

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,
v.
MISCHA BARTON
Defendant(s).

CASE NO.

8B V 00439

MISDEMEANOR COMPLAINT

PHOTO

B FEB 25 2008

FILED

The undersigned is informed and believes that:

COUNT 1

On or about December 27, 2007, in the County of Los Angeles, the crime of **DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS**, in violation of **VEHICLE CODE SECTION 23152(a)**, a Misdemeanor, was committed by **MISCHA BARTON**, who did unlawfully, while under the influence of an alcoholic beverage and a drug and under their combined influence, drive a vehicle.

COUNT 2

On or about December 27, 2007, in the County of Los Angeles, the crime of **DRIVING WHILE HAVING A 0.08% OR HIGHER BLOOD ALCOHOL**, in violation of **VEHICLE CODE SECTION 23152(b)**, a Misdemeanor, was committed by **MISCHA BARTON**, who did unlawfully, while having 0.08 percent and more, by weight, of alcohol in the blood, drive a vehicle.

COUNT 3

On or about December 27, 2007, in the County of Los Angeles, the crime of **UNLICENSED DRIVER**, in violation of **VEHICLE CODE SECTION 12500(a)**, a Misdemeanor, was committed by **MISCHA BARTON**, who did unlawfully drive a motor vehicle upon a highway without holding a valid driver's license issued under the Vehicle Code of the State of California.

COUNT 4

On or about December 27, 2007, in the County of Los Angeles, the crime of **POSSESSION OF MARIJUANA 28.5 GRAMS OR LESS**, in violation of **HEALTH & SAFETY CODE SECTION 11357(b)**, a Misdemeanor, was committed by **MISCHA BARTON**, who did unlawfully possess not more than 28.5 grams of marijuana.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1 if the defendant has suffered a prior felony conviction. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* 2007 U.S. LEXIS 1324.

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned believes establish probable cause for the arrest of defendant(s) MISCHA BARTON for the above-listed crimes.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 4 COUNT(S).

Executed at BEVERLY HILLS, County of Los Angeles, on February 26, 2008.


DET. R. ESQUIBEL
DECLARANT AND COMPLAINANT


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STEVEN KATZ, DEPUTY

AGENCY: LASD - WEST HOLLYWOOD PATROL (WHWD) **NO:** DET. R. ESQUIBEL **ID NO.:** 2038 **PHONE:** (310) 855-8850 EXT: 471
DR NO.: 407082270972242 **OPERATOR:** DG

DEFENDANT	CH NO.	BOOKING NO.	CITATION NO.	CUSTODY RTN DATE
BARTON, MISCHA	028954349	1110059	R208772	02/28/2008

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.