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6 Attorneys for Plaintiff

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF CONTRA COSTA

10 THE PEOPLE OF THE STATE OF CALIFORNIA,

11 Plaintiff,

12 v.

13 DARNELL KEYON LASH;
14 EZELL TOMMY JENKINS,
DASHEID KEYONTA LASH,
15 D'VANCE JAQUEZ SUMBLIN,
LESTER GENE CURRY,
16 LARRY DARNELL GOINES, JR,
JAVELL COOKSEY,

17 Defendants.

Docket: 01-183914-1

NOTICE OF MOTION AND MOTION
TO FILE AMENDED COMPLAINT

Date: December 6, 2017
Time: 8:45 AM
Dept.: 035

18 TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE DEFENDANT AND THEIR
19 ATTORNEYS OF RECORD:

20 Please take notice that on December 6, 2017, at 8:45 AM, or as soon thereafter as counsel can
21 be heard, in Department 035, of the above-entitled Court, The People of the State of California will move
22 the Court to amend the Complaint on file in the above-entitled case.

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1 This motion is based on the pleadings and records on file in this matter, the Declaration of Kevin
2 Bell, and is made pursuant to Penal Code section 1009.

3 Dated: December 5, 2017

Respectfully submitted,

4 DIANA BECTON
5 District Attorney

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8 Kevin Bell
9 Deputy District Attorney
10 Attorneys for Plaintiff
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15 LESTER GENE CURRY,
LARRY DARNELL GOINES, JR,
16 JAVELL COOKSEY,
17 Defendants.

Docket: 01-183914-1
DECLARATION IN SUPPORT OF
MOTION TO FILE AMENDED
COMPLAINT

18 I, Kevin Bell , declare:

19 I am a Deputy District Attorney, for Contra Costa County, assigned to handle this case.

20 I am informed and believe that the herein requested amendment is both necessary and proper: to
21 conform to the proof expected at trial.

22 I declare under penalty of perjury that the foregoing is true and correct to the best of my
23 knowledge.

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Executed this 5th of December, 2017, at Martinez, California.



Kevin Bell
Deputy District Attorney
Attorneys for Plaintiff
KB/kb

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10 THE PEOPLE OF THE STATE OF CALIFORNIA,

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13 DARNELL KEYON LASH;
EZELL TOMMY JENKINS,
14 DASHEID KEYONTA LASH,
D'VANCE JAQUEZ SUMBLIN,
15 LESTER GENE CURRY,
LARRY DARNELL GOINES, JR,
16 JAVELL COOKSEY,

17 Defendants.

Docket: 01-183914-1

ORDER TO FILE AMENDED
COMPLAINT

18
19 Good cause appearing therefore:

20 IT IS HEREBY ORDERED that the attached Amended Complaint be filed.
21

22 Dated: _____

23 _____
JUDGE OF THE SUPERIOR COURT
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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
MARTINEZ**

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

DARNELL KEYON LASH,
dob 11/08/1993;
EZELL TOMMY JENKINS,
dob 09/06/1998;
DASHEID KEYONTA LASH,
dob 11/20/1996;
D'VANCE JAQUEZ SUMBLIN,
dob 10/19/1997;
LESTER GENE CURRY,
dob 12/19/1996;
LARRY DARNELL GOINES, JR,
dob 05/23/1985;
JAVELL COOKSEY,
dob 03/18/1998;
Defendants.

Docket: 01-183914-1
DA No: 0130947938

AMENDED COMPLAINT - FELONY

Count 1) PC182(a)(1)
Count 2) PC25850(a)
Count 3) PC29800(a)(1)
Count 4) PC136.1(c)(1)
(PC1192.7(c)(37))
Count 5) PC182(a)(1)
Count 6) PC25850(a)
Count 7) PC182(a)(1)
Count 8) PC186.22(a)

COUNT 1 – CONSPIRACY TO COMMIT A CRIME

The undersigned states, on information and belief, that Darnell Keyon Lash, Dasheid Keyonta Lash, Ezell Tommy Jenkins, and Lester Gene Curry, Defendants, did commit a Felony, a violation of PC182(a)(1), Conspiracy To Commit A Crime, committed as follows:

On or about October 4, 2017 and October 5, 2017, in the County of Contra Costa, State of California, the crime of Conspiracy To Commit A Crime in violation of PC182(a)(1), a Felony, was committed in that DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND DASHEID KEYONTA LASH AND LESTER GENE CURRY did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Murder, in violation of Section 187(a) of the Penal Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants, DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND DASHEID KEYONTA LASH AND LESTER GENE CURRY committed the following overt act and acts at and in the County of Contra Costa:

Overt Act #1 - On October 4, 2017, Dashed Lash called Ezell Jenkins. During this phone call, Dashed Lash told Ezell Jenkins that it was "game time," and "target spotted." Dashed Lash said he did not want to let the target out of their sight, and that the target did not see them.

Overt Act #2 - At around 7:30pm on October 4, 2017, Darneli Lash and Dashed Lash drove together in a Porsche Cayenne with a firearm hidden in a secret compartment ("tucky.")

Overt Act #3 - At 12:35pm on October 5, 2017, Lester Cury called Ezell Jenkins. During this phone call,

Lester Curry told Ezell Jenkins that he could see "Josh" at a market in Pittsburg. Additionally, Ezell Jenkins says that he will call co-conspirator Dashed Lash back on threeway so that Dashed can come to him with a "hammer" (firearm) and let "one of us do our thing."

Overt Act #4 - At 12:37pm on October 5, 2017, Ezell Jenkins called Dashed Lash, on three way. During this phone call, Lester Curry said that he could see "Josh" on 10th Street "right now."

Overt Act #5 - At 12:39pm on October 5, 2017, Dashed Lash called Ezell Jenkins. During this call, they discussed the possibility of Dashed Lash bringing his "hammer" to Lester Curry.

Overt Act #6 - At 12:42pm on October 5, 2017, Ezell Jenkins called Darnell Lash. During this phone call, Ezell explained that Lester was going to do his thing. Ezell Jenkins told Darnell Lash to turn his phone off when he is supposed to do "that shit."

Overt Act #7 - At 12:44pm on October 5, 2017, Darnell Lash called Ezell Jenkins. During this call, Ezell Jenkins told Darnell Lash that they were meeting at the store right now and about to do their thing. Darnell asked if they needed the other "you know" (gun.) Darnell Lash asked Ezell Jenkins who had the "whipper" (car), and Ezell Jenkins said that he was going to get out on feet.

Overt Act #8 - At 12:45pm on October 5, 2017, Ezell Jenkins called Darnell Lash. During this call, Ezell Jenkins told Darnell Lash that Lester Curry might need a ride when it goes down. Ezell Jenkins explains that Lester Curry may need a ride down the street to make sure the cameras aren't on him.

Overt Act #9 - Also at 12:45pm on October 5, 2017, Ezell Jenkins called Lester Curry. During this phone call, Ezell Jenkins told Lester Curry that "Nelly" (Darnell Lash) would be waiting for him on 10th Street. Ezell Jenkins also told Lester Curry that "Nelly" had the other "hammer" (firearm).

Overt Act #10 - At 12:56pm on October 5, 2017, Ezell Jenkins, Lester Curry, and Dashed Lash engaged in a 3-way call. During this phone call, Lester Curry explained that their target was still there, but that a police K-9 car was across the street. Additionally, Dashed Lash asked Lester Curry if he needed "the thirty" (extended magazine), but Lester Curry declined the offer. In this same call, Dashed Lash also explained to Lester Curry how to convert from "semi" to "fully." Dashed Lash also told Lester Curry to "sit on" their target, and keep texting them so that everyone could stay in a circle around their target.

Overt Act #11 - On October 17, 2017, Dashed Lash called a female. During this phone call, Dashed Lash asked the female if she knew "Gay Josh" and said that he and Darnell Lash got shot. Dashed Lash subsequently sent a text message to the female's number asking her to "leer him in," and promising to get some "cheese" (money) for her. He concludes the text message by asking her to erase it.

ENHANCEMENT 1

PC186.22(b)(1)(B): Special Allegation-Street Terrorism - Serious Felony

It is further alleged as to Count 1 that defendants DARNELL KEYON LASH AND DASHEID KEYONTA LASH AND EZELL TOMMY JENKINS AND LESTER GENE CURRY committed the above offense for the benefit of, at the direction of, and in association with a criminal street gang within the meaning of Penal Code Section 186.22(b)(1)(B), to wit, Klap Shit/Broad Day, with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

COUNT 2 – CARRYING A LOADED FIREARM / STREET GANG

The undersigned states, on information and belief, that Darnell Keyon Lash, D'Vance Jaquez Sumblin, Ezell Tommy Jenkins, and Javell Cooksey, Defendants, did commit a Felony, a violation of PC25850(a), Carrying A Loaded Firearm / Street Gang, committed as follows:

On or about October 11, 2017, in the County of Contra Costa, State of California, the crime of Carrying A Loaded Firearm / Street Gang in violation of PC25850(a), a Felony, was committed in that DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND D'VANCE JAQUEZ SUMBLIN AND JAVELL COOKSEY unlawfully carried a loaded firearm on the person and in a vehicle in violation of this section.

It is further alleged, pursuant to section 25850(c)(3), that the defendants, DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND D'VANCE JAQUEZ SUMBLIN AND JAVELL COOKSEY are active participants in a street gang.

ENHANCEMENT 1

PC186.22(b)(1)(A): Special Allegation-Street Terrorism

It is further alleged as to Count 2 that defendants D'VANCE JAQUEZ SUMBLIN AND DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND JAVELL COOKSEY committed the offense for the benefit of, at the direction of, and in association with a criminal street gang within the meaning of Penal Code Section 186.22(b)(1)(A), to wit, Klap Shit/Broad Day, with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

COUNT 3 – POSSESSION OF FIREARM BY A FELON - PRIOR(S)

The undersigned states, on information and belief, that Darnell Keyon Lash, and D'Vance Jaquez Sumblin, Defendants, did commit a Felony, a violation of PC29800(a)(1), Possession Of Firearm By A Felon - Prior(s), committed as follows:

On or about October 11, 2017, in the County of Contra Costa, State of California, the crime of Possession Of Firearm By A Felon - Prior(s) in violation of PC29800(a)(1), a Felony, was committed in that DARNELL KEYON LASH AND D'VANCE JAQUEZ SUMBLIN did unlawfully own, possess, purchase, receive, and have custody and control of a firearm, to wit, handgun, the said defendants, DARNELL KEYON LASH AND D'VANCE JAQUEZ SUMBLIN having theretofore been duly and legally convicted of a felony or felonies, to wit: Darnell Lash - 4/26/17 felony conviction for H&S 11351 in 4-187893-3; D'Vance Sumblin - 11/29/16 felony conviction for PC 246.3 in 4-188677-9

ENHANCEMENT 1

PC186.22(b)(1)(A): Special Allegation-Street Terrorism

It is further alleged as to this Count that defendants D'VANCE JAQUEZ SUMBLIN AND DARNELL KEYON LASH committed the offense for the benefit of, at the direction of, and in association with a criminal street gang within the meaning of Penal Code Section 186.22(b)(1)(A), to wit, Klap Shit/Broad Day, with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

COUNT 4 – DISSUADING A WITNESS BY FORCE OR THREAT

The undersigned states, on information and belief, that Ezell Tommy Jenkins, Defendant, did commit a Felony, a violation of PC136.1(c)(1) (PC1192.7(c)(37)), Dissuading A Witness By Force Or Threat, committed as follows:

On or about October 13, 2017, in the County of Contra Costa, State of California, the crime of Dissuading A Witness By Force Or Threat in violation of PC136.1(c)(1) (PC1192.7(c)(37)), a Felony, was committed in that EZELL TOMMY JENKINS did knowingly and maliciously do an act described in subdivisions (a) and (b) and such act was accompanied by force and an express and implied threat of force and violence upon Ray Moore.

COUNT 5 – CONSPIRACY TO COMMIT A CRIME

The undersigned states, on information and belief, that Darnell Keyon Lash, D'Vance Jaquez Sumblin, Ezell Tommy Jenkins, and Lester Gene Curry, Defendants, did commit a Felony, a violation of PC182(a)(1), Conspiracy To Commit A Crime, committed as follows:

On or about October 24, 2017, in the County of Contra Costa, State of California, the crime of Conspiracy To Commit A Crime in violation of PC182(a)(1), a Felony, was committed in that DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND D'VANCE JAQUEZ SUMBLIN AND LESTER GENE CURRY did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Second Degree Burglary, in violation of Section 460(b) of the Penal Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants, DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND D'VANCE JAQUEZ SUMBLIN AND LESTER GENE CURRYs committed the following overt act and acts at and in the County of Contra Costa:

Overt Act #1 - The defendants drove to San Francisco.

ENHANCEMENT 1

PC186.22(b)(1)(A): Special Allegation-Street Terrorism

It is further alleged as to this Count that defendants D'VANCE JAQUEZ SUMBLIN AND DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND LESTER GENE CURRY committed the offense for the benefit of, at the direction of, and in association with a criminal street gang within the meaning of Penal Code Section 186.22(b)(1)(A), to wit, Klap Shit/Broad Day, with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

COUNT 6 – CARRYING A LOADED FIREARM / STREET GANG

The undersigned states, on information and belief, that Dasheid Keyonta Lash, and Larry Darnell Goines JR, Defendants, did commit a Felony, a violation of PC25850(a), Carrying A Loaded Firearm / Street Gang, committed as follows:

On or about October 27, 2017, in the County of Contra Costa, State of California, the crime of Carrying A Loaded Firearm / Street Gang in violation of PC25850(a), a Felony, was committed in that DASHEID KEYONTA LASH AND LARRY DARNELL GOINES JR unlawfully carried a loaded firearm on the person

and in a vehicle in violation of this section. It is further alleged, pursuant to section 25850(c)(3), that the defendants, DASHEID KEYONTA LASH AND LARRY DARNELL GOINES JR are active participants in a street gang.

ENHANCEMENT 1

PC186.22(b)(1)(A): Special Allegation-Street Terrorism

It is further alleged as to Count 6 that defendants DASHEID KEYONTA LASH AND LARRY DARNELL GOINES JR committed the offense for the benefit of, at the direction of, and in association with a criminal street gang within the meaning of Penal Code Section 186.22(b)(1)(A), to wit, Klap Shit/Broad Day, with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

COUNT 7 – CONSPIRACY TO COMMIT A CRIME

The undersigned states, on information and belief, that Darnell Keyon Lash, Dasheid Keyonta Lash, Ezell Tommy Jenkins, and Javell Cooksey, Defendants, did commit a Felony, a violation of PC182(a)(1), Conspiracy To Commit A Crime, committed as follows:

On or about October 2 through October 27, 2017, in the County of Contra Costa, State of California, the crime of Conspiracy To Commit A Crime in violation of PC182(a)(1), a Felony, was committed in that DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND DASHEID KEYONTA LASH AND JAVELL COOKSEY did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Pimping, in violation of Section 266h of the Penal Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants, DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND DASHEID KEYONTA LASH AND JAVELL COOKSEYs committed the following overt act and acts at and in the County of Contra Costa:

Overt Act #1: On October 2, 2017, Ezell Jenkins and Darnell Lash went to Santa Rosa, where they pimped out Lexus Brown.

Overt Act #2: At 1:22pm on October 6, 2017, Javell Cooksey sent a text message to an unknown co-conspirator that said, "Lets pimp together."

Overt Act #3: At 7:19pm on October 6, 2017, Dashied Lash sent a text message to Darnell Lash asking Darnell Lash if he was "trying to hit the city blade again tonight"

Overt Act #4: At 5:16pm on October 7, 2017, Darnell Lash made a telephone call to Dashied Lash. During this call, Darnell Lash told Dashied Lash that he intended to go to the "blade."

Overt Act #5: At 10:43am on October 10, 2017, Darnell Lash called Dashied Lash. During this call, Darnell Las explained that his prostitute does not make enough money. Darnell Lash was overheard on the phone threatening to get a girl to beat up his prostitute.

Overt Act #6: At 10:03pm on October 13, 2017, Ezell Jenkins called Dashied Lash. During this call, they agreed that a pimp should not have to sit in a hotel and babysit his prostitutes.

Overt Act #7: on October 13, 2017, Dashed Lash exchanged a series of text messages with an unknown female. During this exchange, Dashed Lash attempted to convince her to work as his prostitute, explaining that prostitutes can make \$100 for 15 minutes, \$200 for 30 minutes, and \$300 for an hour.

Overt Act #8: At 11:21am on October 13, 2017, Daniel Whigham called Dashed Lash. During this conversation, Dashed Lash expresses a desire to pimp out prostitutes from different states.

COUNT 8 – STREET TERRORISM

The undersigned states, on information and belief, that Darnell Keyon Lash, D'Vance Jaquez Sumblin, Dasheid Keyonta Lash, Ezell Tommy Jenkins, Javell Cooksey, Larry Darnell Goines JR, and Lester Gene Curry, Defendants, did commit a Felony, a violation of PC186.22(a), Street Terrorism, committed as follows:

On or about October 4 through October 27, 2017, in the County of Contra Costa, State of California, the crime of Street Terrorism in violation of PC186.22(a), a Felony, was committed in that DARNELL KEYON LASH AND EZELL TOMMY JENKINS AND DASHEID KEYONTA LASH AND D'VANCE JAQUEZ SUMBLIN AND LESTER GENE CURRY AND LARRY DARNELL GOINES JR AND JAVELL COOKSEY did unlawfully and actively participate in a criminal street gang, to wit, Klap Shit/Broad Day, with knowledge that its members engage in and have engaged in a pattern of criminal gang activity and did promote, further and assist in felony criminal conduct by gang members.

SPECIAL ALLEGATION - SERIOUS OR VIOLENT FELONY PRIOR

It is further alleged pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c) that prior to the commission of that offense or offenses alleged in the Complaint, DASHEID KEYONTA LASH had been convicted of the following serious and/or violent felony: PC 211 (robbery) on 10/21/13 in J13-00035.

SPECIAL ALLEGATION-CAL PRIOR-SERIOUS FELONY

It is further alleged pursuant to Penal Code section 667(a)(1) that the defendant, DASHEID KEYONTA LASH, has suffered the following prior conviction(s) of a serious felony: PC 211 (robbery) on 10/21/13 in J13-00035

Complainant requests that the Defendant[s] be dealt with according to the law.

Dated: December 5, 2017, at Martinez, California

DIANA BECTON
District Attorney



Kevin Bell
Deputy District Attorney
KB/kb