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11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF KERN**

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14 **PEOPLE OF THE STATE OF CALIFORNIA,**

15
16 **Plaintiff,**

17 **vs.**

18 **GWEN D. HUGHES; DEBBI C. HAYES;**
19 **HOSHANG M. PORMIR, M.D.,**

20 **Defendants.**

Case No:

FELONY COMPLAINT

[AG Docket No. FR2007100234]

21 The People of the State of California hereby allege that in the County of Kern and
22 other Counties within the State of California, and before the making or filing of this complaint,
23 Defendants GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D., did
24 commit the following crimes:

25 **COUNT 1**

26 **Penal Code section 368(b)(1) - a Felony**

[Elder or Dependent Adult Abuse, Resulting in Death - 2-3-4, +5 or +7]

27 On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of
28 California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and

1 HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section
2 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to
3 produce great bodily harm and death, knowingly and willfully cause and permit the victim, MAE
4 BRINKLEY, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical
5 pain and mental suffering and, having the care and custody of said victim, willfully caused and
6 permitted her to be placed in a situation in which her health was endangered, and knew and
7 reasonably should have known that said person, MAE BRINKLEY, was an elder and dependent
8 adult.

9 It is further alleged, pursuant to section 368(b)(3), that the Defendants, GWEN D.
10 HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D., proximately caused the
11 death of said victim, age 91 years.

12 **COUNT 2**
13 **Penal Code section 368(b)(1) - a Felony**
14 **[Elder or Dependent Adult Abuse, Resulting in Death - 2-3-4, +5 or +7]**

15 On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of
16 California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and
17 HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section
18 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to
19 produce great bodily harm and death, knowingly and willfully cause and permit the victim,
20 JOSEPH SHEPTER, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable
21 physical pain and mental suffering and, having the care and custody of said victim, willfully
22 caused and permitted him to be placed in a situation in which his health was endangered, and
23 knew and reasonably should have known that said person, JOSEPH SHEPTER, was an elder and
24 dependent adult.

25 It is further alleged, pursuant to section 368(b)(3), that the Defendants, GWEN D.
26 HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D., proximately caused the
27 death of said victim, age 76 years.

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COUNT 3
Penal Code section 368(b)(1) - a Felony
[Elder or Dependent Adult Abuse, Resulting in Death - 2-3-4, +5 or +7]

On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit the victim, ALEXANDER ZAIKO, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical pain and mental suffering and, having the care and custody of said victim, willfully caused and permitted him to be placed in a situation in which his health was endangered, and knew and reasonably should have known that said person, ALEXANDER ZAIKO, was an elder and dependent adult.

It is further alleged, pursuant to section 368(b)(3), that the Defendants, GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D., proximately caused the death of said victim, age 85 years.

COUNT 4
Penal Code section 368(b)(1) - a Felony
[Elder or Dependent Adult Abuse, with Infliction of Injury - 2-3-4, +3 or +5]

On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit the victim, JACK WALLACE, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical pain and mental suffering and, having the care and custody of said victim, willfully caused and permitted him to be placed in a situation in which his health was endangered, and reasonably knew and reasonably should have known that said person, JACK WALLACE, was an elder and dependent adult.

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1 It is further alleged, pursuant to section 368(b)(2), that said victim, age 83 years, suffered
2 great bodily injury.

3 **COUNT 5**
4 **Penal Code section 368(b)(1) - a Felony**
5 **[Elder or Dependent Adult Abuse - 2-3-4]**

6 On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of
7 California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and
8 HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section
9 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to
10 produce great bodily harm and death, knowingly and willfully cause and permit VERGIL
11 KREGGER, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical
12 pain and mental suffering and, having the care and custody of said person, willfully caused and
13 permitted him to be placed in a situation in which his health was endangered, and knew and
14 reasonably should have known that said person, VERGIL KREGGER, was an elder and
15 dependent adult.

16 **COUNT 6**
17 **Penal Code section 368(b)(1) - a Felony**
18 **[Elder or Dependent Adult Abuse - 2-3-4]**

19 On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of
20 California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and
21 HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section
22 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to
23 produce great bodily harm and death, knowingly and willfully cause and permit EDDIE
24 DOLENC, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical
25 pain and mental suffering and, having the care and custody of said person, willfully caused and
26 permitted him to be placed in a situation in which his health was endangered, and knew and
27 reasonably should have known that said person, EDDIE DOLENC, was an elder and dependent
28 adult.

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COUNT 7
Penal Code section 368(b)(1) - a Felony
[Elder or Dependent Adult Abuse - 2-3-4]

On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit LOUISE ZIMMERMAN, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical pain and mental suffering and, having the care and custody of said person, willfully caused and permitted her to be placed in a situation in which her health was endangered, and knew and reasonably should have known that said person, LOUISE ZIMMERMAN, was an elder and dependent adult.

COUNT 8
Penal Code section 368(b)(1) - a Felony
[Elder or Dependent Adult Abuse - 2-3-4]

On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of California, and elsewhere, Defendants GWEN D. HUGHES, DEBBI C. HAYES, and HOSHANG M. PORMIR, M.D. committed a felony, namely, a violation of Penal Code section 368, subdivision (b)(1), in that Defendants did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit OPAL TOWERY, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical pain and mental suffering and, having the care and custody of said person, willfully caused and permitted her to be placed in a situation in which her health was endangered, and knew and reasonably should have known that said person, OPAL TOWERY, was an elder and dependent adult.

COUNT 9
Penal Code section 245(a)(1) - a Felony
[Assault With a Deadly Weapon - 2-3-4]

On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of California, and elsewhere, Defendants GWEN D. HUGHES and DEBBI C. HAYES committed a

1 felony, namely, a violation of Penal Code section 245, subdivision (a)(1), in that Defendants, did
2 willfully and unlawfully commit an assault upon LOUISE ZIMMERMAN with a deadly
3 weapon, to wit, Risperdal, a psychotropic medication.

4 “NOTICE: The above offense is a serious felony within the meaning of Penal Code
5 section 1192.7(c).”

6 **COUNT 10**
7 **Penal Code section 245(a)(1) - a Felony**
8 **[Assault With a Deadly Weapon - 2-3-4]**

9 On or about August 1, 2006 through January 31, 2007, in the County of Kern, State of
10 California, and elsewhere, Defendants GWEN D. HUGHES and DEBBI C. HAYES committed a
11 felony, namely, a violation of Penal Code section 245, subdivision (a)(1), in that Defendants, did
12 willfully and unlawfully commit an assault upon OPAL TOWERY with a deadly weapon, to wit,
13 Zyprexa and Risperdal, psychotropic medications.

14 “NOTICE: The above offense is a serious felony within the meaning of Penal Code
15 section 1192.7(c).”

16 I declare under penalty of perjury, on information and belief, pursuant to the laws of the
17 State of California that the foregoing is true and correct.

18 Dated this _____ of _____, 2009, at Sacramento, California.

19 Respectfully submitted,
20 EDMUND G. BROWN JR.
21 Attorney General of California
22 DANE GILLETTE
23 Chief Assistant Attorney General
24 MARK GEIGER
25 Senior Assistant Attorney General
26 MARK ZAHNER
27 Chief of Prosecutions

28 STEVEN D. MUNI
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