

The District Attorney of the County of San Bernardino, by this Information alleges that:

COUNT 1

On or about October 11, 1989, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Eric Francis Fagan, who did unlawfully, and with malice aforethought murder Cathy Lynn Paternoster, 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."

It is further alleged as to count 1 that in the commission and attempted commission of the above offense, the said defendant(s) Eric Francis Fagan, personally used a firearm(s), to wit: .38 revolver, within the meaning of Penal Code sections 1203.06(a)(1) and 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

COUNT 2

On or about October 11, 1989, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Eric Francis Fagan, who did unlawfully and with malice aforethought attempt to murder Carl George Fuerst, a human being.

It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

It is further alleged as to count 2 that in the commission and attempted commission of the above offense, the said defendant(s) Eric Francis Fagan, personally used a firearm(s), to wit: .38 revolver, within the meaning of Penal Code sections 1203.06(a)(1) and 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged as to count 2 that in the commission of the above offense the said defendant(s) Eric Francis Fagan, personally inflicted great bodily injury upon Carl George Fuerst, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

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NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 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.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

THIS INFORMATION CONSISTS OF 2 COUNTS.

MICHAEL A. RAMOS
DISTRICT ATTORNEY
County of San Bernardino
State of California

By: John Thomas
John Thomas
Deputy District Attorney

Filed in Superior Court,
County of San Bernardino

Dated: _____