

The People of the State of California,
Plaintiff,

CASE NO. BA240280

v.

INDICTMENT

- 1. SANTE KIMES
- 2. KENNETH KIMES


FILED
LOS ANGELES SUPERIOR COURT
MAY 09 2002
JOHN A. CLARKE, CLERK
BY M. REINOSO, DEPUTY

COUNT 1

The said SANTE KIMES and KENNETH KIMES are accused by the Grand Jury of the County of Los Angeles, State of California, by this Indictment, of the crime of MURDER, in violation of Penal Code Section 187(a), a Felony, committed prior to the finding of this Indictment, and as follows:

On or about March 13, 1998, in the County of Los Angeles, the said SANTE KIMES and KENNETH KIMES did unlawfully, and with malice aforethought, murder DAVID KAZDIN, a human being.

A TRUE BILL



Foreperson of the Grand Jury

Presented by the Foreperson of the Grand Jury in the presence of the Grand Jury, in open Superior Court of the State of California, within and for the County of Los Angeles, and filed as a record in said Court this 9th day of May, 2002

JOHN A. CLARKE, Executive Officer/Clerk

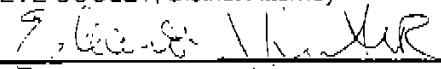
Bail Recommended

By _____
Deputy

\$ _____

STEVE COOLEY, District Attorney

Bail

By 

Deputy

\$ No Bail Both

"NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code Section 296. Willful refusal to provide the specimens and samples is a crime."

It is further alleged as to Count 1 that in the commission and attempted commission of the above offense a principle in said offense was armed with a firearm(s), to wit, HANDGUN, said arming not being an element of the above offense, within the meaning of Penal Code Section 12022(a)(1).

It is further alleged as to Count 1 that the said defendant KENNETH KIMES personally and intentionally discharged a firearm, a HANDGUN, which proximately caused great bodily injury and death to DAVID KAZDIN within the meaning of Penal Code Section and 12022.53(d).

It is further alleged as to Count 1 that KENNETH KIMES personally and intentionally discharged a firearm, a HANDGUN, within the meaning of Penal Code Section 12022.53(c).

It is further alleged as to Count 1 that KENNETH KIMES personally used a firearm, a HANDGUN, within the meaning of Penal Code Sections 12022.5(a)(1) and 12022.53(b).

It is further alleged as to Count 1 that the murder of DAVID KAZDIN was intentional and was carried out by the defendants for financial gain, within the meaning of Penal Code Section 190.2(a)(1).

It is further alleged as to Count 1 that the murder of DAVID KAZDIN was committed by defendant(s) and that DAVID KAZDIN was a witness to a crime who was intentionally killed for the purpose of preventing his/her testimony in a criminal proceeding, but that said killing was not committed during the commission and attempted commission of the crime to which he/she was a witness, within the meaning of Penal Code Section 190.2(a)(10).

It is further alleged as to Count 1 that the murder of DAVID KAZDIN was committed by the defendant(s) who, in addition to such murder, was convicted previously of 2nd degree murder on and about May 18, 2000, in the Supreme Court of the State of New York in and for the County of New York, in violation of section 125.5 of the Penal Code, within the meaning, of Penal Code Section 190.2(a)(2).

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