

**FILED**

*[Signature]*  
JAN 15 2026

SAN LUIS OBISPO SUPERIOR COURT  
BY *[Signature]*  
K. Phillips, Deputy Clerk

DAN DOW  
DISTRICT ATTORNEY  
STATE BAR # 237986  
COUNTY OF SAN LUIS OBISPO  
COURTHOUSE ANNEX, 4TH FLOOR  
SAN LUIS OBISPO, CA 93408  
TELEPHONE: (805) 781-5800

DV Case  
 BOOKING REQ

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

**THEODORE EDWARD GABRIELLI**  
DOB: 01/17/1964  
ID NO. D000469104  
CII: A26093925

Defendant.

COURT CASE NO. 25F-04590

SECOND AMENDED COMPLAINT

**DA CASE NO. 079-714404**

Appearance Date: September 16, 2025

The District Attorney of San Luis Obispo County, California, hereby accuses the above named defendant of the following criminal offenses:

Count 1

On or about June 1, 1991, through August 31, 1991, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an act of oral copulation with [REDACTED], who was under the age of 14

1 years, and did accomplish said act against said victim's will by force, violence, duress,  
2 menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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

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

8 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
9 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

10 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

11 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
12 imposition of sentence for this offense.

13 Count 2

14 On or about June 1, 1992 through August 31, 1992, in the County of San Luis Obispo, State  
15 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
16 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
17 unlawfully participate in an act of oral copulation with [REDACTED], who was under the age of 14  
18 years, and did accomplish said act against said victim's will by force, violence, duress,  
19 menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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

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

25  
26 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
27 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

1 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and  
2 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
3 imposition of sentence for this offense.

4 **Count 3**

5 On or about June 1, 1993 through August 31, 1993, in the County of San Luis Obispo,  
6 State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation  
7 of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI  
8 did unlawfully participate in an act of oral copulation with [REDACTED], who was under the age of 14  
9 years, and did accomplish said act against said victim's will by force, violence, duress,  
10 menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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

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

16  
17 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
18 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

19 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

20 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
21 imposition of sentence for this offense.

22  
23 **For Counts 1-3, in accordance with PC 803(f):**

- 24 1) On August 28, 2024, the victim [REDACTED] reported to a CA law enforcement agency that  
25 he, while under the age of 18, was a victim of the charged offenses.  
26 2) An amended complaint accusing the defendant of the crimes was filed on July 7,  
27 2025, within 1 year of the victim's report.  
28 3) The crimes involved substantial sexual conduct.  
4) There is independent evidence that corroborates the victim's allegation.

Count 4

On or between June 1, 1995 and August 31, 1995, in the County of San Luis Obispo, State of California, the crime of Continuous Sexual Abuse in violation of PC288.5(a), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully engage in three and more acts of "substantial sexual conduct", as defined in Penal Code Section 1203.066(b), and three and more lewd and lascivious acts, as defined in Penal Code Section 288, with [REDACTED], a child under the age of 14 years, while the defendant resided with, and had recurring access to, the child.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c).

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

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: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order. and NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probably cause hearing resulting in a court order.

Count 5

On or between June 1, 1996 and August 31, 1996, in the County of San Luis Obispo, State of California, the crime of Continuous Sexual Abuse in violation of PC288.5(a), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully engage in three and more acts of "substantial sexual conduct", as defined in Penal Code Section 1203.066(b), and three and more lewd and lascivious acts, as defined in Penal Code Section 288, with [REDACTED], a child under the age of 14 years, while the defendant resided with, and had recurring access to, the child.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c).

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

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: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order. and NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probably cause hearing resulting in a court order.

**For Counts 4-5, in accordance with PC 803(f):**

- 1) On February 28, 2025, the victim [REDACTED] reported to a CA law enforcement agency that he, while under the age of 18, was a victim of the charged offenses.

- 1 2) An amended complaint accusing the defendant of the crimes was filed on July 7,  
2025, within 1 year of the victim's report.  
2 3) The crimes involved substantial sexual conduct.  
3 4) There is independent evidence that corroborates the victim's allegation.

4 Count 6

5 On or about June 1, 1992 through August 31, 1992, in the County of San Luis Obispo,  
6 State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation  
7 of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI  
8 did unlawfully participate in an act of oral copulation, the first time, with [REDACTED], who was  
9 under the age of 14 years, and did accomplish said act against said victim's will by force,  
10 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
11 and to another.

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

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

17  
18 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
19 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

20 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

21 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
22 imposition of sentence for this offense.

23 Count 7

24 On or about June 1, 1992 through August 31, 1992, in the County of San Luis Obispo,  
25 State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation  
26 of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI  
27 did unlawfully participate in an act of oral copulation, the last time, with [REDACTED], who was

1 under the age of 14 years, and did accomplish said act against said victim's will by force,  
2 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
3 and to another.

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

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

9  
10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
11 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

12 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

13 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
14 imposition of sentence for this offense.

15 Count 8

16 On or about June 1, 1993 through August 31, 1993, in the County of San Luis Obispo,  
17 State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation  
18 of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI  
19 did unlawfully participate in an act of oral copulation, the first time, with [REDACTED], who was  
20 under the age of 14 years, and did accomplish said act against said victim's will by force,  
21 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
22 and to another.

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

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

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NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of imposition of sentence for this offense.

Count 9

On or about June 1, 1993 through August 31, 1993, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an act of oral copulation, the last time, with [REDACTED], who was under the age of 14 years, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of imposition of sentence for this offense.

Count 10

On or about June 1, 1994 through August 31, 1994, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an act of oral copulation with [REDACTED], who was under the age of 14 years, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of imposition of sentence for this offense.

Count 11

On or about June 1, 1994 through August 31, 1994, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an act of oral copulation, the last time, with [REDACTED], who was under the age of 14 years, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

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

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

6 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
7 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

8 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

9 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
10 imposition of sentence for this offense.

11 Count 12

12 On or about April 10, 1993 through April 9, 1995, in the County of Los Angeles, State of  
13 California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
14 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
15 unlawfully participate in an act of oral copulation, the first time, with [REDACTED], who was under  
16 the age of 14 years, and did accomplish said act against said victim's will by force,  
17 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
18 and to another.

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

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

24 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
25 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

1 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and  
2 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
3 imposition of sentence for this offense.

4 Count 13

5 On or about April 10, 1993 through April 9, 1995, in the County of Los Angeles, State of  
6 California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
7 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
8 unlawfully participate in an act of oral copulation, the last time, with [REDACTED], who was under  
9 the age of 14 years, and did accomplish said act against said victim's will by force,  
10 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
11 and to another.

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

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

17 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
18 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

19 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

20 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
21 imposition of sentence for this offense.

22 Count 14

23 On or about June 1, 1994 to August 31, 1994, in the County of Santa Clara, State of  
24 California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
25 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
26 unlawfully participate in an act of oral copulation, the first time, with [REDACTED], who was under  
27 the age of 14 years, and did accomplish said act against said victim's will by force,  
28

1 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
2 and to another.

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

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

8 NOTICE: Adjudication as a ward of the court for this offense and a disposition to the  
9 California Youth Authority will require you to provide specimens and samples pursuant to  
10 Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

11 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
12 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

13 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

14 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
15 imposition of sentence for this offense.

16 Count 15

17 On or about June 1, 1994 through August 31, 1994, in the County of Santa Clara, State of  
18 California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
19 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
20 unlawfully participate in an act of oral copulation, the second time, with [REDACTED], who was  
21 under the age of 14 years, and did accomplish said act against said victim's will by force,  
22 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
23 and to another.

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

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

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
4 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

5 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

6 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
7 imposition of sentence for this offense.

8 Count 16

9 On or about June 1, 1994 through August 31, 1994, in the County of Santa Clara, State of  
10 California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
11 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
12 unlawfully participate in an act of oral copulation, the last time, with [REDACTED], who was under  
13 the age of 14 years, and did accomplish said act against said victim's will by force,  
14 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim  
15 and to another.

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

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

21 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
22 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

23 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

24 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
25 imposition of sentence for this offense.

26 **For counts 6-16, in accordance with PC 803(f):**

- 27 1) On February 12, 2025, the victim [REDACTED] reported to a CA law enforcement agency  
28 that he, while under the age of 18, was a victim of the charged offenses.

- 1 2) An amended complaint accusing the defendant of the crimes was filed on July 7,  
2025, within 1 year of the victim's report.  
2 3) The crimes involved substantial sexual conduct.  
3 4) There is independent evidence that corroborates the victim's allegation.

4 Count 17

5 On or about August 27, 2005 through August 26, 2007, in the County of Santa Clara, State  
6 of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a  
7 Felony, was committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully,  
8 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and  
9 members thereof of [REDACTED] a child under the age of fourteen years, with the intent of  
10 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said  
11 defendant and the said child, by use of force, violence, duress, menace, and threat of great  
12 bodily harm.

13 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
14 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

17 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse  
18 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and  
19 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain  
20 a copy of the report.

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

24 Count 18

25 On or about August 27, 2008 through August 26, 2009, in the County of El Dorado, State of  
26 California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  
27 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
28

1 commit a lewd and lascivious act upon and with the body of [REDACTED], who was 14 years old,  
2 with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual  
3 desires of the defendant, who was at least 10 years older than [REDACTED].

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

6 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
7 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
8 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
9 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
10 a court order. and NOTICE: Being charged with this criminal offense can result in  
11 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
12 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
13 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
14 probably cause hearing resulting in a court order.

15 Count 19

16 On or about August 27, 2005 through August 26, 2006, in the County of Santa Clara, State  
17 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
18 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
19 unlawfully participate in an act of oral copulation, first time, with [REDACTED], who was under the  
20 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
21 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
22 another.

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

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

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
2 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

3 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

4 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
5 imposition of sentence for this offense.

6 Count 20

7 On or about August 27, 2005 through August 26, 2006 in the County of Santa Clara, State  
8 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
9 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
10 unlawfully participate in an act of oral copulation. last time, with [REDACTED], who was under the  
11 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
12 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
13 another.

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

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

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
20 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

21 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

22 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
23 imposition of sentence for this offense.

24 Count 21

25 On or about August 27, 2006 through August 26, 2007, in the County of Santa Clara, State  
26 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
27 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
28

1 unlawfully participate in an act of oral copulation, fist time, with [REDACTED], who was under the  
2 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
3 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
4 another.

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

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

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
11 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

12 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

13 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
14 imposition of sentence for this offense.

15 **Count 22**

16 On or about August 27, 2006 through August 26, 2007, in the County of Santa Clara, State  
17 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
18 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
19 unlawfully participate in an act of oral copulation, last time, with [REDACTED], who was under the  
20 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
21 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
22 another.

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

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

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
2 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

3 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

4 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
5 imposition of sentence for this offense.

6 Count 23

7 On or about August 27, 2007 through August 26, 2008, in the County of Santa Clara, State  
8 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
9 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
10 unlawfully participate in an act of oral copulation, first time, with [REDACTED], who was under the  
11 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
12 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
13 another.

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

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

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
20 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

21 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

22 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
23 imposition of sentence for this offense.

24 Count 24

25 On or about August 27, 2007 through August 26, 2008, in the County of Santa Clara, State  
26 of California, the crime of Forcible Oral Copulation-Victim Under 14 Years in violation of  
27 PC288a(c)(2)(B), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
28

1 unlawfully participate in an act of oral copulation, last time, with [REDACTED], who was under the  
2 age of 14 years, and did accomplish said act against said victim's will by force, violence,  
3 duress, menace, and fear of immediate and unlawful bodily injury to said victim and to  
4 another.

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

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

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
11 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

12 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

13 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
14 imposition of sentence for this offense.

15 Count 25

16 On or about August 27, 2008 through August 26, 2009, in the County of Santa Clara, State  
17 of California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  
18 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
19 commit a lewd and lascivious act upon and with the body of [REDACTED], who was 14 years old,  
20 with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual  
21 desires of the defendant, who was at least 10 years older than Confidential Victim.

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

24 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
25 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
26 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
27 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
28

1 a court order. and NOTICE: Being charged with this criminal offense can result in  
2 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
3 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
4 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
5 probably cause hearing resulting in a court order.

6 Count 26

7 On or about August 27, 2009 through August 26, 2010, in the County of Santa Clara, State  
8 of California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  
9 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
10 commit a lewd and lascivious act upon and with the body of [REDACTED], who was 15 years old,  
11 with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual  
12 desires of the defendant, who was at least 10 years older than Confidential Victim.

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

15 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
16 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
17 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
18 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
19 a court order. and NOTICE: Being charged with this criminal offense can result in  
20 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
21 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
22 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
23 probably cause hearing resulting in a court order.

24 The People hereby give notice of the People's intent to admit evidence of prior sexual acts  
25 pursuant to Evidence Code section 1108. These incidents include the prior incident(s)  
26 described in the police report, chronological report, and/or tapes already provided, and  
27

1 other alleged incidents of abuse, which will be provided as they are obtained by the  
2 prosecution.

3 Count 27

4 On or about September 1, 2006, in the County of San Luis Obispo, State of California, the  
5 crime of Aggravated Sexual Assault Of A Child - Sodomy in violation of PC269(a)(3), a  
6 Felony, was committed in that THEODORE EDWARD GABRIELLI did commit the following  
7 act upon victim, [REDACTED] (12 YO), who was under the age of 14 years, the defendant,  
8 THEODORE EDWARD GABRIELLI, being 7 and more years older than the victim:  
9 Sodomy, in violation of Penal Code Section 286(c)(2), 286(c)(3), and 286(d): to wit, in Los  
10 Osos.

11 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
12 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
13 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
14 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
15 a court order. and NOTICE: Being charged with this criminal offense can result in  
16 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
17 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
18 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
19 probably cause hearing resulting in a court order.

20 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

21 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
22 imposition of sentence for this offense.

23 Count 28

24 On or between December 1, 2006 and January 31, 2007, in the County of San Luis Obispo,  
25 State of California, the crime of Aggravated Sexual Assault Of A Child - Sodomy in violation  
26 of PC269(a)(3), a Felony, was committed in that THEODORE EDWARD GABRIELLI did  
27 commit the following act upon victim, [REDACTED] (12 YO), who was under the age of 14 years,  
28

1 the defendant, THEODORE EDWARD GABRIELLI, being 7 and more years older than the  
2 victim: Sodomy, in violation of Penal Code Section 286(c)(2), 286(c)(3), and 286(d): to wit,  
3 in Los Osos.

4 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
5 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
6 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
7 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
8 a court order. and NOTICE: Being charged with this criminal offense can result in  
9 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
10 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
11 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
12 probably cause hearing resulting in a court order.

13 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

14 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
15 imposition of sentence for this offense.

16 Count 29

17 On or between December 1, 2008 and February 28, 2009, in the County of El Dorado,  
18 State of California, the crime of Sodomy By Force in violation of PC286(c)(2)(A), a Felony,  
19 was committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an  
20 act of sodomy with [REDACTED] (14 YO), and did accomplish said act against said victim's will by  
21 means of force, violence, duress, menace or fear of immediate and unlawful bodily injury  
22 on the victim or another person.

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

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

1 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
2 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
3 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
4 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
5 a court order. and NOTICE: Being charged with this criminal offense can result in  
6 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
7 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
8 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
9 probably cause hearing resulting in a court order.

10  
11 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and  
12 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
13 imposition of sentence for this offense.

14 Count 30

15 On or between June 1, 2009 and August 28, 2009, in the County of Sacramento, State of  
16 California, the crime of Sodomy By Force in violation of PC286(c)(2)(A), a Felony, was  
17 committed in that THEODORE EDWARD GABRIELLI did unlawfully participate in an act of  
18 sodomy with [REDACTED] (14 YO), and did accomplish said act against said victim's will by means  
19 of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the  
20 victim or another person.

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

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

26 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
27 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of

1 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
2 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
3 a court order. and NOTICE: Being charged with this criminal offense can result in  
4 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
5 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
6 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
7 probably cause hearing resulting in a court order.

8 NOTICE: Penal Code 1203.065(a) prohibits a grant of probation for this offense. and

9 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of  
10 imposition of sentence for this offense.

11 Count 31

12 On or between June 1, 2006 and August 26, 2006, in the County of San Diego, State of  
13 California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was  
14 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
15 commit a lewd and lascivious act upon or with the body of [REDACTED] (11 YO), with the intent of  
16 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the  
17 defendant, who was at least 10 years older than [REDACTED] (11 YO).

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

20 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
21 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
22 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
23 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
24 a court order. and NOTICE: Being charged with this criminal offense can result in  
25 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
26 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to

1 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
2 probably cause hearing resulting in a court order.

3 Count 32

4 On or between June 1, 2007 and August 25, 2007, in the County of San Diego State of  
5 California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was  
6 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
7 commit a lewd and lascivious act upon and with the body of [REDACTED], with the intent of  
8 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the  
9 defendant, who was at least 10 years older than [REDACTED] (12 YO).

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

12 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
13 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
14 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
15 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
16 a court order. and NOTICE: Being charged with this criminal offense can result in  
17 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
18 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
19 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
20 probably cause hearing resulting in a court order.

21 Count 33

22 On or between June 1, 2008 and August 28, 2008, in the County of San Diego, State of  
23 California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was  
24 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
25 commit a lewd and lascivious act upon and with the body of Confidential Victim and [REDACTED]  
26 (13 YO) with the intent of arousing, appealing to, and gratifying the lust, passions, and  
27 sexual desires of the defendant, who was at least 10 years older than [REDACTED] (13 YO).

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

3 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
4 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
5 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
6 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
7 a court order. and NOTICE: Being charged with this criminal offense can result in  
8 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
9 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
10 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
11 probably cause hearing resulting in a court order.

12 Count 34

13 On or between June 1, 2009 and August 28, 2009, in the County of San Diego, State of  
14 California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  
15 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
16 commit a lewd and lascivious act upon and with the body of [REDACTED], who was 14 years old,  
17 with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual  
18 desires of the defendant, who was at least 10 years older than [REDACTED].

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

21 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
22 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
23 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
24 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
25 a court order. and NOTICE: Being charged with this criminal offense can result in  
26 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
27 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to

1 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
2 probably cause hearing resulting in a court order.

3 Count 35

4 On or between June 1, 2010 and August 27, 2010, in the County of San Diego, State of  
5 California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  
6 committed in that THEODORE EDWARD GABRIELLI did willfully, unlawfully and lewdly  
7 commit a lewd and lascivious act upon and with the body of [REDACTED], who was 15 years old,  
8 with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual  
9 desires of the defendant, who was at least 10 years older than [REDACTED].

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

12 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction  
13 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of  
14 the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1  
15 and Health and Safety Code section 121055 following a probable cause hearing resulting in  
16 a court order. and NOTICE: Being charged with this criminal offense can result in  
17 mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the  
18 Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to  
19 Penal Code Section 1524.1 and Health and Safety Code section 121055 following a  
20 probable cause hearing resulting in a court order.

21 **For counts 17-35 in accordance with PC 803(f):**

- 22 1) On June 26, 2025, the victim [REDACTED] reported to a CA law enforcement agency that  
23 he, while under the age of 18, was a victim of the charged offenses.  
24 2) Amended complaints accusing the defendant of the crimes were filed on July 7,  
25 2025, and August 15, 2025 within 1 year of the victim's report and  
a. The crimes involved substantial sexual conduct.  
b. There is independent evidence that corroborates the victim's allegation; or

26 In accordance with **PC 799(b)**, there is no statute of limitation for the charge (counts 27 and  
27 28) or

1 The statute of limitation under **PC 801.1(a)** is the Victim, [REDACTED] 40<sup>th</sup> birthday. The victim  
2 was born on August 29, 1994 and he is as of today 30 years old.

3  
4 **Enhancement**

5 **PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances**

6 It is further alleged, as to counts 2-17; 19-24; 31-33. within the meaning of Penal Code  
7 sections 667.61(j)(2) and (e), that the victims in the above offense were under 14 years of  
8 age and that the following circumstance applies: multiple victims.

9 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the  
10 following factors in aggravation listed in California Rule of Court 4.421 may apply to the  
11 defendant(s) or to conduct of the defendant(s):

12 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily  
13 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

14 4.421(a)(2) The defendant was armed with or used a weapon at the time of the commission  
15 of the crime.

16 4.421(a)(3) The victim was particularly vulnerable.

17 4.421(a)(4) The defendant induced others to participate in the commission of the crime and  
18 occupied a position of leadership and dominance of other participants in its commission.

19 4.421(a)(5) The defendant induced a minor to commit or assist in the commission of the  
20 crime.

21 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded  
22 witnesses from testifying, suborned perjury, and in any other way illegally interfered with  
23 the judicial process.

24 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences  
25 can be imposed but for which concurrent sentences shall be imposed.

26 4.421(a)(8) The manner in which the crime was carried out indicates planning,  
27 sophistication, or professionalism.

1 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary  
2 value.

3 4.421(a)(10) The crime involved a large quantity of contraband.

4 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit  
5 the offense.

6 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code  
7 and no hate crime enhancements under section 422.75 of the Penal Code shall be  
8 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal  
9 Code.

10 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger  
11 to society.

12 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in juvenile  
13 delinquency proceedings are numerous and of increasing seriousness.

14 4.421(b)(3) The defendant has served a prior term in prison and county jail under section  
15 1170(h).

16 4.421(b)(4) The defendant was on probation, mandatory supervision, post release  
17 community supervision, and parole when the crime was committed.

18 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post  
19 release community supervision, and parole was unsatisfactory.

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

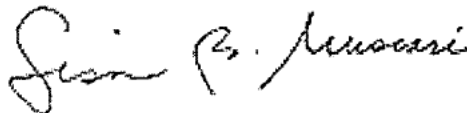
3 I declare that an investigation has been conducted to determine if said Defendant  
4 did commit the stated crime, which reports are attached hereto and incorporated herein by  
5 reference, and that the facts therein show probable cause that the said Defendant did  
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if said  
7 Defendant do not appear voluntarily in response to an appearance letter, or if no  
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are  
10 hereby informally requesting that defense counsel provide discovery to the people as  
11 required by Penal Code Section 1054.3.

12 On this day August 15, 2025, in the County of San Luis Obispo, I certify and declare  
13 under penalty of perjury that the foregoing is true and correct.

14 Dated: August 15, 2025

15 DAN DOW  
16 DISTRICT ATTORNEY

17 

18  
19 By: \_\_\_\_\_  
20 LISA B MUSCARI  
21 CHIEF DEPUTY DISTRICT ATTORNEY

22 Upon review of the reports attached and incorporated herein by reference, I find sufficient  
23 probable cause to warrant the defendant(s) continued detention.

24 Dated: \_\_\_\_\_ Judge of the Superior Court

**SUMMARY PAGE**

Count	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC287(c)(2)(B)		Theodore Edward Gabrielli		
2	PC287(c)(2)(B)		Theodore Edward Gabrielli		
3	PC287(c)(2)(B)		Theodore Edward Gabrielli		
4	PC288.5(a)		Theodore Edward Gabrielli		
5	PC288.5(a)		Theodore Edward Gabrielli		
6	PC287(c)(2)(B)		Theodore Edward Gabrielli		
7	PC287(c)(2)(B)		Theodore Edward Gabrielli		
8	PC287(c)(2)(B)		Theodore Edward Gabrielli		
9	PC287(c)(2)(B)		Theodore Edward Gabrielli		
10	PC287(c)(2)(B)		Theodore Edward Gabrielli		
11	PC287(c)(2)(B)		Theodore Edward Gabrielli		
12	PC287(c)(2)(B)		Theodore Edward Gabrielli		
13	PC287(c)(2)(B)		Theodore Edward Gabrielli		
14	PC287(c)(2)(B)		Theodore Edward Gabrielli		
15	PC287(c)(2)(B)		Theodore Edward Gabrielli		
16	PC287(c)(2)(B)		Theodore Edward Gabrielli		
17	PC287(c)(2)(B)		Theodore Edward Gabrielli		
18	PC287(c)(2)(B)		Theodore Edward Gabrielli		
19	PC287(c)(2)(B)		Theodore Edward Gabrielli		
20	PC288(b)(1)		Theodore Edward Gabrielli		
21	PC288(c)(1)		Theodore Edward Gabrielli		
22	PC287(c)(2)(B)		Theodore Edward Gabrielli		
23	PC287(c)(2)(B)		Theodore Edward Gabrielli		
24	PC287(c)(2)(B)		Theodore Edward Gabrielli		
25	PC287(c)(2)(B)		Theodore Edward Gabrielli		
26	PC287(c)(2)(B)		Theodore Edward Gabrielli		
27	PC287(c)(2)(B)		Theodore Edward Gabrielli		

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24	PC287(c)(2)(B)		Theodore Edward Gabrielli		
25	PC288(c)(1)		Theodore Edward Gabrielli		
26	PC288(c)(1)		Theodore Edward Gabrielli		
	EC1108		Theodore Edward Gabrielli		
	PC667.61(j)(2)				
27	PC269(a)(3)		Theodore Edward Gabrielli		
28	PC269(a)(3)		Theodore Edward Gabrielli		
29	PC286(c)(2)(A)		Theodore Edward Gabrielli		
30	PC286(c)(2)(A)		Theodore Edward Gabrielli		
31	PC288(a)		Theodore Edward Gabrielli		
32	PC288(a)		Theodore Edward Gabrielli		
33	PC288(a)		Theodore Edward Gabrielli		
34	PC288(c)(1)		Theodore Edward Gabrielli		
35	PC288(c)(1)		Theodore Edward Gabrielli		