

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
CENTRAL DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

v.

RAMIZ R AUDISH,  
*dob 11/30/87, Booking No. 16128215A;*

DARRYL GERALD COTTON,  
*dob 05/29/60, Booking No. 16128503A;*

Defendants

CT No. M230071

**COPY**

COMPLAINT-MISDEMEANOR

PC296 DNA TEST STATUS SUMMARY

Defendant

AUDISH, RAMIZ R  
COTTON, DARRYL GERALD

DNA Testing Requirements

DNA sample has been previously provided  
DNA sample has been previously provided

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	HS11366.5(a) COTTON, DARRYL GERALD	Misd-17(b)(4)	1 Year		
2	HS11358(c) COTTON, DARRYL GERALD	Misdemeanor	6 Mos/\$500		
3	HS11359(b) AUDISH, RAMIZ R COTTON, DARRYL GERALD	Misdemeanor	6 Mos/\$500		
4	SDMC121.0302(a) AUDISH, RAMIZ R COTTON, DARRYL GERALD	Misdemeanor	6 Mos/\$1,000		

## CHARGE SUMMARY (cont'd)

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
5	HS11350(a) AUDISH, RAMIZ R	Misdemeanor	1 Yr		
	PC1054.3				
				INFORMAL REQUEST FOR DISCOVERY	

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

### CHARGES

#### COUNT 1 - ALLOWING PLACE FOR PREPARING OR STORING CONTROLLED SUBSTANCE, PENAL CODE SECTION 17(b)(4)

On or about April 6, 2016, DARRYL GERALD COTTON did knowingly and unlawfully rent, lease and make available for use a building, room, space and enclosure for the purpose of unlawfully manufacturing, storing, and distributing a controlled substance, in violation of HEALTH AND SAFETY CODE SECTION 11366.5(a), a misdemeanor pursuant to PENAL CODE SECTION 17(b)(4).

#### COUNT 2 - CULTIVATING MARIJUANA - MORE THAN SIX (6) PLANTS

On or about April 6, 2016, DARRYL GERALD COTTON, did unlawfully plant, cultivate, harvest, dry, and process more than six (6) living marijuana plants, in violation of HEALTH AND SAFETY CODE SECTION 11358(c).

#### COUNT 3 - POSSESSION OF MARIJUANA FOR SALE

On or about April 6, 2016, RAMIZ R AUDISH and DARRYL GERALD COTTON did unlawfully possess marijuana for sale, in violation of HEALTH AND SAFETY CODE SECTION 11359(b).

#### COUNT 4 - USE OF A PREMISES WITHOUT A PERMIT OR VARIANCE

On or about April 6, 2016, RAMIZ R AUDISH and DARRYL GERALD COTTON did unlawfully maintain and use a premises, located at 6176 Federal Boulevard, San Diego, California 92114, in violation of the Land Development Code, without a required permit, contrary to permit conditions, and without a required variance, to wit: using or maintaining the land for a Medical Marijuana Consumer Cooperative (aka Medical Marijuana Dispensary), in violation of SAN DIEGO MUNICIPAL CODE SECTION 121.0302(a), a misdemeanor pursuant to San Diego Municipal Code sections 12.0201 and 121.0311.

## CHARGES (cont'd)

### COUNT 5 - POSSESSION OF A CONTROLLED SUBSTANCE

On or about May 5, 2016, RAMIZ R AUDISH did unlawfully possess controlled substances, to wit: codeine/promethazine, in violation of HEALTH AND SAFETY CODE SECTION 11350(a).

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NOTICE: Any defendant named on this complaint who is on criminal probation for a misdemeanor offense within the City of San Diego or the City of Poway is, by receiving this complaint, on notice that the evidence presented to the court at the trial on this complaint is presented for a dual purpose: the People are seeking a conviction on the charges and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the trial. Defenses to either or both procedures should be considered and presented as appropriate at the trial.

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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER M230071, CONSISTS OF 5 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on March 15, 2017.

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COMPLAINANT



**SAN DIEGO POLICE DEPARTMENT  
INVESTIGATOR'S REPORT**

**DATE (occurrence):** April 6, 2016 (Wednesday)  
**TIME (occurrence):** 0701 hours  
**LOCATION:** 6176 Federal Boulevard, San Diego, CA 92114  
**SUBJECT:** Arrest of COTTON, Darryl (DOB: 05-29-1960)  
Booking No. 16-128503  
Arrest of RAMIZ, Audish (DOB: 11-30-1987)  
Booking No. 16-128215

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**SUSPECT #1:** **COTTON, Darryl**  
6176 Federal Boulevard  
San Diego, CA 92114  
DOB: 05-29-1960  
SS: 618-78-9249  
CDL: C1335591  
CII: N/A  
FBI: 76407T11

**CHARGES:** 11358 H&S Cultivation of Marijuana  
11359 H&S Possession of Marijuana for Sales

**SUSPECT #2:** **AUDISH, Ramiz**  
4101 Ponce De Leon  
La Mesa, CA 91941  
DOB: 11-30-1987  
SS: 632-58-5613  
CDL: D7633381  
CII: 29737782  
FBI: 192857CD1

**CHARGES:** 11359 H&S Possession of Marijuana for Sales  
11350(a) H&S Possession of a Controlled Substance

**DISPOSITION:** AUDISH was not arrested at the scene. AUDISH was arrested in public on 05-05-2016 at 1136 hours.

COTTON was not arrested at the scene. COTTON was arrested in public on 05-06-2016 at approximately 1619 hours.



**EVIDENCE:** The items were impounded at HQ under the following incident numbers:

- Evidence recovered from 6184 Federal Boulevard was collected by Detective Queen #5457 under incident number 16040009011.
- Evidence recovered from 6176 Federal Boulevard was collected By Detective Hunter #5147 under incident number 16040009438.
- Evidence recovered from "Pure Meds" located at 6176 Federal Boulevard #A was collected by Officer Willis #5428 under incident number 16040009535.

**6184 FEDERAL  
PROCESSING AREA**

1. 8 plastic bags containing **2474.3 grams** of processed marijuana found in bottom drawer of filing cabinet of southeast room, found by Rubio (tag # 10606902)
2. 2 plastic bags containing **872.8 grams** of processed marijuana found in top drawer of filing cabinet of southeast room, found by Rubio (tag # 10606903)
3. 4 plastic bags containing **431.3 grams** of processed marijuana found in black plastic container, found on floor along wall of southeast room, found by Rubio (tag # 10606904)
4. 1 black plastic bag containing 34 "Moonshine" (1 gram) marijuana vape cartridges, and 1 "Moonshine" x 1 gram marijuana kief container, found on floor along wall of southeast room, found by Rubio (tag# #10606908)
5. 69 "Moonshine" x 1 gram marijuana vape cartridges found on east Wall Display in southeast room, found by Parpart (tag # 10606910)
6. 8 plastic bags containing **954.2 grams** of processed marijuana found on widen shelf in southeast room, found by Fletes (tag # 10606912)
7. 2 large Digital Scales and 4 small digital scales found on countertop of east wall in southeast room, found by Rubio (tag #10606914)
8. 4 plastic bags containing **414.9 grams** of processed marijuana found on countertop of east wall in southeast room, found by Rubio (tag #10606919)
9. 159 "Moonshine" x 1 gram marijuana vape cartridges found on metal countertop along south wall of southeast room, found by Rubio (tag #10606922)
10. 15 "Moonshine" x 1 gram plastic containers containing marijuana kief found on top of filing cabinet along south wall of southeast room, found by Rubio (tag #10606928)
11. 8 plastic bags containing **602.7 grams** of processed marijuana found in glass jars on wooden shelves of west walls in southeast room, found by Hernandez (tag #10606933)

12. 9 plastic bags containing **423 grams** of processed marijuana found in glass jars on wooden shelves of west wall in southeast room, found by Hernandez (tag #10606937)
13. 2 plastic bags containing **134 grams** of processed marijuana found in glass jars on wooden shelves of west walls in southeast room, found by Hernandez (tag #10606939)
14. 53 "Moonshine" x 1 gram plastic containers containing marijuana kief found on wooden shelf of west wall in southeast room, found by Hernandez (tag #10606942)
15. 25 plastic containers of "Lindy's Oils" marijuana topical solution found on wooden shelf of west wall in southeast room, found by Hernandez (tag #10606946)
16. 9 boxes containing 810 x 1 gram plastic containers containing marijuana kief found on wooden shelf of west wall in southeast room, found by Hernandez (tag #10606950)
17. 5 boxes containing 414 x 1 gram plastic containers containing marijuana kief found on wooden shelf of west wall in southeast room, found by Hernandez (tag #10606952)
18. Pay and Owe notebook found on metal countertop along south wall of southeast room by Queen (tag #10606954)
19. 3 packages of "Cheez-Trip" marijuana edibles found on top of filing cabinet along south wall of southeast room, found by Parpart (tag #10606956)
20. 1 glass jar containing marijuana infused butter found on wooden shelf of west wall in southeast room, found by Parpart (tag #10606958)
21. 1 plastic bag containing **5 grams** of processed marijuana found on wooden shelf of east wall in southeast room by Hernandez (tag #10606959)
22. Marijuana labels found in plastic container on ground near southeast corner of southeast room, found by Cooper (tag #10606973)
23. Moonshine business cards for "Darryl" and "Liz" found in plastic container on ground near southeast corner of southeast room, found by Cooper (tag #10606976)
24. Black notebook with patient info found in plastic container on ground near southeast corner of southeast room, found by Cooper (tag #10606976)
25. CD/R containing Elizabeth Huntsman Interview (Dated 04-29-16), impounded by Cooper (tag # 10617791)

#### **SOUTH GROW ROOM**

26. 20 marijuana plants found in south grow room, found by Delgadillo (tag #10606960)

#### **KITCHEN**

27. 30 envelopes containing "Moonshine" marijuana shatter (1 gram) found inside of kitchen freezer by Delgadillo (tag #10606961)



28. 3 large envelopes containing 60 grams, 28 grams, and 15grams of bulk marijuana shatter found inside of kitchen freezer by Delgadillo (tag #10606962)
29. Documents including:
  - o 3 ring binder containing patient information found on wooden countertop on east wall in kitchen,
  - o 3 care provider certificates belonging to Elizabeth Huntsman, Darryl Cotton, and James Whitfield posted on wall of kitchen area,
  - o and plant inventory document found in kitchen area – items found by Skinner (tag #10606964)

#### **CONEX BOXES**

30. 90 marijuana plants approximately 4-6" inches in height found in northeast corner of conex box found by Skinner (tag #10606965)
31. 35 marijuana plants approximately 7-9" in height found in northeast corner of conex box found by Skinner (tag #10606968)
32. 31 marijuana plants approximately 3' feet in height found in southeast conex box found by Delgadillo (tag #10606969)
33. 1 Photo CD/R with photos of 6184 Federal Boulevard and associated building, taken by Rubio (tag #10606978)
34. 1 Photo CD/R with photos of 6176 Federal Boulevard, 6176 Federal Boulevard Suite #A, and 6184 Federal Boulevard taken by Schnick (tag #10607110)

#### **6176 FEDERAL EXTERIOR**

1. 36 marijuana plants found in bin in front of white camper found by Hernandez (tag #10606906)
2. 31 marijuana plants found in tarp area next to office door found by Hernandez (tag #10606909)
3. 11 marijuana plants found in tarp area on north side of office found by Hernandez (tag #10606911)
4. 43 marijuana plants found in raised conex by trailer found by Hernandez (tag #10606913)

#### **MAIN OFFICE**

5. Knife containing small amount of marijuana wax found on center table of main office found by Cooper (tag #10606917)
6. 3 digital scales found on center table of main office found by Cooper (tag #10606920)
7. Multiple packaging labels found on center table of main office found by Cooper (tag #10606923)
8. Marijuana wax with paper on center table found in main office found by Cooper (tag #10606927)
9. Three green binders with pricing of products found in west wall table inside of main office found by Cooper (tag #10606929)
10. 1 loaded Beretta 92FS #BER353644Z found in desk drawer of center table inside of main office found by Morales (tag #10606940)



11. Marijuana wax found inside of rubber case with vape cartridge on top of desk found on north side of center table inside of main office found by Morales (tag #10606944)
12. LG phone found on top of desk on north side of center table inside of main office found by Morales (tag #10606945)
13. US Passport and Social Security Card belonging to COTTON found in desk drawer inside of center table in main office found by Cooper (tag #10606949)
14. 1 "G-Lite" Computer Tower and Computer Processing Unit found under desk north side of center table inside of main office found by Cooper (tag #10606951)
15. Dispensary pay and owe documents found on desk on north side of center table inside of main office found by Cooper (tag #10606953)
16. 2 cannabis products found in shelf on north wall of main office found by Morales (tag #10606955)
17. 12 rounds of ammunition, magazine, and holster belonging to Beretta (re-impounded from Item #10)

#### **SECRETARY OFFICE**

18. Documents belonging to Darryl Cotton found on desk of south side of Secretary's office found by Cooper (tag #10606957)

Incident #: 16040009535; items recovered from main building and associated outbuildings located at "Pure Meds" located at 6176 Federal Boulevard Suite "A"

#### **SECURITY GUARD**

1. 1 loaded .40 cal black Springfield XD firearm (Serial #XD357243) with magazine found inside of GARCIA'S backpack, recovered by Cameron (tag #10607065)
2. 1 plastic baggie containing 1.82 grams of cocaine found inside of GARCIA'S backpack, recovered by Cameron (tag #10607068)
3. 1 set of keys found in GARCIA'S possession to marijuana dispensary found by Cameron (tag #10607112)

#### **DISPENSARY GUARD ROOM**

1. \$80.00 USD found in Guard Room by Mangum (tag #10607039)
2. Patients lists found underneath guard desk found by Mangum (tag #10607009)
3. Patient lists found under guard desk in cardboard box found by Mangum (tag #10607021)
4. Patient list found in right bottom drawer of guard desk found by Mangum (tag #10607027)
5. Undercover Officer list displayed on left side of wall on southeast corner of guard room found by Mangum (tag #10607031)
6. Patient list found on top of desk of guard room found by Mangum (tag #1060733)

**DISPENSARY  
PRODUCT ROOM**

7. \$27,716 in US Currency found inside of cash deposit box found underneath cash register in marijuana dispensary product room found by Terhaar (tag #10606997)
8. Documents separating money in cash deposit box found by Terhaar (tag #10607084)
9. \$156 USD found inside of cash register in product room found by Cooper (tag # 10607042)
10. 186 "Edipure"/"Organix" THC infused candies found on Wall Display by Alvarez (tag #10607038)
11. 9 "Moonshine" marijuana vapes found on Wall Display by Alvarez (tag #10607461)
12. 13 "Moonshine" containers containing .5 grams of marijuana wax each found on Wall Display by Alvarez (tag #10607463)
13. 18 "Spliffin" marijuana vape cartridges found on Wall Display by Alvarez (tag #10607466)
14. 7 marijuana infused Tamarind "Pelon" Edibles found on Wall Display by Alvarez (tag #10607468)
15. 13 marijuana infused Gel candy found on Wall Display by Alvarez (tag #10607470)
16. 29 assorted marijuana vape cartridges found on Wall Display by Alvarez (tag #10607473)
17. 6 marijuana infused baked goods "Coco Locos" found on Wall Display by Alvarez (tag #10607475)
18. 12 marijuana infused "Lucha Lollies" found on Wall Display by Alvarez (tag #10607478)
19. 7 marijuana infused sour belt candies found on Wall Display by Alvarez (tag #10607478)
20. 20 individually packed marijuana infused lemonade mixes found on Wall Display by Alvarez (tag #10607483)
21. 20 marijuana infused Korovax Bars (5-10 mg) found on Wall Display by Alvarez (tag #10607487)
22. 134 Assorted marijuana vape cartridges found inside of Display Case #1 by Alvarez (tag #10607056)
23. 4 marijuana preroll cigarettes found inside of Display Case #1 by Alvarez (tag #10607621)
24. 55 "Liquid Gold" marijuana oil syringes for vaping found inside of Display Case #1 by Alvarez (tag #10607608)
25. 58 "Moonshine" marijuana kief jars and 14 "Moonshine" marijuana vape cartridges found inside of Display Case #1 found by Alvarez (tag #10607059)
26. 154 pre-packaged marijuana butter/wax products found inside of Display Case #1 by Alvarez (tag #10607610)
27. 1 large wax sheet containing 26.83 grams of concentrated marijuana was found inside of Display Case #1 by Alvarez (tag #10607612)



28. 118 marijuana infused edibles found inside of Display Case #2 by Mangum (tag #10607062)
29. 2 operable digital scales found on top of Display Case #2 by Mangum (tag #10607063)
30. 142 assorted pre-rolled marijuana cigarettes found inside of Display Case #2 by Mangum (tag #10607937)
31. 3 Jars of marijuana "Moon Rocks" from inside of Display Case #2 found by Mangum (tag #10607938)
32. 24 bottles of "Procana" marijuana pills inside of Display Case #2 found by Mangum (tag #10607939)
33. 159 grams of marijuana buds consolidated from 15 glass jars found inside of Display Case #2 found by Mangum (tag #10607940)
34. 2 marijuana infused liquids found inside of Display Case #2 by Mangum (tag #10607941)
35. 13 empty glass jars previously containing marijuana from Display Case #2 (tag #10607942)
36. 265 assorted marijuana infused candies and other edibles found inside of Display Case #3 by Mangum (tag #10607066)
37. 24 marijuana infused topical salves/oils found inside of Display Case #3 by Mangum (tag #10607946)
38. 4 marijuana infused "CannaElixirs" found inside of Display Case #3 by Mangum (tag #10607948)
39. 2 empty jars previously containing marijuana found on top of Display Case #3 by Mangum (tag #10607949)

**DISPENSARY  
LOUNGE AREA**

40. 23 edibles found inside of Lounge Area found by Alvarez (tag #10607070)
41. 4 sheets of pre-weighed bulk marijuana wax found inside of Lounge Area found by Alvarez (tag #10607072)

**DISPENSARY  
OFFICE**

42. \$180 USD found inside of safe inside of office found by Alvarez (tag #10607073)
43. 2 pounds of marijuana found inside of office safe by Alvarez (tag #10607074)
44. 251.7 grams of marijuana found inside of office safe by Alvarez (tag #10607075)
45. 6 shotgun shells found inside of office by Alvarez (tag #10607076)
46. 1 large bottle of Promethazine found inside of office shelf by Alvarez (tag #10607077)
47. 1 loaded 9mm black Springfield XD firearm (Serial # XD838402) with two magazines found by Willis (tag #10607061)
48. 1 empty magazine found inside of desk in office by Willis (tag #10607079)
49. 4 containers with marijuana wax found inside of office by Alvarez (tag #10607080)



**AUDISH'S  
VEHICLE**

50. Documents found in office found by Stiasny (tag #10607083)
  51. Keys found inside of office found by Cooper (tag #10607114)
1. Photo CD/R, photos by Officer Boragine (tag #10618729)
  2. Money (\$5860 USD) found on AUDISH by Officer Boragine (tag #10618740)
  3. Documents found inside of vehicle found by Cooper (tag #10618747)
  4. Bottle of Promethazine/Codeine found inside of vehicle, found by Cooper in Center Console (tag #10618748)
  5. Silver Samsung Cell Phone, found by Cooper in Center Console (tag #10618749)
  6. Gray LG T-Mobile Cell Phone, found by Cooper in Center Console (tag #10618751)
  7. Silver iPhone, found by Cooper in Center Console (tag #10618752)
  8. Small Black Cell Phone, found by Cooper in Center Console (tag #10618754)
  9. 4 keys found in vehicle, found by Cooper in Center Console (tag #10618756)
  10. USB found in Center Console, found by Cooper in Center Console (tag #10618759)
  11. Purple pop-top container with 1 gram of marijuana, found by Officer Boragine on Passenger Seat (tag #10618761)
  12. Green pop-top container with 1 gram of marijuana, found by Officer Boragine on Passenger Seat (tag #10618763)
  13. Silver pop-top container with 1 gram of marijuana, found by Officer Boragine on Passenger Seat (tag #10618765)
  14. Silver pop-top container with 1 marijuana cigarette, found by Officer Boragine on Passenger Seat (tag #10618767)
  15. 1 marijuana cigarette, found by Officer Boragine on Passenger Seat (tag #10618771)
  16. Multiple Business Cards found by Cooper in Driver's door (tag #10618773)
  17. Audish Passport, found by Terhaar in Driver's door (tag #10618774)
  18. \$13.00 found in center console of vehicle, found by Cooper (tag #10618777)

**COTTON'S  
VEHICLE**

1. 3 Cell Phones found in Backpack, found Cooper inside of Backpack (tag #10619266)
2. 1 long Tupperware container with 14 "Moonshine" marijuana vapes, found by Cooper (tag #10619267)
3. 1 long Tupperware container with 25 "Moonshine" marijuana vapes, found by Cooper (tag #10619269)
4. 1 long Tupperware container with 18 "Moonshine" marijuana vapes and 1 unused vaporizer pen found by Cooper (tag #10619270)

5. 1 cardboard box containing 222 Moonshine Wax Concentrates (0.5 grams) found by Cooper (tag #10619272)
6. 1 brown wallet belonging to Darryl Cotton with Credit Cards found by Cooper (tag #10619274)
7. Documents found inside of wallet and backpack including Cultivation/Caregiver recommendations for Darryl Cotton found by Cooper (tag #10619275)
8. \$2, 477 found inside of Darryl Cotton's Wallet found by Cooper (tag #10619277)
9. 1 empty backpack containing all listed items found by Cooper (tag #10619278)

**COPIES OF PHOTOGRAPHS ARE ATTACHED**

## **SYNOPSIS:**

On April 6, 2016 at approximately 0700 hours, the San Diego Police Department Narcotics Unit served California Search Warrant #51510 at 6176-6184 Federal Boulevard. The search was divided into three different areas, 6176 Federal Boulevard (including Darryl COTTON's office and marijuana grow rooms), 6176 Federal Boulevard Suite #A (site of "Pure Meds" an operational marijuana dispensary), and 6184 Federal Boulevard (Darryl COTTON'S grow house and outbuildings containing marijuana grows and a marijuana processing room).

Detectives recovered 297 marijuana plants, 6,312.2 grams of processed marijuana, 31 envelopes of marijuana wax, 3 large envelopes containing a bulk amount of marijuana wax, 262 "Moonshine" marijuana vape cartridges, 483 1 gram containers of "Moonshine" marijuana kief, various pay and owe sheets, an unregistered firearm, and several items of dominion and control belonging to Darryl Cotton from the main buildings and improvised structures on the lot. The products appeared to be COTTON'S personally manufactured brand of marijuana products. COTTON stated he was not part of a collective or cooperative, and was growing the marijuana solely for his personal use.

Detectives also searched "Pure Meds" the unlicensed marijuana dispensary operating on the property. Detectives recovered \$28,132 dollars in US Currency, a bottle of Promethazine/Codeine (a controlled substance), a loaded firearm, and a variety of marijuana products including: marijuana buds, concentrates, vapes, and edibles valued at \$75,000 dollars. Detectives also found COTTON's personal brand of marijuana vapes, waxes and kiefs inside of the dispensary for sale. A lease found during the search identified the leasee of the property as Ramiz AUDISH. Based on the lease and several follow-ups, I believe AUDISH is the business owner of Pure Meds.

A security guard, Anthony GARCIA, was contacted outside of the dispensary. GARCIA was detained and searched. GARCIA had keys to the dispensary. GARCIA was in possession of 1.82 grams of cocaine and a firearm. GARCIA was arrested and booked into jail.

AUDISH were arrested on 05-05-2016 at 1136 hours. AUDISH made bail on 05/06/2016. AUDISH's arraignment is set for May 12, 2016 at 1330 hours. At the time of his arrest, AUDISH was in possession of \$5,873.00 and several pay and owe sheets that appeared to be related to marijuana sales.

COTTON was arrested in public on 05-06-2016 at 1619 hours. At the time of his arrest, COTTON was in possession 222 "Moonshine" marijuana concentrates and 57 "Moonshine" vape cartridges, three cell phones, and \$2,477 dollars in cash.

## **BACKGROUND:**

On December 19, 2015 I received a complaint regarding marijuana sales and an increase of foot and vehicular traffic at 6176 Federal Boulevard. The reporting party reported drivers routinely driving erratically in front of the location. I later identified the location as "Pure Meds" an unlicensed marijuana dispensary operating within the City of San Diego. I confirmed there were



no applications to permit a marijuana dispensary at the location by contacting the City of San Diego Development Services.

On January 29, 2016 I contacted Detective Mike Helm (San Diego Sheriff's Department) regarding his investigation of the same property. Detective Helm stated he had received an application from Darryl COTTON, the property owner, to become a member source of marijuana for Outlier's Collective (a licensed marijuana dispensary) on December 30, 2015. Detective Helm stated he scheduled an inspection of the property on January 19, 2016. During his inspection, Detective Helm took photographs of COTTON's marijuana grow. Detective Helms stated he saw over 220 marijuana plants and an operational marijuana dispensary on the property. COTTON'S request was ultimately denied due to the excessive amount of marijuana plants and the presence of an unlicensed marijuana dispensary on the property. Detective Helm counseled COTTON on how to become a legal marijuana grow and left the property. I later spoke to Detective Helm and requested the purchasing records for Outlier's Collective. I verified Darryl COTTON had sold Outlier's Collective \$2,000 dollars worth of marijuana products on 12/30/2015 and 1/7/2016.

I conducted a records check and verified that 6176 and 6184 Federal Boulevard belonged on the same lot and confirmed Darryl COTTON was the property owner. I subpoenaed the San Diego Gas & Electric Bill (SDG&E) bill for the property. I identified COTTON as the account holder for both meters. The payment history showed bills in excess of \$1,500 dollars for the previous six months.

I conducted several surveillances at the site over the course of two months. During these surveillances, I noted the dispensary was operational and had an excessive amount of foot and vehicular traffic going to and from the dispensary. I also noted COTTON was almost always present. I routinely watched COTTON cross a fence in the middle of the property to access both buildings on the lot.

On February 5, 2016, Sergeant Terhaar and I conducted surveillance at the property. Sergeant Terhaar positively identified COTTON through a California Driver's License photo. COTTON was followed to a single story residence at 6665 MacArthur Road in Lemon Grove. COTTON opened the garage and took several items out of the garage. The residence's front windows were covered in mylar plastic. I later identified the property as the home of COTTON'S employee, Linda Devincenzi. Later that morning, I observed Darryl COTTON sweep up the sidewalk in front of his property. COTTON went into the dispensary and within a few seconds, a female employee I later identified as Ashley Ghafouri (DOB: 01/24/1996) moved her vehicle from the driveway nearest to the dispensary to the enclosed parking lot in front of 6184 Federal Boulevard.

I noted the advertisement over the dispensary was for "Fleet Systems". I conducted a computer check and verified "Fleet Systems" that previously operated at the same location. I contacted the advertised number for "Fleet Systems" via telephone. A female answered the phone and identified the business as "IndaGro". The female stated the business no longer provided electrical services. I later conducted several business tax license checks for businesses operating at the property. All of my checks showed Darryl COTTON as the owner for a variety Fictitious Businesses including Dalbercia Inc. and Elda Enterprises.



I conducted a computer check of IndaGro and found the business webpage for Indagro products. The business advertised Induction Lighting Systems and offered specialized lighting systems for a range of \$480.00 to \$1435.00 for their products. The page does not advertise the growth of any marijuana plants nor does it make any mention of the use specifically for marijuana plants. The CEO of the company was identified as Darryl COTTON.

On February 9, 2016 I drove to the rear of the property and could plainly smell an overwhelming odor of marijuana coming from the tarped area to the northwest corner of the lot.

On March 24, 2016 I saw COTTON enter the building at 6184 Federal Boulevard several times. I drove to the rear of the property and could plainly smell marijuana coming from the same tarped area of the lot. On that same date, I went to 6665 MacArthur Drive. I noted the mylar plastic had been taken down from the windows and there were no indications of an operational marijuana grow at the property. A check of the SDG&E bill to the residence did not show any excessive use of electricity at the property.

Due to my observations, I believe COTTON continued to cultivate marijuana despite Detective Helm's suggestions.

#### **INVESTIGATION:**

On April 6, 2016 at approximately 0700 hours, the San Diego Police Department Narcotics Unit and I served California State Search Warrant #51510 at 6176-6184 Federal Boulevard.

I contacted Kimberlee VIRGIL (12-30-1960) as she parked her vehicle in the enclosed lot in front of 6184 Federal Boulevard. VIRGIL stated she did not have keys to any of the buildings. VIRGIL stated "Darryl" should already be in his office.

COTTON and a second employee, Jeff HAGLER (DOB: 12-17-1958) were contacted inside of the main office at 6176 Federal Boulevard. A fourth person, James WHITFIELD (DOB: 08-31-1950) was later contacted inside of a white RV parked in the middle of the property. COTTON and the other employees were detained and placed on front chairs in front of 6184 Federal Boulevard. Although they were initially handcuffed for safety reasons, they were eventually uncuffed and remained so for the duration of my investigation.

I contacted Darryl COTTON and introduced myself to him. I told COTTON I had a search warrant for the property. At this time, COTTON requested a copy of the search warrant and I provided it to him. I told COTTON he was not under arrest and to wait while I conducted my investigation. COTTON understood and did not make any objections.

After the buildings were secured, I documented the locations of 297 cultivated marijuana plants (see attached schematic). I noted a marijuana "processing room" inside of the main building at 6184 Federal Boulevard. The "processing room" contained jars and aluminum pots containing processed (cut, dried, and separated) marijuana buds inside. There was also a wall display of pre-packaged 1 gram containers of "Moonshine" marijuana vape cartridges in the same room.

After the initial walk through, Officer Cameron #6864 stated he had successfully detained an armed security guard for the dispensary inside of a parked vehicle in front of the dispensary. I spoke to the guard later identified as Anthony GARCIA. GARCIA stated he was hired by a third party, "Dom" to work at the dispensary overnight. GARCIA stated he did not have a valid guard card. GARCIA stated he had keys to the dispensary; but the owner had told him not to go inside of the dispensary because another security guard had stolen marijuana from the dispensary. GARCIA knew the owner as "Ray". GARCIA was searched. The keys to the dispensary, a concealed and loaded firearm, and 1.82 grams of cocaine were found in his possession. GARCIA was arrested and booked into jail.

Sergeant Stiasny #4187 accessed the dispensary using the keys found on GARCIA's person. Sergeant Stiasny and his team entered the dispensary and secured the premises.

Sergeant Murphy #4787 stated Darryl COTTON wanted to speak to me. I spoke to COTTON and told him he was not under arrest, but I had several questions about his grow. COTTON stated he understood and would answer my questions. COTTON was honest and forthcoming about his cultivation methods. I used SDPD Questionnaire 3.28 to determine COTTON'S use of marijuana. I have attached a copy of the questionnaire to this report (see attachment). Detective Morales was present while I spoke to COTTON. COTTON essentially stated the following:

**STATEMENT OF DARRYL COTTON (SUSPECT):**

I rent out the dispensary to a guy named "Ray". I don't know his last name. When he asked me to rent out the office space, he told me he had a permit and his operation was going to be all legal. COTTON described "Ray" as a white male adult, approximately 6'3" tall, in his mid 30's. COTTON stated "Ray" drove all sorts of vehicles including a dark Camry. COTTON stated, "We don't have a lease, it's all verbal. He pays me cash on the 15<sup>th</sup> of every month. I was just given a notice by the City that the City of San Diego is suing me. I just got an attorney for that, his name is Jeff Lake."

I stopped asking COTTON any questions relating to the dispensary. I asked COTTON if I could ask him questions regarding his grow. COTTON nodded. I asked COTTON if he was a care provider for anyone. COTTON stated he was not a care provider for anyone. COTTON told me the following:

I applied to be a source of marijuana for Outlier's Collective a while ago. Approximately 6-7 months ago, the San Diego Sheriff's Department came out and did an inspection. They told me I couldn't grow for Outlier's. I never sold to any marijuana to Outlier's Collective. I am currently experimenting with various types of high CBD marijuana plants; I grow strains like Harlequin, ACDC, Cannatonic, and William's Wonder. I have a license to be in possession of 96 plants. It's inside of here [6184 Federal Boulevard]; I am not a care provider for anyone, and I don't grow marijuana for anyone else.

Since COTTON claimed he was not a care provider, I did not ask him the questions relating to a Caregiver on the Questionnaire. I asked COTTON the questions on the Qualified Patient Questionnaire. COTTON stated the following:



**STATEMENT OF DARRYL COTTON:**

COTTON admitted he suffers from epilepsy and has suffered from epilepsy since he was 21 years old. His symptoms include grand mal seizures. He gets examined by a medical doctor annually, and was last seen by a doctor approximately 6 months ago. COTTON stated he has no health insurance and has not seen any other doctor except the doctor that provided him with his medical marijuana license. COTTON could not recall the name of the doctor that he sees annually, but stated the name is on his marijuana license. COTTON stated he used 500 milligrams (half a gram) to 1 gram of marijuana per day. He usually smokes marijuana three times a day. He is medicated for approximately 2 hours every time he smokes. COTTON estimated he is medicated for 6-12 hours a day. COTTON does not take any other medications for his epilepsy, and last took prescription medications approximately five years ago. COTTON stated he does not have a primary care provider.

I asked COTTON if he had medicated himself prior to the search warrant. COTTON stated he had not because he believed the day was going to go as normal and he needed to be aware of his work.

I asked COTTON if he has ever sold anyone any marijuana. COTTON stated he had never sold marijuana to anyone. COTTON stated he never sold marijuana to Outlier's Collective because the Sheriff's Department had denied his application and it would not be legal for him to do so. COTTON said he was growing all of the marijuana on the property for himself. COTTON made a rambling statement on how he was using the plants to test his specialized grow lights.

After asking COTTON the questions on the Qualified Patient Questionnaire, I had COTTON read his responses on the Questionnaire to make sure his statements were accurate. I told COTTON to sign on the bottom line if he agreed with his responses. COTTON signed the bottom of the form and I dated the form. I have attached a copy of the signed Questionnaire to this packet, and have retained the original in my records.

After speaking to COTTON, I asked COTTON if he would give Detective Morales and me a tour of his facility. COTTON agreed. COTTON walked to a small grow containing approximately 31 marijuana plants underneath a tarp next to the entrance of COTTON'S office. A second enclosure just north of the main office contained 11 marijuana plants. COTTON explained the 11 plants were his "mother" plants and were the source for all of the clones he had on the property.

COTTON walked to a set of stairs leading to a raised truck trailer on the north perimeter of the property. Inside of the truck trailer were 43 marijuana plants placed side by side on a long wooden trough. The plants were approximately 3' feet tall. COTTON stated the marijuana plants belonged to him. COTTON stated he floods the marijuana plants with water from several fish tanks below.

COTTON then walked to a small wooden trough in front of the RV camper in front of his main office. The trough contained 36 marijuana plants that were approximately 8-12" inches tall.



COTTON led us to a doorway on the west wall of 6184 Federal Boulevard. COTTON walked into a narrow passageway that led north and then directly east along the far walls of the building. The passageway led into the northeast conex container. The northeast conex contained 90 6-8" marijuana plants in a small area. Several of the plants were inside of a small greenhouse type container. These plants had long white roots growing into a water tank below.

COTTON walked into a main passageway towards the south grow room inside of the main building. The room contained 36 mature and flowering marijuana plants. COTTON stated the plants were also his and were part of his 96 plants allotment.

COTTON then walked to the main hallway outside of the room and pointed to a framed schematic titled "Plant Inventory" and dated 1/18/2016. COTTON stated he kept a running inventory of his grow on the schematic and pointed to three "Cultivator and Caregiver" documents he had been pinned onto a wall. COTTON stated the three documents allowed him to grow 96 plants and 4 pounds of marijuana for each document.

The documents identified Darryl COTTON, James Alfred WHITFIELD, and Elizabeth HUNTSMAN as care providers. The documents stated each patient was legally permitted to possess 96 plants and 4 pounds of marijuana. The license was recommended by Physician Arnold S. Kramer, D.O. and had a web address of [www.hemp420.org](http://www.hemp420.org).

After examining the licenses, I saw a maroon binder on a metal table placed directly beneath the schematic. The binder contained a photocopy of COTTON's physician recommendation and a patient roster identifying each patient by their name, physician recommendation ID number, and the expiration date of each of their recommendations. The list contained the names of 35 individuals that were organized according to the expiration date of their recommendations. Twenty of the names had expired recommendations. The next page in the binder was titled "Patient Roster" and listed Darryl Cotton as the Cultivator and Caregiver and the expiration date of his recommendation. There were no other Cultivators listed inside of the binder. The list contained a list of the same individuals alphabetized by last name. The binder contained photocopies of each patient's identification card, physician's recommendation for marijuana, and a membership agreement and disclosure statement for "Pure Meds", the dispensary located at 6176 Federal Boulevard, Suite #A.

I checked the binder and found several identical "Cultivator and Caregiver" certificate that COTTON had. The documents belonged to the following persons: Steven Czapala (expiration date: 01/15/2016), June Pyhala (expiration date: 02/24/2016), Shawna Salazar (expiration date: 02/24/2016), and Linda L. Devincenzi (expiration date: 02/24/2016). I later recognized the names "June" and "Shawna" as COTTON's paid employees from several "Inda-Gro" payroll documents I found inside of the secretary's office. I also found a copy of an employee pay stub belonging to Benjamin Stern inside of the same office.

Several officers were searching the processing room that was immediately to our right. Detective Morales asked COTTON what was going on in that room. COTTON said, "That's all mine".



COTTON finished up the tour and led us to a small grow in the southeast conex container which contained 31 marijuana plants. I asked COTTON if these were his plants as well. COTTON stated they were.

After speaking to COTTON, I had him take a seat in the front of lot 6184 Federal Boulevard next to James WHITFIELD. I asked WHITFIELD if I could ask him some questions. As WHITFIELD was struggling to stand, COTTON exclaimed, "You're license is on the wall, for your 96 plants, don't forget that!" I believed COTTON was attempting to coach WHITFIELD on how to answer my questions.

WHITFIELD and I moved approximately 15 feet away from where COTTON was seated. I told WHITFIELD he was not under arrest and asked him if he smoked marijuana. WHITFIELD stated he did. I asked WHITFIELD if he was a cultivator for other people. WHITFIELD appeared to be confused by the question, then stated he worked at the site and helped COTTON with the plants. WHITFIELD made a vague statement regarding having a license inside of a room at 6184 Federal Boulevard for 96 plants. I asked WHITFIELD where he lived. WHITFIELD stated he lived inside of the RV in the front lot.

Based on my previous observations and WHITFIELD's lack of knowledge of cultivation and marijuana cooperatives, I did not believe WHITFIELD was intentionally growing marijuana plants as a part of a collective or as a care provider. I used a Qualified Patient Questionnaire to quantify how much marijuana WHITFIELD used for his medical ailments. WHITFIELD stated the following:

**STATEMENT OF JAMES WHITFIELD:**

WHITFIELD stated he is on blood thinners and has prescription medications for hypertension. WHITFIELD's ailments started years ago. WHITFIELD has a hard time walking, cannot stand for long periods of time, back problems, and a few years ago his left leg was crushed. WHITFIELD goes to the VA Hospital to get routine check-ups. He did not remember his doctor's name, but last visited 4 months ago and gets his blood drawn one time a month. In August WHITFIELD visited another doctor in the Fashion Valley area who recommended marijuana for medicinal reasons. I asked WHITFIELD how much marijuana he smoked a day. WHITFIELD could not say how much he used but made a pinching gesture with his forefinger and thumb. WHITFIELD stated he smoked a small bowl at night to help him sleep. Based on my training and experience, I know a "bowl" is slang for approximately 0.5 grams of marijuana. WHITFIELD is on several prescription medications. WHITFIELD stated he supplies himself with marijuana from the grow inside and has a license to grow 96 plants. I asked WHITFIELD if he had a job anywhere. WHITFIELD said, "Yes I do here!"

I finished my interview with WHITFIELD and continued my investigation.

I returned to the main offices inside of 6176 Federal Boulevard. I assisted searched COTTON's office. As I walked towards COTTON's desk I immediately saw a silver butter knife with marijuana wax on the blade, sitting on top of a large sheet of parchment paper, on top of an industrial paper cutter. There were three digital scales lying immediately next to the paper cutter



along with a separate large sheet of parchment paper and several smaller pre-cut pieces of paper. There were also two rolling pins next to the parchment papers and a small pre-cut piece of parchment paper with marijuana wax folded in it. There was also a box containing approximately 100 pre-labeled coin envelopes for "Moonshine" a "Pure Cannabis Extract". There was also a box containing loose "Moonshine" labels and unlabeled coin envelopes on top of the desk. Additionally, there were two sheets of preprinted testing labels that showed the date the wax was tested, the marijuana strain used, and the amounts of THC and CBD it contained. I also found several documents from "KS Labs" that contained a detailed analysis of marijuana wax that was tested. The documents certified the wax was tested on behalf of "Moonshine Extracts" on March 18, 2016.

I searched the desk and found COTTON'S social security card and United States Passport inside of the center desk drawer. Detective Morales found a container of marijuana wax inside of a rubber case containing a vape cartridge on top of COTTON'S desk. Detective Woodland found an unregistered loaded black Beretta 92FS (serial #BER35364Z) inside of the bottom left drawer of COTTON'S desk. The firearm was loaded with 12 rounds of ammunition and was next to a black leather holster. COTTON later stated he had purchased the firearm from "some marine". I found a black LG cell phone on top of COTTON'S desk and a black computer tower underneath the desk. Detective Woodland checked COTTON'S desktop computer for access to the security camera feed to two large big screen televisions in the room. Detective Woodland found a picture of COTTON posing in front of what appeared to be a marijuana extraction closed-loop machine.

Based on the items found on COTTON'S desk, I believed COTTON'S cell phone and desktop computer would have additional information regarding sales of marijuana and other marijuana products. Both items were impounded as evidence. I also found two notebooks on COTTON'S desk. One of the notebooks appeared to be a collection of pay and owe sheets. One page listed "Louis" and "Ray" as buyers of a variety of marijuana products. Another page identified "Nichole" as the buyer of several marijuana products and had a balance of \$1,110. Another page identified "Damien" and "Chris" as purchasers of over \$1,000 of marijuana products each. The notes inside appeared to be recent as the last page was dated 3/31/16. I have attached copies of the notepad in this report.

I continued searching COTTON'S area and checked a wooden shelf area directly behind his computer chair. I found two boxes of business cards for "Inda-Gro Induction Lighting Systems" and "Fleet Companies". Both business cards identified Darryl Cotton as the President of both businesses. I also found a gun cleaning kit inside of the shelves. Detective Morales found two marijuana products and impounded them as evidence. On the table underneath the shelves I found four different binders containing court documents for the court case against COTTON for maintaining an illicit marijuana dispensary on the property. I also found a document entitled "Keep Our Dispensary Here" on the same desk. The document had 11 signatures and other contact information listed. The document also had various money amounts written into the margins.

I found three green binders and a notebook on the east side of the room, approximately 4 feet from COTTON'S desk. One of the binders was labeled "Inventory". Each binder consisted of retail prices for various types of marijuana product for "Green Rhino". I recognized the name as



that of an illegally operating marijuana dispensary that was shut down within the last two years. The dispensary was located at 748 6<sup>th</sup> Avenue in San Diego.

I conducted a search on the desk of the south side of the Secretary's area. I located several documents including a 6-month lease agreement dated July 20, 2015 between Darryl COTTON and "Ray" Ramiz Audish for 6176 Federal Boulevard, Suite #A for the amount of \$2,500 per month. The lease agreement was underneath a court documenting listing COTTON's attorney's response to a Temporary Restraining Order (TRO) that listed COTTON as the named defendant a defendant. I also found several payroll documents, COTTON'S personal checkbook, a copy of COTTON's HUD documents for a residence located at 3032 New Jersey Avenue in Lemon Grove, and several of COTTON's tax returns. I impounded the above listed items as evidence.

I spoke to Detective Queen in the processing room of 6184 Federal Boulevard. Detective Queen and his team recovered a total of 6,312.2 grams of dried, cut, and processed marijuana buds, 6 operable digital scales, 262 pre-packaged 1 gram containers of "Moonshine" vape cartridges, 293 prepackaged 1 gram containers of "Moonshine" kief, 3 packages of marijuana infused crackers, 1 jar of marijuana infused butter, and 25 bottles of "Lindy's marijuana oil" from inside of the processing room. I checked the area and found approximately 100 business cards with the "Moonshine" logo and the names "Darryl" and "Liz" printed on them. I found a page of pre-printed testing labels similar to the labels found inside of COTTON's office on the counter. Additionally I found two notebooks that contained the names, emails, and phone numbers of 76 persons and pay and owe documents. There were three names that appeared consistently inside of both books, including "Chris", "Taylor", and "Romi". Per the documents, "Chris" had a balance of \$500. "Taylor" had approximately \$1,250 worth of credit, and "Romi" had purchased \$6,600 dollars in marijuana. I have attached a copy of these documents to this report.

After completing a search inside of the offices, conex boxes, and the main building at 6184 Federal Boulevard, I assisted Sergeant Stiasny search the dispensary at 6176 Federal Boulevard, Suite A. The dispensary contained an ATM machine inside of the waiting area and had a fortified door leading into the product room, lounge area, and office of the dispensary.

The product room contained a wall display and two glass display cases containing marijuana products. I noted there were 9 "Moonshine" vape cartridges, 18 "Moonshine" wax envelopes and 58 "Moonshine" kief jars inside of the product room to the dispensary. I recognized the "Moonshine" products as COTTON's manufactured marijuana brand.

Sergeant Stiasny and his team recovered and impounded over 1,425 marijuana products from inside of the dispensary. A complete list of the items, the location they were found in, and their potential retail value has been attached to this report.

A cash drop box was found inside of the product room underneath the cash register. The drop box was opened and a total of \$27,716 dollars were found inside of the safe by Detective Morales. The money was found inside of envelopes dated 03/30/16 to 04/05/16. NTF Detective Mark Carlson was alerted and advised he would pick up the money at Headquarters at the completion of this investigation.



Officer Mangum found \$80.00 inside of the guard booth of the dispensary. Officer Mangum also found boxes containing patient lists and a list containing the names of SDPD undercover detectives' inside of the booth. The documents were photographed and impounded as evidence.

Officer Alvarez searched the employee lounge area to the rear of the product room. Officer Alvarez found marijuana edibles and four large wax sheets containing a bulk amount of marijuana wax inside of an ice cream freezer in the lounge area. The frozen edibles were not impounded.

Officers Alvarez and Willis searched the office room behind the lounge area. Officer Alvarez found \$180 dollars in cash, approximately 2 pounds of high grade marijuana, 6 shotgun shells, a loaded 9mm black Springfield XD firearm (serial # XD838402), and four containers of marijuana wax inside of the office safe. Officer Alvarez also found a bottle of Promethazine and Codeine (a controlled substance) on a shelf in the office behind several silk plants. The bottle was tested by the SDPD Narcotics Lab and tested positive for 473 milliliters of codeine syrup (a schedule II narcotic).

Sergeant Stiasny searched the office desk for any documents identifying the owner of the dispensary. Sergeant Stiasny found a note stating "No free grams for anyone, Ray" and a second note identifying six illegally operating dispensaries in San Diego and several sums of currency next to it. Among the documents inside of the desk were several pay and owe sheets, and two leases identifying "Raymond R Aken" of 4406 40<sup>th</sup> Street as the owner of a second illicit dispensary located at 1915 Una Street in San Diego. I later conducted a records check and found that there was no person named Raymond R Aken or Ray Aken in any computer systems including ARJIS, SDLAW, E-SUN, TLO, or the California Department of Motor Vehicles.

Due to my training and experience, I know that operators of illegally operating marijuana dispensaries often use false names on leases and other documentation including SDG&E bills, and other inventory accounts such as bottled water, ATM rentals, and other services in order to protect themselves from civil and criminal litigation. I later spoke to City Attorney Onu Omordia who was prosecuting the case against Darryl COTTON. C.A. Omordia stated the COTTON'S attorney had provided her with a lease to the dispensary naming "Ray Lombda" as the leasee. I conducted a similar computer check with that name and did not find any persons with that name in any of the databases. Due to the discrepancies found in the leases and the original lease I had found in COTTON'S office, I believe "Ray Landa" "Ray Lombda" and "Ray Aken" are AKA's for **Ramiz Audish**.

On 04-14-2016 Detective Morales and I conducted a follow up at Ramiz AUDISH's residence. AUDISH was not at his residence. On 04-15-2016 Detective Morales called Ramiz AUDISH and left a voicemail with instructions to call him back. AUDISH has yet to answer those calls.

On 04-21-2016 and 04-27-2016 Detective Morales and I called the persons listed on COTTON's patient notebook. Four of the names inside the binder did not answer my phone calls, five of the numbers did not work, and twenty of the names did not have any phone numbers attached. On 04-21-2016 Detective Morales contacted the following persons and obtained their statements:

- Elena PELAYO: PELAYO stated she was a member of Pure Meds Collective and was her own care provider.



- Giovanni CRUZ: CRUZ stated he had only gone to Pure Meds one time and did not have a Darryl Cotton as a care provider. CRUZ added that he was his own care provider.
- Adam MCKAY: MCKAY stated he had gone to Pure Meds but did not have a care provider.

On 04-27-2016 I contacted Alexander Johnson. Johnson stated he did not know who Pure Meds was or who Darryl Cotton was. Johnson added he was his own care provider and asked me how I had gotten his information.

On 04-27-2016 I contacted the HEMP the business that provided COTTON with his marijuana recommendations. I spoke to "Steve" and asked him if I could obtain a cultivation recommendation from their business. Steve explained I could obtain the recommendation for a fee of \$290 dollars. The recommendation states that a cultivator could possess 96 marijuana plants and up to 4 pounds of processed marijuana. The fee included the cultivation recommendation, a physician's recommendation for marijuana use, and the examination fee. Steve also explained he would be willing to provide me and other associates with a presentation regarding the establishment of a cooperative or collective. Steve requested I pay \$20 per person for a minimum of two hours to receive such a presentation.

On this date, I also checked Darryl COTTON's water bill for the last 12 months. COTTON's water bill was not excessive and did not exceed \$200 per month.

On 04-28-2016 I spoke to City Attorney Diane Silva-Martinez and City Attorney Investigator Connie Johnson regarding the leases I had found on the property. City Attorney Investigator Johnson stated she also conducted a computer check for Ray Aken and had not found any matches. Johnson stated she conducted a follow up on 04-21-2016 at 4406 40<sup>th</sup> Street with Code Enforcement Units after an electrical fire was reported at the location. Johnson she saw AUDISH supervising construction in front of the dispensary and positively identified him via his California Driver's License.

On 04-29-2016 I spoke with Elizabeth HUNTSMAN (DOB: 07-27-1989) on the telephone. HUNTSMAN was hesitant to speak to me in person. I interviewed HUNTSMAN via telephone and recorded our conversation. A copy of the conversation was impounded as evidence. HUNTSMAN essentially stated the following:

**STATEMENT OF ELIZABETH HUNTSMAN:**

HUNTSMAN is not a caregiver for anyone nor does she know what a caregiver is. HUNTSMAN smokes large amounts of marijuana due to her anxiety and has a marijuana recommendation from a licensed physician. HUNTSMAN stated she received a marijuana recommendation from Arnold S. Karmer on 3/18/16. She paid \$45 dollars for her recommendation.

HUNTSMAN stated she met Darryl COTTON while she was working at a marijuana dispensary (not Pure Meds) in Lemon Grove. HUNTSMAN stated COTTON never approached her about growing marijuana nor obtaining a license to allow him to grow

marijuana on her behalf. HUNTSMAN has heard of Moonshine Concentrates and is familiar with the products because she saw them online. HUNTSMAN stated she has never gone to Pure Meds but has heard about it from another female coworker. HUNTSMAN stated she currently works for a licensed dispensary in Mira Mesa and uses marijuana to treat her anxiety.

On 04/29/2016 I was contacted by ATF Agent Ricardo Jimenez regarding the firearms found and impounded at the properties. ATF Agent Ricardo is conducting his own investigation regarding the firearms.

On 05/03/2016 I conducted a follow up at 15752 Caminito Cercado in San Diego. I saw Ramiz AUDISH back out of the attached garage of the residence in a black Lexus SUV (4KEY495). I followed AUDISH to a small retail mall in 4S Ranch. AUDISH appeared to be vaping inside of the vehicle. I was unable to find a marked unit to stop AUDISH at the time.

On 05/04/2016 I obtained a sample of patient documents found within the dispensary and attempted to contact 75 individuals who had provided Pure Meds with a Physician's Recommendation for Marijuana. I contacted 19 individuals via telephone. Out of the 19 individuals, one patient stated he had never been to Pure Meds. The other 18 individuals stated they were their own caregivers and had never heard of Darryl Cotton or Ray. These 18 patients stated they had found the dispensary through their public advertisement on Weedmaps and had only gone to the dispensary once or twice before. Most stated they went to that particular location as a matter of convenience because they were in the area.

I also checked the status of Pure Meds on a public source website: weedmaps.com. The dispensaries website showed it was currently operating as a marijuana delivery service from an undisclosed location.

## **ARREST OF RAMIZ AUDISH**

On 05/05/2016 at 1000 hours, I conducted surveillance at 15752 Caminito Cercado in San Diego. At approximately 1130 hours, I saw AUDISH's registered vehicle, a black Lexus SUV (CA 7KEY495) back out of the garage of the residence. I requested a uniformed police officer conduct a traffic stop on the vehicle. Officer Boragine #7311 conducted a traffic stop at Bernardo Center Drive and the Southbound I-15 onramp. Prior to stopping AUDISH, Officer Boragine confirmed AUDISH was arrested in 2008 and 2009 on gun-related charges.

As I approached the vehicle I could see the windows of the vehicle were partially down. I could immediately smell the odor of marijuana coming from the vehicle. Officer Boragine took AUDISH into custody and handcuffed him. Officer Boragine searched AUDISH for weapons and found two large rolls of cash in AUDISH's left and right pants pocket. AUDISH spontaneously said, "I have \$4,000 in that pocket" as Officer Boragine removed a roll of cash his right pants pocket. Detective Morales later counted \$2870 from AUDISH'S left front pocket and \$2950 from his right pocket. Officer Boragine also found a pink iPhone inside of AUDISH's pocket.



AUDISH was placed into the back of a police vehicle and requested to speak to Detective Morales and I. I spoke to AUDISH and informed him we were investigating an illicit marijuana dispensary operating out of 6176 Federal Boulevard. AUDISH immediately stated he had nothing to do with the dispensary and he sold vapes and empty cartridges to a variety of businesses. AUDISH stated a male named "D" had recently called him and asked him if he could re-use his name on a lease to a dispensary on Federal. AUDISH said he never signed a lease to the dispensary and would be willing to sue whoever signed a lease because they had falsely placed his name on a lease without his knowledge. I asked AUDISH how "D" contacted him. AUDISH vaguely stated "D" got in touch with him through a friend of a friend at a friend's business and called him. AUDISH stated he had never given "D" his cell phone number, but he had received a call from "D" on his cell phone approximately a month ago. AUDISH stated he had never met "D" and did not know who he was. AUDISH later denied consent to look into his cell phone.

AUDISH said the money in his pockets came from a combination of his father's liquor stores and added that his father had a money wiring business in one of them. AUDISH stated he sold vaping accessories (pens, chargers, and empty vaporizers) to a variety of clients for a living. AUDISH said he had the large amount of cash because he was going to deposit it and he had a variety of checking accounts at Wells Fargo and Citibank. AUDISH was unable to say which business had accumulated the money he had in his pockets.

I went to the vehicle and looked inside. I could clearly see several marijuana grinders and a clear plastic pop-top container inside of the front passenger seat of the vehicle. I could clearly see marijuana buds inside of the pop top container.

Officer Boragine, Sergeant Terhaar, and I searched the vehicle. I found a bottle of Promethazine/Codeine (a controlled substance) and \$13 dollars inside of the center console of the vehicle. The name of the person who had been prescribed the bottle had been scratched off the bottle. Officer Boragine photographed the following items as they were found during our search of the vehicle. The following documents were found inside of the vehicle:

- Lease to 1915 Una Street signed by Ray Akens aka "RA" inside of trunk of vehicle (found by Cooper)
- Money Order receipts for amounts totaling \$12,500 in white unmarked envelope found inside of trunk to the vehicle (found by Terhaar)
- Elite Security and Surveillance Invoice for 6176 Federal Boulevard found on rear seat floorboard (found by Cooper)
- Blank empty security envelopes found on rear seat floorboard (Found by Cooper)
- Pure Meds Diagram printed on Dalbercia Inc. Vendor Report (COTTON's business) found in driver's door (found by Terhaar)
- Pay and Owe sheets dated 04-28-16 found inside of driver's door containing marijuana residue (found by Terhaar)
- Improvised Sign In Sheets found inside of driver's door (found by Terhaar)
- Phone Number for "Bri" found inside of driver's door (found by Terhaar)
- Empty envelope labeled "Abe April 28<sup>th</sup> 2016 close till \$100.00" found inside of driver's door (found by Terhaar)



- Passport belonging to Ramiz AUDISH found inside of driver's door (found by Terhaar)
- Business Card for Jeff Lake found on Driver's Seat floorboard (found by Cooper)
- Turner's Outdoorsman Layaway Invoice and Receipt for Shotgun for Lance Kachi and Receipt for Black Security Safe found on front passenger seat floorboard (found by Cooper)
- Medical Cannabis Labels found on front passenger seat floorboard (found by Cooper)
- Receipt for Timeless Treasures for \$3,333.33 Watch found on front passenger seat floorboard (found by Cooper)
- Marijuana Recommendation Letters and Card for Ramiz AUDISH found inside of glove compartment (found by Cooper)

As I continued my search of the car, I found 4 single keys in the driver's door and the center console. I believed the keys belonged to other marijuana dispensaries and impounded them as evidence. I also found 4 cell phones, and several USB memory sticks inside of the center console. Based on my training and experience, I believe the USB memory sticks and the cell phones contain information regarding the sales and distribution of marijuana. I also found four plastic pop top containers with marijuana or half smoked marijuana cigarettes inside of the center console and on the front passenger seat of the vehicle. In addition, I found AUDISH's passport on the driver's side door of the vehicle.

Based on the items I found inside of the vehicle and the previous investigation into the dispensary at 6176 Federal Boulevard, I believe it is clear Ramiz AUDISH and "Ray Akens" are synonymous. I believe this because I found the original signed property leases I had found inside of the dispensary on 04/06/2016 inside of RAMIZ's vehicle. In addition, RAMIZ had a handwritten diagram for Pure Meds on the back of a Dalbercia Inc. Sales Report. I recognized the name "Dalbercia Inc." as COTTON's registered incorporate. I also found a surveillance invoice for 6176 Federal Boulevard inside of RAMIZ's vehicle, and several pay and owe sheets similar to the ones found inside of Pure Meds. Based on the totality of the circumstances, I arrested Ramiz AUDISH per 11359 H&S – Possession of Marijuana for Sales.

Officer Boragine transported AUDISH to Headquarters for further processing. AUDISH gave me consent to park his vehicle near the next exit. I parked and secured AUDISH's vehicle at Windrose Way and Maturin Drive in the City of San Diego. After returning to Headquarters, Detective Morales admonished AUDISH per a PD-145. AUDISH stated "Yes" to both questions. I spoke to AUDISH and obtained a brief statement. I asked AUDISH if I could record our conversation. AUDISH stated he did not want to be recorded.

**STATEMENT OF RAMIZ AUDISH (ADMONISHED):**

AUDISH stated he never signed any kind of lease to operate a dispensary at 6176 Federal Boulevard. AUDISH stated he wanted to help me out and tell me everything he knew but he wanted a deal in exchange for information. AUDISH stated he would tell me everything in exchange for me dropping this case against him and letting him go.

I told AUDISH that "deals" often don't work that way and told him he would be booked into jail regardless of the information he gave me. I informed AUDISH deals came with the approval of the District Attorney's Office and the information he provided would have to be



vetted between his attorney, the prosecuting attorney, and myself. AUDISH stated he understood and again reiterated he would sue the person who had falsely placed his name on a lease.

I asked AUDISH if he knew Darryl Cotton. AUDISH stated the following:

"I know Darryl from his location on Federal Boulevard. I used to sell him vaporizers and other vaping accessories. You know what? I want to stop talking to you and would like to speak to my attorney."

I concluded the interview and did not ask him any more questions.

Officer Boragine booked AUDISH into jail. AUDISH bailed out on 05/06/2016. His arraignment date is set for May 12, 2016 at 1330 hours.

Detective Morales and Detective Hunter impounded the above listed items as evidence. Detective Morales concluded he found \$5,873 on AUDISH's person and inside of the vehicle. Based on the above listed documents I believe the monies are proceeds of illegal marijuana sales and seized the money. NTF Detective Mark Carlson was contacted. ATF Agent Rick Jimenez was contacted regarding the gun receipt found inside of AUDISH's vehicle.

## **ARREST OF DARRYL COTTON**

On 05-06-2016 at approximately 1000 hours, Sergeant Terhaar and Detective Morales conducted surveillance outside of 6176 Federal Boulevard. COTTON was seen exiting the property holding a black backpack closely to his body. On the same date, Sergeant Terhaar and I conducted surveillance at the property. At approximately 1619 hours, Sergeant Terhaar saw COTTON exit the property holding a black backpack in his arms. COTTON was holding the pack closely to his body and appeared to be nervous. COTTON entered a white Ford Escape with decals on the back (CA 5REB867). I instructed Officers Rojas #6840 and Wolff #6911 to conduct traffic on the vehicle and advised them COTTON was arrestable in public per my previous investigation. Officers Rojas and Wolff were in full uniform and driving a marked police vehicle. COTTON was stopped at 2100 Oriole Street for not having an operable third brake light on the vehicle.

Officers Rojas and Wolff positively identified COTTON per his California Driver's License (CA C1335591) and arrested him per the listed case. Sergeant Terhaar and I walked approached COTTON and informed him he was under arrest per my previous investigation. COTTON provided Sergeant Terhaar and I consent to search the vehicle. I asked COTTON if he had any marijuana inside of the vehicle. COTTON stated he did and it was for his personal use.

Officers Rojas and Wolff saw COTTON's backpack inside of the vehicle and searched it. COTTON had three long Tupperware containers filled with 57 prepackaged "Moonshine" (1 gram) vape cartridges and a cardboard box containing 222 "Moonshine" (0.5 gram) marijuana wax envelopes. COTTON stated the items were for personal use. Officer Rojas searched

COTTON incident to arrest and found \$2,477 dollars in various denominations inside of COTTON's backpack. In addition, I looked through the backpack and found three cell phones inside of the pack. Officers Rojas and Wolff transported COTTON to Headquarters for further processing. I secured COTTON's vehicle at the intersection of Oriole Street and Federal Boulevard.

At approximately 1704 hours I admonished COTTON. COTTON stated "Yes" and "Yes" to both questions. I recorded my interview with COTTON. On 05-10-2016 I reviewed my recording and took contemporaneous notes. However, after reviewing the recording with COTTON, the file was accidentally erased and I was unable to download the recording.

COTTON essentially stated the following:

**STATEMENT OF DARRYL COTTON:**

The City Attorney was just at the property today. The owner of the dispensary is "Ray" and I don't know the last name. I gave the City Attorney's Office a copy of the lease. I have tried to contact Ray but his phone is disconnected and I've been trying everything to reach him; but he doesn't answer. He owns a company "TD Wholesale". Ray originally found me. He found out we were doing an urban garden "151" in Barrio Logan. We were essentially growing food and meds in a small foot print. I have been growing marijuana for approximately 2 years.

Elizabeth Huntsman is a young woman who essentially had severe menstrual issues and needed to grow a decent amount of pot. She was an intern that helped to grow marijuana. She did not have anything to do with Moonshine. James WHITMAN lives on the property and is his own caregiver. No one runs Moonshine. Moonshine is just the brand the dispensary wanted to have created for extractions. It is essentially water and ethyl alcohol extractions. I tried to create it for Outlier's Collective in El Cajon. I use a cryogenic method to freeze the marijuana and peel it off and that turns into a vapor. There is nothing flammable about it. I have done the extractions by myself in the past. I don't sell any concentrates. What you see is the product that you didn't take. What I do is see if the dispensaries want to carry it and see if they could create a market presence. If I think they can I give out free samples to the dispensary. I did not give out any samples today and am not doing deliveries for anyone. It was my idea to put Moonshine into dispensaries. All they ask if for a 1099 form to show you are withholding the appropriate taxes. I have never sold marijuana to anyone. The marijuana buds you saw were for the sole use of buds and concentrates.

I can smoke  $\frac{3}{4}$  of an ounce of marijuana a day. I can also vape 0.5 grams to 1 gram of concentrates a day. I last medicated at noon. I vaped. I am not a caregiver or part of a collective for anybody. Ray with TD Wholesale is a Chaldean guy, and is approximately 6'0" tall and weighs 250 pounds and is approximately 35 years old. I am all about the gardens. He is a glass shop wholesaler and turned that into a holistic wellness center. I am not doing any BHO or CO2 extractions. I am just doing a purely organic concentrate. I was trying to get them to look at Moonshine for that reason. Ray owns that other dispensary on Meade and 40<sup>th</sup>, the one that had a fire recently. I would be able to identify him if I saw a



picture of him. There's like three "Rays" that I dealt with. COTTON stated he allowed each of them to take whatever products they needed and did not sell them any marijuana.

I showed COTTON a picture of Ramiz AUDISH. COTTON positively identified AUDISH as "Ray". I later asked COTTON consent to search his phones. COTTON stated I could search his phones.

I found the following messages on COTTON's cell phones and took pictures of them as I went through his phones. I later impounded the phones as evidence.

Messages found on Black Flip Phone:

**To Taylor:** I have it. GSC hows 1200?

**To DR:** Do you want that q?

**To 6198449377:** were going to need more trim

**To Steve:** Sour D 1 gram vape cartridges at \$20 each

Messages found on black Samsung Phone:

**From Mo-eva 858-366-5447 on April 7, 2016:**

What's up brother? Are you around?  
No the city chopped all my plants

**From Rayz 619-782-1398 on April 16, 2016:**

I don't always have this number on me. I'm trying to set up a meeting with us n Ben for today, he's gonna cash you out n wants to talk about the situation

**From Mo-eva 858-366-5447 on April 20, 2016:**

Hey D, are you around today?

**From 619-341-1110 on May 4, 2016:**

D, are you ok? are you till around and would I be able to grab some moonshine from you?

Who is this?

Eric from 5 Star in Lemon Grove.

**From Neo Turek 951-326-7725 on May 6, 2016:**

How's it going? What's the cost to open a dispensary with a license, know anyone that could assist things getting approved?

Do you have a location? What city? I'd put one at my current location. Challenge the zoning.

Based on the text messages, I believe the \$2,477 dollars in COTTON's possession were obtained from sales of his marijuana products to a variety of persons.

After concluding my interview of COTTON, COTTON was transported and booked into County Jail.

I checked COTTON's wallet and backpack for any documents relating to dominion and control. I found several receipts for construction items and hydroponic fans. Based on my training and experience, I believe COTTON is preparing to set up a secondary marijuana grow site.

#### **TRAINING AND EXPERIENCE:**

I have been employed as a peace officer by the San Diego Police Department since 2009.

For the past 2 years, I have been assigned to the Narcotics Section, investigating illicit controlled substance trafficking including marijuana and cocaine. I have assisted the City Attorney's Office identify illegal marijuana dispensaries and grow operations within the City of San Diego. I have assisted the City Attorney's Office close down over 100 illegally operating marijuana dispensaries and am familiar with their modes of operation and various security measures.

I have had formal training and experience in controlled substance investigations and am familiar with the manner in which controlled substances are packaged, marketed, and consumed. I have received training in the identification of all types of controlled substances by sight and odor. I am familiar with controlled substance slang and jargon.

During my career I have conducted over 100 narcotic investigations involving the sale and use of controlled substances, and have successfully purchased marijuana and other controlled substances in an undercover capacity.

#### **CONCLUSION**

Based all of the evidence including: COTTON's verbal statements, text messages, "Moonshine" brand products, pay and owe sheets, lease agreements, and the \$2,477 dollars found on his person show COTTON was cultivating marijuana for the express purpose of converting his marijuana crops into marijuana vaporizer cartridges also known as "vapes" and marijuana wax concentrates. I believe COTTON was marketing and selling these items under the "Moonshine" brand to Pure Meds and other dispensaries and persons. COTTON stated on multiple occasions that he is not a caregiver provider nor is he a member of a collective. Based on several text messages on COTTON's cell phone, I believe COTTON had a monetary interest in allowing the dispensary to operate on his property.

I also believe Ramiz AUDISH aka "Ray" is the owner of Pure Meds, the illegally operating marijuana dispensary located on COTTON's property. On April 6, 2016, I found several property leases at 6176 Federal Boulevard. On May 5, 2016 I found matching documents inside



of AUDISH's vehicle. The leases showed AUDISH's dominion and control of the office area inside of the dispensary and they also showed AUDISH's ownership of two other illegally operating marijuana dispensaries located in the City of San Diego. AUDISH was also identified by a City Attorney Investigator as being present at one of these dispensaries after it was undergoing repairs after an electrical fire. AUDISH's vehicle contained several pop tops containing marijuana buds, multiple used and unused marijuana grinders, marijuana cigarettes, and marijuana smoking paraphernalia that are easily available inside of a dispensary. In addition, a bottle of Promethazine/Codeine (a Controlled Substance) was found inside of the dispensary office on the day of the Search Warrant and inside of AUDISH's vehicle during his arrest. In addition to the above listed evidence, COTTON also positively identified AUDISH as the owner of the dispensary via a photograph.

In addition, I believe AUDISH was engaged in illegal sales of marijuana to the general public. The dispensary contained over \$75,000 worth of marijuana products and approximately \$28,000 dollars from marijuana sales. On the day of his arrest, AUDISH was in possession of over \$5,873 and several pay and owe sheets that appeared to come from a dispensary at the time of his arrest. Due to the totality of the circumstances, I believe the monies recovered from AUDISH's person were proceeds from marijuana sales. I attempted to contact over 75 persons who had purchased marijuana from Pure Meds. I was not able to contact any persons who could identify AUDISH or COTTON as their primary caregiver.

Due to the totality of the circumstances outlined above, I request the District Attorney's Office charge Darryl COTTON and Ramiz AUDISH with the above listed charges.