

THE SUPERIOR COURT, STATE OF CALIFORNIA  
For the County of Santa Barbara  
Figueroa Division

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

DA No. 17-09-410226

Court No.

**FELONY COMPLAINT**

**AB109 INELIGIBLE**

**BRETT EDWARD LOVETT**

**DOB: 03/19/1971**

AKA: BRENT LOVE

**ROBERT C BURLISON**

**DOB: 04/15/1953**

AKA: DBA BURLISON LAW GROUP

AKA: BLG

Defendants.

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

OCT 13 2017

Kareel E. Parker, Executive Officer  
BY **V. OSTLANDER**  
Deputy Clerk

The undersigned is informed and believes that:

**COUNT 1**

On or between October 3, 2014 and March 1, 2016, in the County of Santa Barbara, the crime of **THEFT FROM ELDER OR DEPENDENT ADULT**, in violation of **PENAL CODE SECTION 368(d)**, a Felony, was committed by BRETT EDWARD LOVETT, who committed theft, embezzlement, forgery, fraud, or identity theft with respect to the property or personal identifying information of an elder or dependent adult, said property, goods, or services taken or obtained having a value exceeding \$950.00, and knew or reasonably should have known that said person, M. RISKEWIC DOB 7/9/1937, was an elder or dependent adult.

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1109**, the people intend to introduce evidence of any prior act(s) of elder abuse committed by the defendant.”

**SPEC ALLEG-EXCESSIVE LOSS OVER \$65,000**

It is further alleged that in the commission of the above offense(s) the said defendant, with the intent to do so, took, damaged and destroyed property of a value exceeding \$65,000, within the meaning of Penal Code section 12022.6(a)(1).

**COUNT 2**

On or about and between October 3, 2014 and March 1, 2016, in the County of Santa Barbara, the crime of **EMBEZZLEMENT**, in violation of **PENAL CODE SECTION 503**, a Felony, was committed by BRETT EDWARD LOVETT, who did fraudulently appropriate the personal property or effects of another, to wit; M. RISKEWIC, after having been entrusted with that property or effects with the intent to deprive the owner of its use.

COUNT 3

On or between October 13, 2014 and March 1, 2016, in the County of Santa Barbara, the crime of **EMBEZZLEMENT BY POWER OF ATTORNEY**, in violation of **PENAL CODE SECTION 507**, a Felony, was committed by **BRETT EDWARD LOVETT**, who did willfully and unlawfully, while acting as attorney in fact for M. Riskewic, fraudulently appropriated and converted to his own use, property of M. **RISKEWIC** to wit: **MONEY**.

COUNT 4

On or about August 6, 2014, in the County of Santa Barbara, the crime of **FIRST DEGREE RESIDENTIAL BURGLARY**, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by **BRETT EDWARD LOVETT**, who did willfully and unlawfully enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by M. **RISKEWIC**, with the intent to commit larceny and any felony.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (18).

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 5

On or about September 10, 2014, in the County of Santa Barbara, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony, was committed by **BRETT EDWARD LOVETT**, did, with the intent to defraud, falsely make, alter, forge or counterfeit, utter, publish, pass or attempt to offer to pass, as true and genuine, Check for \$4000, knowing the same to be false, altered, forged or counterfeited.

COUNT 6

On or about March 20, 2015, in the County of Santa Barbara, the crime of **FORGERY**, in violation of **PENAL CODE SECTION 470(d)**, a Felony, was committed by **BRETT EDWARD LOVETT**, did, with the intent to defraud, falsely make, alter, forge or counterfeit, utter, publish, pass or attempt to offer to pass, as true and genuine, Check for \$1,250, knowing the same to be false, altered, forged or counterfeited.

COUNT 7

On or about March 31, 2015, in the County of Santa Barbara, the crime of FORGERY, in violation of **PENAL CODE SECTION 470(d)**, a Felony, was committed by BRETT EDWARD LOVETT, did, with the intent to defraud, falsely make, alter, forge or counterfeit, utter, publish, pass or attempt to offer to pass, as true and genuine, Check for \$1,600, knowing the same to be false, altered, forged or counterfeited.

COUNT 8

On or between November 1, 2011 and January 31, 2016 in the County of Santa Barbara, the crime of THEFT FROM ELDER OR DEPENDENT ADULT, in violation of **PENAL CODE SECTION 368(d)**, a Felony, was committed by BRETT EDWARD LOVETT, who committed theft, embezzlement, forgery, fraud, or identity theft with respect to the property or personal identifying information of an elder or dependent adult, said property, goods, or services taken or obtained having a value exceeding \$950.00, and knew or reasonably should have known that said person(s) RICHARD BUSH, DOB 10/22/1945 was an elder or dependent adult.

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1109**, the people intend to introduce evidence of any prior act(s) of elder abuse committed by the defendant.”

**SPEC ALLEG-EXCESSIVE LOSS OVER \$200,000**

It is further alleged that in the commission of the above offense(s) the said defendant, with the intent to do so, took, damaged and destroyed property of a value exceeding \$200,000, within the meaning of Penal Code Section 12022.6(a)(2).

COUNT 9

On or between January 1, 2016 and April 18, 2016, in the County of Santa Barbara, the crime of FRAUDULENT USE OF ACCESS CARD, in violation of **PENAL CODE SECTION 484G(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who did with intent to defraud, use for the purpose of obtaining money, goods, services and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of section 484e and 484f, and an access card with knowledge that it was forged, expired and revoked. It is further alleged that the all money, goods, services and other things of value so obtained exceeded \$950.00 in a consecutive six-month period, to wit: Capital One Credit Card, \$7078.27

COUNT 10

On or between January 1, 2016 and April 15, 2016, in the County of Santa Barbara, the crime of FRAUDULENT USE OF ACCESS CARD, in violation of **PENAL CODE SECTION 484G(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who did with intent to defraud, use for the purpose of obtaining money, goods, services and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of section 484e and 484f, and an access card with knowledge that it was forged, expired and revoked. It is further alleged that the all money, goods, services and other things of value so obtained exceeded \$950.00 in a consecutive six-month period, to wit: Chase Credit Card, \$2,695.52

COUNT 11

On or between January 1, 2016 and March 19, 2016, in the County of Santa Barbara, the crime of FRAUDULENT USE OF ACCESS CARD, in violation of **PENAL CODE SECTION 484G(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who did with intent to defraud, use for the purpose of obtaining money, goods, services and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of section 484e and 484f, and an access card with knowledge that it was forged, expired and revoked. It is further alleged that the all money, goods, services and other things of value so obtained exceeded \$950.00 in a consecutive six-month period, to wit: American Express Card, \$1,288.00

COUNT 12

On or between October 1, 2015 and October 31, 2015, in the County of Santa Barbara, the crime of OBTAINING SERVICES BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 532(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who knowingly and designedly, by any false or fraudulent representation or pretense, defraud another person, to wit: RICHARD BUSH, of money, labor or property, whether real or personal, or caused or procured another to report falsely of his or her wealth or mercantile character, and by thus imposing upon any person obtained credit and thereby fraudulently obtained possession of money or property or obtained the labor or service of another: Social Security Number and Credit Card

COUNT 13

On or between October 1, 2015 and October 31, 2015, in the County of Santa Barbara, the crime of FIRST DEGREE RESIDENTIAL BURGLARY, in violation of **PENAL CODE SECTION 459**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by RICHARD BUSH, with the intent to commit larceny and any felony.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (18).

**SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY**

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 14

On or about and between November 1, 2011 and January 31, 2016, in the County of Santa Barbara, the crime of EMBEZZLEMENT, in violation of **PENAL CODE SECTION 503**, a Felony, was committed by BRETT EDWARD LOVETT, who did fraudulently appropriate the personal property or effects of another, to wit; RICHARD BUSH, after having been entrusted with that property or effects with the intent to deprive the owner of its use.

COUNT 15

On or between April 25, 2012 and October 31, 2015, in the County of Santa Barbara, the crime of THEFT FROM ELDER OR DEPENDENT ADULT, in violation of **PENAL CODE SECTION 368(d)**, a Felony, was committed by BRETT EDWARD LOVETT, who committed theft, embezzlement, forgery, fraud, or identity theft with respect to the property or personal identifying information of an elder or dependent adult, said property, goods, or services taken or obtained having a value exceeding \$950.00, and knew or reasonably should have known that said person, R. LANDIS DOB 9/5/1945, was an elder or dependent adult.

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1109**, the people intend to introduce evidence of any prior act(s) of elder abuse committed by the defendant.”

SPEC ALLEG-EXCESSIVE LOSS OVER \$65,000

It is further alleged that in the commission of the above offense(s) the said defendant, with the intent to do so, took, damaged and destroyed property of a value exceeding \$65,000, within the meaning of Penal Code section 12022.6(a)(1).

COUNT 16

On or about and between April 25, 2012 and October 21, 2015, in the County of Santa Barbara, the crime of EMBEZZLEMENT, in violation of **PENAL CODE SECTION 503**, a Felony, was committed by BRETT EDWARD LOVETT, who did fraudulently appropriate the personal property or effects of another, to wit; R. LANDIS, after having been entrusted with that property or effects with the intent to deprive the owner of its use.

COUNT 17

On or between April 25, 2012 and October 31, 2015, in the County of Santa Barbara, the crime of EMBEZZLEMENT BY POWER OF ATTORNEY, in violation of **PENAL CODE SECTION 507**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully, while acting as attorney in fact for R. LANDIS, fraudulently appropriated and converted to his own use, property of R. LANDIS to wit: MONEY.

COUNT 18

On or about April 19, 2012, in the County of Santa Barbara, the crime of OBTAINING SERVICES BY FALSE PRETENSES, in violation of **PENAL CODE SECTION 532(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who knowingly and designedly, by any false or fraudulent representation or pretense, defraud another person, to wit :MARGARET MIX, of money, labor or property, whether real or personal, or

caused or procured another to report falsely of his or her wealth or mercantile character, and by thus imposing upon any person obtained credit and thereby fraudulently obtained possession of money or property or obtained the labor or service of another.

COUNT 19

On or about and between April 19, 2012 and March 31, 2016, in the County of Santa Barbara, the crime of EMBEZZLEMENT, in violation of **PENAL CODE SECTION 503**, a Felony, was committed by BRETT EDWARD LOVETT, who did fraudulently appropriate the personal property or effects of another, to wit; MARGARET MIX, after having been entrusted with that property or effects with the intent to deprive the owner of its use.

COUNT 20

On or between May 1, 2012 and March 31, 2016, in the County of Santa Barbara, the crime of EMBEZZLEMENT BY POWER OF ATTORNEY, in violation of **PENAL CODE SECTION 507**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully, while acting as attorney in fact for MARGARET MIX, fraudulently appropriated and converted to his own use, property of MARGARET MIX to wit: MONEY.

COUNT 21

On or about December 29, 2011, in the County of Santa Barbara, the crime of FORGERY, in violation of **PENAL CODE SECTION 470(d)**, a Felony, was committed by BRETT EDWARD LOVETT, did, with the intent to defraud, falsely make, alter, forge or counterfeit, utter, publish, pass or attempt to offer to pass, as true and genuine, Letter from Burlison Law Group to G. Ryan, knowing the same to be false, altered, forged or counterfeited.

COUNT 22

On or between July 27, 2011 and June 30, 2012, in the County of Santa Barbara, the crime of EMBEZZLEMENT BY POWER OF ATTORNEY, in violation of **PENAL CODE SECTION 507**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully, while acting as attorney in fact for RUBY REVELL, fraudulently appropriated and converted to his own use, property of RUBY REVELL to wit: MONEY.

COUNT 23

On or about and between July 21, 2011 and June 30, 2012, in the County of Santa Barbara, the crime of EMBEZZLEMENT, in violation of **PENAL CODE SECTION 503**, a Felony, was committed by BRETT EDWARD LOVETT, who did fraudulently appropriate the personal property or effects of another, to wit; RUBY REVELL, after having been entrusted with that property or effects with the intent to deprive the owner of its use.

**SPECIAL ALLEGATION – AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT  
TRANSACTIONS OVER \$500,000: Penal Code §186.11(a) (1) and (2)**

It is further alleged, pursuant to Penal Code section 186.11(a) (1) and (2), that the offenses set forth in COUNTS 1 THROUGH 23, committed by BRETT EDWARD LOVETT are related felonies, a material

element of which is fraud and embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than Five Hundred Thousand Dollars (\$500,000).

COUNT 25

On or between April 1, 2012 and October 31, 2015, in the County of Santa Barbara, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of **PENAL CODE SECTION 182(a)(1)**, a Felony, was committed by BRETT EDWARD LOVETT and ROBERT C BURLISON, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of FINANCIAL DEPENDENT ADULT ABUSE, in violation of Section 368(d)(1), of the Penal Code, a Felony and that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid conspiracy, the said defendant(s) committed the following overt act and acts at and in the County of ORANGE:

OVERT ACT NO. 1

On July 13, 2011 BRETT LOVETT sends a letter to G. Ryan on "Legal Aid Information/Burlison Law Group" letterhead claiming that the office was retained by RUBY REVELL to file Letters of Administration

OVERT ACT NO. 2

On December 29, 2011 BRETT LOVETT sent a letter to G. Ryan on "Burlison Law Group" letterhead with the signature of Robert Burlison, instructing G. Ryan to deposit funds from the sale of a home into a "State DPS" bank account that was owned by BRETT LOVETT.

OVERT ACT NO. 3

On December 31, 2011, G. Ryan deposited \$114,646.01 in the "STATE DPS" account owned by Lovett.

OVERT ACT NO. 4

On February 2, 2012 ROBERT C. BURLISON becomes the "escrow holder" of \$114,646.01 which was money belonging to Ruby Revell. BURLISON to receive 1% of gross amount as his "fee" as escrow holder.

OVERT ACT NO. 5

On February 27, 2012, BRETT LOVETT wire transfers \$75,000.00 to Burlison Law Group. There is no evidence that BRETT LOVETT ever transferred the \$114,646.01 to Burlison Law Group.

OVERT ACT NO. 6

On February 28, 2012 ROBERT C. BURLISON, provided an "accounting" for the \$114,646.01 that he was allegedly holding in escrow. On that same day ROBERT C. BURLISON distributed \$60,455.00 to BRETT LOVETT via Burlison Law Group trust account, took a \$1,146.46 fee for himself but did not distribute any funds to RUBY REVELL.

COUNT 26

On or between January 1, 2012 and December 31, 2016, in the County of Santa Barbara, the crime of ACCESSORY in violation of **PENAL CODE SECTION 31**, a Felony, was committed by ROBERT C BURLISON, who did aid and abet in the commission, or not being present, have advised and encouraged it's commission and are thereby principals in any crimes so committed, to wit: Penal Code section 368(d)(1) – Victim RUBY REVELL, a dependent adult.

COUNT 27

On or about November 11, 2011, in the County of Santa Barbara, the crime of ENGAGING IN FRAUDULENT SECURITIES SCHEME, in violation of **CORPORATIONS CODE SECTION 25541**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully employ, directly or indirectly, a device, scheme, or artifice to defraud RICHARD BUSH, in connection with the offer, purchase, or sale of a security, or; did willfully engaged, directly or indirectly, in an act, practice, or course of business, which operated, or would have operated as a fraud or deceit upon RICAHRD BUSH in connection with the offer, purchase, or sale of a security, to wit: \$25,000.00 Promissory Note

COUNT 28

On or about May 26, 2012, in the County of Santa Barbara, the crime of ENGAGING IN FRAUDULENT SECURITIES SCHEME, in violation of **CORPORATIONS CODE SECTION 25541**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully employ, directly or indirectly, a device, scheme, or artifice to defraud RICHARD BUSH, in connection with the offer, purchase, or sale of a security, or; did willfully engaged, directly or indirectly, in an act, practice, or course of business, which operated, or would have operated as a fraud or deceit upon RICHARD BUSH in connection with the offer, purchase, or sale of a security, to wit: \$105,000.00 Promissory Note

COUNT 29

On or about October 2, 2015, in the County of Santa Barbara, the crime of GRAND THEFT OF PERSONAL PROPERTY, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully take money or personal property, to wit: MONEY, which belongs to R. SHIEFEL and has a value exceeding Nine Hundred and Fifty Dollars (\$950).

COUNT 30

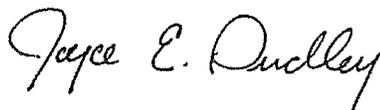
On or about August 8, 2015, in the County of Santa Barbara, the crime of GRAND THEFT OF PERSONAL PROPERTY, in violation of **PENAL CODE SECTION 487(a)**, a Felony, was committed by BRETT EDWARD LOVETT, who did willfully and unlawfully take money or personal property, to wit: MONEY, which belongs to L. VISEL and has a value exceeding Nine Hundred and Fifty Dollars (\$950).

\* \* \* \* \*

Pursuant to Penal Code Section 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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 30 COUNT(S).

Executed at Santa Barbara, California, on October 6, 2017.



GARY GEMBERLING  
DEPUTY DISTRICT ATTORNEY

Agency: CDOI

| <u>DEFENDANT NAME</u> | <u>SEX</u> | <u>RACE</u> | <u>HGT</u> | <u>WGT</u> | <u>EYES</u> | <u>HAIR</u> | <u>DRIVER'S LICENSE</u> | <u>STS</u> | <u>COURT DATE</u> |
|-----------------------|------------|-------------|------------|------------|-------------|-------------|-------------------------|------------|-------------------|
| Brett Edward Lovett   | M          | W           | 600        | 190        | HZL         | BRO         | A4394816                | AW         |                   |
| Robert C Burlison     | M          | W           | 600        | 200        | BLU         | BLO         | A0805101                | AW         |                   |

wb