

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

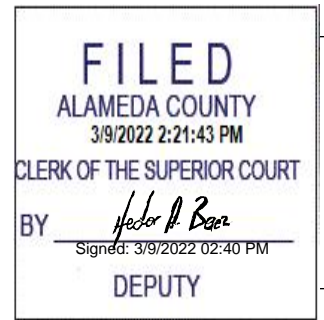
PEOPLE OF THE STATE OF CALIFORNIA
v.
CLAUDEL MOORE

Defendant(s)

NO. **22-CR-002995**

COMPLAINT
PFN:AKU947

CEN:2365344



The undersigned, being sworn says, on information and belief, that CLAUDEL MOORE did, in the County of Alameda, on or about **March 04, 2022**, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder ANTHONY JOSHUA FISHER, a human being.

"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: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**VIOLENCE OR BODILY HARM – 4.421(A)(1) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(a)(1) and Penal Code section 1170(b), that the crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness.

**VIOLENT CONDUCT OF
DEFENDANT – 4.421(B)(1) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(1) and Penal Code section 1170(b), that defendant(s) has/have engaged in violent conduct that indicates a serious danger to society.

**PRIOR CONVICTIONS OF
DEFENDANT – 4.421(B)(2) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT ARMED OR USED A WEAPON – 4.421(A)(2) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(a)(2) and Penal Code section 1170(b), that defendant(s) was armed with or used a weapon at the time of the commission of the crime.

**SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged as to the above count that said CLAUDEL MOORE personally and intentionally discharged a firearm, and caused great bodily injury and death to ANTHONY JOSHUA FISHER within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022.7. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

**SPECIAL ALLEGATION-GREAT BODILY INJURY AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged that the said defendant is ineligible for probation in that in the commission of the above offense the said defendant personally inflicted great bodily injury upon ANTHONY JOSHUA FISHER, not an accomplice to the above offense, within the meaning of Penal Code Section 1203.075.

SECOND COUNT

The undersigned further deposes and says on information and belief, that said CLAUDEL MOORE did, in the County of Alameda, on or about **March 04, 2022**, commit a FELONY, to wit: POSSESSION OF FIREARM BY A FELON - PRIOR(S), a violation of section 29800(a)(1) of the PENAL CODE of California, in that said defendant(s) did unlawfully own, purchase, receive, possess and have custody and control of a firearm, the said defendant having theretofore been duly and legally convicted of a felony or felonies, to wit:

Case Number	Offense	Offense Date	Conviction Date	County	State
H18295	PC 459 F		08/18/1993	ALAMEDA	CA
70319B	PC 211 F		07/18/1980	ALAMEDA	CA
20440	PC 4530(b) F		04/30/1981	TUOLUMNE	CA
A810791	HS 11351 F		06/01/1987	LOS ANGELES	CA
LA002268-01	HS 11352(a) F		02/21/1990	LOS ANGELES	CA
CR37135	PC 4501.5 F		02/11/1991	RIVERSIDE	CA
98CR0596	PC 4573 F		05/31/2001	AMADOR	CA
98CR0596	HS 11352(a) F		05/31/2001	AMADOR	CA
CRF11113	PC 4573.6(a) F		08/18/2003	TUOLUMNE	CA
F000389814	PC 4573.6(a) F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	HS 11359(c)(2) F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	PC 4501.5 F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	PC 69 F		07/09/2007	SAN LUIS OBISPO	CA

NOTICE PROVISION-RE STATE PRISON ELIGIBILITY AS TO DEFENDANT CLAUDEL MOORE

The defendant is hereby notified that the above felony offense is not governed by Penal Code section 1170(h) and that an executed sentence for the offenses herein charged shall be served in the state prison pursuant to Penal Code section 1170.1(a).

VIOLENCE OR BODILY HARM – 4.421(A)(1) AS TO DEFENDANT CLAUDEL MOORE

It is further alleged, pursuant to California Rules of Court 4.421(a)(1) and Penal Code section 1170(b), that the crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness.

**VIOLENT CONDUCT OF
DEFENDANT – 4.421(B)(1) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(1) and Penal Code section 1170(b), that defendant(s) has/have engaged in violent conduct that indicates a serious danger to society.

**PRIOR CONVICTIONS OF
DEFENDANT – 4.421(B)(2) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**DEFENDANT ARMED OR USED A WEAPON – 4.421(A)(2) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(a)(2) and Penal Code section 1170(b), that defendant(s) was armed with or used a weapon at the time of the commission of the crime.

THIRD COUNT

The undersigned further deposes and says on information and belief, that said CLAUDEL MOORE did, in the County of Alameda, on or about **March 08, 2022**, commit a FELONY, to wit: POSSESSION OF AMMUNITION BY PROHIBITED PERSON, a violation of section 30305(a)(1) of the PENAL CODE of California, in that said defendant(s) did unlawfully sell own, possess and have under control ammunition and reloaded ammunition. It is further alleged that the defendant is prohibited from owning or possessing a firearm under Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9, Title 4, Part 6 of the Penal Code and sections 8100 and 8103 of the Welfare and Institutions Code, having been previously convicted of the following offense(s):

Case Number	Offense	Offense Date	Conviction Date	County	State
H18295	PC 459 F		08/18/1993	ALAMEDA	CA
70319B	PC 211 F		07/18/1980	ALAMEDA	CA
20440	PC 4530(b) F		04/30/1981	TUOLUMNE	CA
A810791	HS 11351 F		06/01/1987	LOS ANGELES	CA
LA002268-01	HS 11352(a) F		02/21/1990	LOS ANGELES	CA
CR37135	PC 4501.5 F		02/11/1991	RIVERSIDE	CA
98CR0596	PC 4573 F		05/31/2001	AMADOR	CA
98CR0596	HS 11352(a) F		05/31/2001	AMADOR	CA
CRF11113	PC 4573.6(a) F		08/18/2003	TUOLUMNE	CA
F000389814	PC 4573.6(a) F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	HS 11359(c)(2) F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	PC 4501.5 F		07/09/2007	SAN LUIS OBISPO	CA
F000389814	PC 69 F		07/09/2007	SAN LUIS OBISPO	CA

NOTICE PROVISION-RE STATE PRISON ELIGIBILITY AS TO DEFENDANT CLAUDEL MOORE

The defendant is hereby notified that the above felony offense is not governed by Penal Code section 1170(h) and that an executed sentence for the offenses herein charged shall be served in the state prison pursuant to Penal Code section 1170.1(a).

PRIOR CONVICTIONS OF DEFENDANT – 4.421(B)(2) AS TO DEFENDANT CLAUDEL MOORE

It is further alleged, pursuant to California Rules of Court 4.421(b)(2) and Penal Code section 1170(b), that defendant's or defendants' prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness.

**PRIOR TERM IN PRISON OR COUNTY JAIL – 4.421(B)(3) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged, pursuant to California Rules of Court 4.421(b)(3) and Penal Code section 1170(b), that defendant(s) has/have served a prior term in prison or county jail under section 1170(h).

**FIRST PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about August 18, 1993, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: FIRST DEGREE RESIDENTIAL BURGLARY, a violation of section 459 of the PENAL CODE of California, and received a Prison term therefor.

**NOTICE PROVISION-RE STATE PRISON - VIOLENT/SERIOUS FELONY PRIOR AS TO
DEFENDANT CLAUDEL MOORE**

The defendant is hereby notified that the above felony conviction is for a violent felony within the meaning of Penal Code section 667.5(c) and a serious felony within the meaning of Penal Code section 1192.7(c). Accordingly, an executed sentence for the present felony charges shall be served in the state prison pursuant to Penal Code section 1170(h)(3).

**SPECIAL ALLEGATION- 2 STRIKES (ONE PRIOR) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged as to all charged counts that, having suffered the above prior conviction, defendant must be sentenced pursuant to Penal Code sections 1170.12(c)(1) and 667(e)(1). It is further alleged that defendant is ineligible for probation pursuant to Penal Code sections 1170.12(a) and 667(c).

**SECOND PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about July 18, 1980, was convicted in the Superior Court of the State of California, in and for the COUNTY of ALAMEDA, of the crime of a Felony, to wit: SECOND DEGREE ROBBERY, a violation of section 211 of the PENAL CODE of California, and received a Prison term therefor.

**NOTICE PROVISION-RE STATE PRISON - VIOLENT/SERIOUS FELONY PRIOR AS TO
DEFENDANT CLAUDEL MOORE**

The defendant is hereby notified that the above felony conviction is for a violent felony within the meaning of Penal Code section 667.5(c) and a serious felony within the meaning of Penal Code section 1192.7(c). Accordingly, an executed sentence for the present felony charges shall be served in the state prison pursuant to Penal Code section 1170(h)(3).

**SPECIAL ALLEGATION- 2 STRIKES (ONE PRIOR) AS TO
DEFENDANT CLAUDEL MOORE**

It is further alleged as to all charged counts that, having suffered the above prior conviction, defendant must be sentenced pursuant to Penal Code sections 1170.12(c)(1) and 667(e)(1). It is further alleged that defendant is ineligible for probation pursuant to Penal Code sections 1170.12(a) and 667(c).

**THIRD PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about April 30, 1981, was convicted in the Superior Court of the State of California, in and for the COUNTY of TUOLUMNE, of the crime of a Felony, to wit: ESCAPE FROM CUSTODY, a violation of section 4530(b) of the PENAL CODE of California, and received a Prison term therefor.

**FOURTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about June 01, 1987, was convicted in the Superior Court of the State of California, in and for the COUNTY of LOS ANGELES, of the crime of a Felony, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11351 of the HEALTH AND SAFETY CODE of California, and received a Prison term therefor.

**FIFTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about February 21, 1990, was convicted in the Superior Court of the State of California, in and for the COUNTY of LOS ANGELES, of the crime of a Felony, to wit: SALE/OFFER TO SELL CONTROLLED SUBSTANCE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, and received a Prison term therefor.

**SIXTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about February 11, 1991, was convicted in the Superior Court of the State of California, in and for the COUNTY of RIVERSIDE, of the crime of a Felony, to wit: BATTERY ON NON-CONFINED PERSON BY PRISONER, a violation of section 4501.5 of the PENAL CODE of California, and received a Prison term therefor.

**SEVENTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about May 31, 2001, was convicted in the Superior Court of the State of California, in and for the COUNTY of AMADOR, of the crime of a Felony, to wit: BRING DRUGS INTO A JAIL, a violation of section 4573 of the PENAL CODE of California, and received a Prison term therefor.

**EIGHTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about May 31, 2001, was convicted in the Superior Court of the State of California, in and for the COUNTY of AMADOR, of the crime of a Felony, to wit: SALE/OFFER TO SELL CONTROLLED SUBSTANCE, a violation of section 11352(a) of the HEALTH AND SAFETY CODE of California, and received a Prison term therefor.

**NINTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about August 18, 2003, was convicted in the Superior Court of the State of California, in and for the COUNTY of TUOLUMNE, of the crime of a Felony, to wit: POSSESSION OF ILLEGAL SUBSTANCES IN A JAIL FACILITY, a violation of section 4573.6(a) of the PENAL CODE of California, and received a Prison term therefor.

**TENTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about July 09, 2007, was convicted in the Superior Court of the State of California, in and for the COUNTY of SAN LUIS OBISPO, of the crime of a Felony, to wit: POSSESSION OF ILLEGAL SUBSTANCES IN A JAIL FACILITY, a violation of section 4573.6(a) of the PENAL CODE of California, and received a Prison term therefor.

**ELEVENTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about July 09, 2007, was convicted in the Superior Court of the State of California, in and for the COUNTY of SAN LUIS OBISPO, of the crime of a Felony, to wit: POSSESSION OF MARIJUANA FOR SALE WITH PRIORS, a violation of section 11359(c)(2) of the HEALTH AND SAFETY CODE of California, and received a Prison term therefor.

**TWELFTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about July 09, 2007, was convicted in the Superior Court of the State of California, in and for the COUNTY of SAN LUIS OBISPO, of the crime of a Felony, to wit: BATTERY ON NON-CONFINED PERSON BY PRISONER, a violation of section 4501.5 of the PENAL CODE of California, and received a Prison term therefor.

**THIRTEENTH PRIOR CONVICTION AS TO
DEFENDANT CLAUDEL MOORE**

The undersigned further alleges that before the commission of the offense specified above, said defendant CLAUDEL MOORE, on or about July 09, 2007, was convicted in the Superior Court of the State of California, in and for the COUNTY of SAN LUIS OBISPO, of the crime of a Felony, to wit: RESISTING EXECUTIVE OFFICER, a violation of section 69 of the PENAL CODE of California, and received a Prison term therefor.

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

Subscribed and sworn to before me,
Wednesday, March 9, 2022

This document was filed electronically in
compliance with Penal Code section 959.1



ERIN KINGSBURY
DEPUTY DISTRICT ATTORNEY
State Bar #228954
Alameda County, California

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