

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA**

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

NICOLE CALUDIA ANDERSON,
dob 04/26/1978;
DAVID RICHARD NELSON,
dob 04/16/1967;
Defendants.

Docket: 01-194031-1
DA No: 0131009664

COMPLAINT - MISDEMEANOR

Count 1) PC422.6(b)
Count 2) PC594(a)
Count 3) PC594.2(a)

COUNT 1 – VIOLATION OF CIVIL RIGHTS

The undersigned states, on information and belief, that Nicole Caludia Anderson and David Richard Nelson, Defendants, did commit a Misdemeanor, a violation of PC422.6(b), Violation Of Civil Rights, committed as follows:

On or about July 4, 2020, in the City of Martinez, County of Contra Costa, State of California, the crime of Violation Of Civil Rights in violation of PC422.6(b), a Misdemeanor, was committed in that NICOLE ANDERSON AND DAVID NELSON did unlawfully and knowingly deface, damage and destroy the real and personal property of Justin Gomez for the purpose of intimidating and interfering with the free exercise and enjoyment of a right and privilege secured by the Constitution and laws of California and the Constitution and laws of the United States because of disability, gender, nationality, race and ethnicity, religion, sexual orientation, and association with a person and group with one and more of these characteristics and because the defendant perceived that the victim had such characteristics and perceived that the victim associated with a person and group with one and more of these characteristics.

COUNT 2 – VANDALISM UNDER \$400 DAMAGE-DAMAGE/DESTROY

The undersigned states, on information and belief, that Nicole Caludia Anderson and David Richard Nelson, Defendants, did commit a Misdemeanor, a violation of PC594(a), Vandalism Under \$400 Damage-Damage/Destroy, committed as follows:

On or about July 4, 2020, in the City of Martinez, County of Contra Costa, State of California, the crime of Vandalism Under \$400 Damage-Damage/Destroy in violation of PC594(a), a Misdemeanor, was committed in that NICOLE ANDERSON AND DAVID NELSON did unlawfully and maliciously damage and destroy real and personal property, to wit, the Black Lives Matter Street Mural not his/her own, belonging to Justin Gomez .

COUNT 3 – POSSESSION OF TOOLS TO COMMIT VANDALISM OR GRAFFITI

The undersigned states, on information and belief, that Nicole Caludia Anderson and David Richard Nelson, Defendants, did commit a Misdemeanor, a violation of PC594.2(a), Possession Of Tools To Commit Vandalism Or Graffiti, committed as follows:

On or about July 4, 2020, in the City of Martinez, County of Contra Costa, State of California, the crime of Possession Of Tools To Commit Vandalism Or Graffiti in violation of PC594.2(a), a Misdemeanor, was committed in that NICOLE ANDERSON AND DAVID NELSON did unlawfully possess paint with the intent to commit vandalism and graffiti.

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

Dated: July 7, 2020, at Martinez, California

DIANA BECTON
District Attorney



Simon O'Connell
Senior Deputy District Attorney
SO/sd