defendant JING CHIANG HUANG
7 committed the crime of HUMAN TRAFFICKING FOR A SEX ACT, a violation of PENAL
8 CODE SECTION 236.1(b), a felony, in that she did willfully and unlawfully deprive and/or
9 violate the personal liberty of ZW with the intent to maintain a violation of PENAL CODE
10 SECTION 266h.

11 **COUNT FIVE**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Four: On or between June 1, 2019,
14 and September 10, 2019, in the County of Santa Clara, defendants PEIHSIN LEE and
15 PENGCHENG CAI committed the crime of HUMAN TRAFFICKING FOR A SEX ACT, a
16 violation of PENAL CODE SECTION 236.1(b), a felony, in that they did willfully and unlawfully
17 deprive and/or violate the personal liberty of ZW with the intent to maintain a violation of
18 PENAL CODE SECTION 266h.

19 **COUNT SIX**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission as the charges set forth in Counts One through Five: On or between April 15,
22 2018, and September 10, 2019, in the County of Santa Clara, defendants PENGCHENG CAI and
23 DAFENG WEN committed the crime of HUMAN TRAFFICKING, a violation of PENAL
24 CODE SECTION 236.1(a), a felony, in that they did willfully and unlawfully deprive and/or
25 violate the personal liberty of CW with the intent to obtain forced labor or services.

26 **COUNT SEVEN**

27 For a further and separate cause of action, being a different offense from but connected in
28 its commission as the charges set forth in Counts One through Six: On or about April 12, 2015, in

1 the county of Santa Clara, defendant JING CHIANG HUANG committed the crime of FILING
2 FALSE TAX RETURN in violation of REVENUE AND TAXATION CODE SECTION 19706,
3 a felony, in that she did willfully and with like intent, make, render, or verify a false or fraudulent
4 return or statement, to wit: 2014 California Resident Income Tax Return.

5 **COUNT EIGHT**

6 For a further and separate cause of action, being a different offense from but connected in
7 its commission as the charges set forth in Counts One through Seven: On or about April 18, 2016,
8 in the county of Santa Clara, defendant JING CHIANG HUANG committed the crime of
9 FAILURE TO FILE TAX RETURN in violation of REVENUE AND TAXATION CODE
10 SECTION 19706, a felony, in that she being a person required by law to file a tax return or to
11 supply information, did willfully fail to file a tax return or supply information for the period
12 January 1, 2015, through December 31, 2015, with the intent to evade tax, to wit: 2015 California
13 Resident Income Tax Return.

14 **COUNT NINE**

15 For a further and separate cause of action, being a different offense from but connected in
16 its commission as the charges set forth in Counts One through Eight: On or about April 18, 2017,
17 in the county of Santa Clara, defendant JING CHIANG HUANG committed the crime of
18 FAILURE TO FILE TAX RETURN in violation of REVENUE AND TAXATION CODE
19 SECTION 19706, a felony, in that she being a person required by law to file a tax return or to
20 supply information, did willfully fail to file a tax return or supply information for the period
21 January 1, 2016, through December 31, 2016, with the intent to evade tax, to wit: 2016 California
22 Resident Income Tax Return.

23 **COUNT TEN**

24 For a further and separate cause of action, being a different offense from but connected in
25 its commission as the charges set forth in Counts One through Nine: On or between November
26 25, 2016, and December 1, 2016, in the county of Santa Clara, defendant JING CHIANG
27 HUANG committed the crime of MONEY LAUNDERING in violation of PENAL CODE
28 SECTION 186.10(a)(2), a felony, in that she willfully and unlawfully conducted transactions

1 involving monetary instruments of a total value exceeding \$5,000, to wit: \$8,807.72 deposited
2 into an account at Citibank, N.A., knowing that such monetary instrument or instruments
3 represent the proceeds of, or is derived directly from the proceeds of criminal activity.

4 **COUNT ELEVEN**

5 For a further and separate cause of action, being a different offense from but connected in
6 its commission as the charges set forth in Counts One through Ten: On September 21, 2016, in
7 the county of Santa Clara, defendant SHAO LEE committed the crime of MONEY
8 LAUNDERING in violation of PENAL CODE SECTION 186.10(a)(2), a felony, in that she
9 willfully and unlawfully conducted transactions involving monetary instruments of a total value
10 exceeding \$25,000, to wit: \$55,000 deposited into an account at Wells Fargo Bank, N.A.,
11 knowing that such monetary instrument or instruments represent the proceeds of, or is derived
12 directly from the proceeds of criminal activity.

13 **COUNT TWELVE**

14 For a further and separate cause of action, being a different offense from but connected in
15 its commission as the charges set forth in Counts One through Eleven: On or between October 3,
16 2016, and October 6, 2016, in the county of Santa Clara, defendant SHAO LEE committed the
17 crime of MONEY LAUNDERING in violation of PENAL CODE SECTION 186.10(a)(2), a
18 felony, in that she willfully and unlawfully conducted transactions involving monetary
19 instruments of a total value exceeding \$5,000, to wit \$13,841 deposited into an account at Wells
20 Fargo Bank, N.A., knowing that such monetary instrument or instruments represent the proceeds
21 of, or is derived directly from the proceeds of criminal activity.

22 **COUNT THIRTEEN**

23 For a further and separate cause of action, being a different offense from but connected in
24 its commission as the charges set forth in Counts One through Twelve: On December 30, 2016, in
25 the county of Santa Clara, defendant SHU MEI LIN committed the crime of MONEY
26 LAUNDERING in violation of PENAL CODE SECTION 186.10(a)(2), a felony, in that she
27 willfully and unlawfully conducted transactions involving monetary instruments of a total value
28 exceeding \$5,000, to wit: \$7,160 deposited into an account at Bank of America, N.A., knowing

1 that such monetary instrument or instruments represent the proceeds of, or is derived directly
2 from the proceeds of criminal activity.

3 **COUNT FOURTEEN**

4 For a further and separate cause of action, being a different offense from but connected in
5 its commission as the charges set forth in Counts One through Thirteen: On or between
6 November 1, 2017, and June 4, 2018, in the County of Contra Costa, defendants PENGCHENG
7 CAI and DAFENG WEN committed the crime of HUMAN TRAFFICKING FOR A SEX ACT, a
8 violation of PENAL CODE SECTION 236.1(b), a felony, in that they did willfully and unlawfully
9 deprive and/or violate the personal liberty of SZ with the intent to maintain a violation of PENAL
10 CODE SECTION 266h.

11 It is further alleged that Santa Clara County has jurisdiction in this count pursuant to Penal
12 Code section 784.7.

13 **SPECIAL ALLEGATION – STATUS ALLEGATION/FELONIES EXEMPT FROM**
14 **LOCAL CUSTODY**

15 It is further alleged that prison custody time for the above felony offenses is to be served
16 in state prison pursuant to PENAL CODE SECTION 1170. **NOTICE:** Conviction of these
17 offenses will require the defendant to provide DNA samples and print impressions pursuant to
18 Penal Code section 296 and 296.1. Willful refusal to provide the samples and impressions is a
19 crime.

20 **NOTICE:** Conviction of the offenses charged in Counts One through Five and Fourteen, will
21 require the charged defendants to register pursuant to Penal Code section 290 et seq. Willful
22 failure to register is a crime.

23 **NOTICE:** The People of the State of California intend to present evidence and seek jury findings
24 regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b)
25 and *Cunningham v. California* (2007) 549 U.S. 270 [127 S.Ct. 856, 166 L.Ed.2d 856].

26 **NOTICE:** Any allegation making a defendant ineligible to serve a state prison sentence in the
27 county jail shall not be subject to dismissal pursuant to Penal Code section 1385.

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under the penalty of perjury that the foregoing is true and correct. Executed this
23 day of April 2020, at Los Angeles, California.

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California
JAMES ROOT
Senior Assistant Attorney General
DIANA CALLAGHAN
Supervising Deputy Attorney General
AMANDA PLISNER
Deputy Attorney General
Attorneys for People of the State of California



VIKRAM MANDLA
Deputy Attorney General
Attorneys for People of the State of California