

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

ELECTRONICALLY FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

12/03/2021
02:49 PM

DAVID H. YAMASAKI, Clerk of the Court
21CF3456

6 THE PEOPLE OF THE STATE OF CALIFORNIA,) FELONY COMPLAINT
7) WARRANT
8 Plaintiff,)
9)

10 vs.)

No.)

OCDA RE20120001)

11 DANIEL M ROSE 07/06/56)
12 N2459678)

13 AKA DANIEL ROSE)

14 DANIEL CALLAHAN 08/27/60)
15 N9743476)

16 AKA DANIEL NICHERIE CALLAHAN)

17 DANIEL NICHERIE)

18 DANIEL EMMANUEL NICHERIE)

19 KELLIE NICOLE WILLIAMS 04/04/86)

20 F3418793)

21 AKA KELLIE N WILLIAMS)

22 Defendant(s))

23 The Orange County District Attorney charges that in Orange
24 County, California, the law was violated as follows:

25 COUNT 1: On or about September 30, 2020, in violation of Section
26 115(a) of the Penal Code (RECORD FALSE AND FORGED INSTRUMENT), a
27 FELONY, DANIEL M ROSE and DANIEL CALLAHAN did knowingly and
28 unlawfully procure and offer to be filed, registered, and
recorded in a public office within the State of California
Quitclaim Deed #410, a false and forged instrument, which, if
genuine, might be filed, registered, and recorded under a law of
California and the United States.

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1 COUNT 2: On or about September 30, 2020, in violation of Section
2 470(d) of the Penal Code (FORGERY), a FELONY, DANIEL M ROSE and
3 DANIEL CALLAHAN, with the intent to defraud, did unlawfully and
4 falsely make, alter, forge, counterfeit, utter, publish, pass,
5 attempt and offer to pass, as true and genuine, a : Notary
6 Acknowledgment of Mark Mertz dated 12/31/2019 listed in Section
7 470(d), knowing it was false, altered, forged, and
8 counterfeited.

9 COUNT 3: On or about August 12, 2021, in violation of Section
10 470(b) of the Penal Code (FORGERY), a FELONY, DANIEL M ROSE and
11 DANIEL CALLAHAN, with the intent to defraud, did unlawfully
12 counterfeit and forge the seal and handwriting of LISA A.

13 COUNT 4: On or about August 12, 2021, in violation of Section
14 134 of the Penal Code (FALSIFYING DOCUMENTS), a FELONY, DANIEL M
15 ROSE and DANIEL CALLAHAN did unlawfully prepare a false and
16 antedated book, paper, record, and written instrument, with the
17 intent to produce it and allow it to be produced for a
18 fraudulent and deceitful purpose, as genuine and true, in a
19 trial, proceeding, and inquiry, authorized by law.

20 COUNT 5: On or about September 08, 2021, in violation of Section
21 118(a) of the Penal Code (PERJURY UNDER OATH), a FELONY, KELLIE
22 NICOLE WILLIAMS, having taken an oath to testify, declare,
23 depose, and certify truly before certified shorthand reporter
24 Deborah K. Sylvester, a competent person, in a Deposition, a
25 case in which such an oath may by law be administered, did
26 willfully, unlawfully, and contrary to the oath, state as true
27 a material matter which the defendant knew was false, namely:
28 that Lisa A.'s signature on Exhibit 45 in OCSC Case No.
30-2020-01167066-CU-OR-CJC, a page from a document dated
September 1, 2018 purporting to be an agreement between Lisa A.
and Daniel Rose regarding a \$220,000 payment to Lakeside
Remodeling Trust, an alleged option holder, existed on the
document at the time Defendant observed Daniel Rose sign the
document in the Fall of 2018.

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1 COUNT 6: On or about November 02, 2021, in violation of Section
2 118(a) of the Penal Code (PERJURY UNDER OATH), a FELONY, KELLIE
3 NICOLE WILLIAMS, having taken an oath to testify, declare,
4 depose, and certify truly before Courtroom Clerk for OCSC
5 Department N-9, the Honorable Derek W. Hunt, presiding, a
6 competent person, in a trial, a case in which such an oath may
7 by law be administered, did willfully, unlawfully, and contrary
8 to the oath, state as true a material matter which the
9 defendant knew was false, namely: That Lisa A's signature on
10 Exhibit 45 in OCSC Case No. 30-2020-01167066-CU-OR-CJC, a page
11 from a document dated September 1, 2018 purporting to be an
12 agreement between Lisa A. and Daniel Rose regarding a \$220,000
13 payment to Lakeside Remodeling Trust, an alleged option holder,
14 existed on the document at the time Defendant observed Daniel
15 Rose sign the document in the Fall of 2018.

11 COUNT 7: On or about November 04, 2021, in violation of Section
12 118(a) of the Penal Code (PERJURY UNDER OATH), a FELONY, KELLIE
13 NICOLE WILLIAMS, having taken an oath to testify, declare,
14 depose, and certify truly before Courtroom Clerk for OCSC
15 Department N-9, the Honorable Derek W. Hunt, presiding, a
16 competent person, in a trial, a case in which such an oath may
17 by law be administered, did willfully, unlawfully, and contrary
18 to the oath, state as true a material matter which the
19 defendant knew was false, namely: That Lisa A's signature on
20 Exhibit 45 in OCSC Case No. 30-2020-01167066-CU-OR-CJC, a page
21 from a document dated September 1, 2018 purporting to be an
22 agreement between Lisa A. and Daniel Rose regarding a \$220,000
23 payment to Lakeside Remodeling Trust, an alleged option holder,
24 existed on the document at the time Defendant observed Daniel
25 Rose sign the document in the Fall of 2018.

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1 COUNT 8: On or about November 04, 2021, in violation of Section
2 118(a) of the Penal Code (PERJURY UNDER OATH), a FELONY, DANIEL
3 CALLAHAN, having taken an oath to testify, declare, depose, and
4 certify truly before Courtroom Clerk for OCSC Department N-9,
5 the Honorable Derek W. Hunt, presiding, a competent person, in a
6 trial, a case in which such an oath may by law be administered,
7 did willfully, unlawfully, and contrary to the oath, state as
8 true a material matter which the defendant knew was false,
9 namely: That Lisa A's signature on Exhibit 45 in OCSC Case No.
10 30-2020-01167066-CU-OR-CJC, a page from a document dated
11 September 1, 2018 purporting to be an agreement between Lisa A.
12 and Daniel Rose regarding a \$220,000 payment to Lakeside
13 Remodeling Trust, an alleged option holder, existed on the
14 document at the time Defendant observed Daniel Rose sign the
15 document in the Fall of 2018.

11 ENHANCEMENT(S)

12
13 It is further alleged pursuant to Penal Code section 186.11(a)
14 (1)/(2) (AGGRAVATED WHITE COLLAR CRIME - OVER \$500,000), that as
15 to counts 1, 2, 3 and 4, defendants DANIEL M ROSE and DANIEL
16 CALLAHAN engaged in a pattern of related fraudulent felony
17 conduct involving the taking of more than five hundred thousand
18 dollars (\$500,000).

19 As to Count(s) 1, it is further alleged pursuant to Penal Code
20 section 115.5(a) (ADDITIONAL FINE FOR FILING FALSE DOCUMENTS
21 RELATING TO SINGLE-FAMILY RESIDENCES), that upon conviction of
22 the charged offense(s), the court shall impose in addition to
23 any other punishment a fine not exceeding seventy-five thousand
24 dollars (\$75,000).

25 I declare under penalty of perjury, on information and belief,
26 that the foregoing is true and correct.

27 Dated 12-03-2021 at Orange County, California.

28 DW/MV 21F06582

TODD SPITZER, DISTRICT ATTORNEY

by: /s/ KATE WAGNER

KATE WAGNER, Deputy District Attorney

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RESTITUTION CLAIMED

[] None
[] \$ _____
[X] To be determined

BAIL RECOMMENDATION:

DANIEL M ROSE - \$ 769,884.01
DANIEL CALLAHAN - \$ 769,884.01
KELLIE NICOLE WILLIAMS - \$ 25,000.00

NOTICES:

The People request that defendant and counsel disclose, within 15 days, all of the materials and information described in Penal Code section 1054.3, and continue to provide any later-acquired materials and information subject to disclosure, and without further request or order.

Pursuant to Welfare & Institutions Code §827 and California Rule of Court 5.552, notice is hereby given that the People will seek a court order to disseminate the juvenile case file of the defendant/minor, if any exists, to all parties in this action, through their respective attorneys of record, in the prosecution of this case.

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE

MINUTES

Case : 21CF3456 F A
Name : Callahan, Daniel

Date of Action	Seq Nbr	Code	Text
12/03/21	1	FLDOC	Original Complaint filed on 12/03/2021 by Orange County District Attorney.
	2	FLNAM	Name filed: Callahan, Daniel
	3	FLCNT	FELONY charge of 115(a) PC filed as count 1. Date of violation: 09/30/2020.
	4	FLENH	Enhancement 1, Felony 186.11(a)(1)/(2) PC on Count 1 filed.
	5	FLENH	Enhancement 2, Felony 115.5(a) PC on Count 1 filed.
	6	FLCNT	FELONY charge of 470(d) PC filed as count 2. Date of violation: 09/30/2020.
	7	FLENH	Enhancement 1, Felony 186.11(a)(1)/(2) PC on Count 2 filed.
	8	FLCNT	FELONY charge of 470(b) PC filed as count 3. Date of violation: 08/12/2021.
	9	FLENH	Enhancement 1, Felony 186.11(a)(1)/(2) PC on Count 3 filed.
	10	FLCNT	FELONY charge of 134 PC filed as count 4. Date of violation: 08/12/2021.
	11	FLENH	Enhancement 1, Felony 186.11(a)(1)/(2) PC on Count 4 filed.
	12	FLCNT	FELONY charge of 118(a) PC filed as count 8. Date of violation: 11/04/2021.
	13	FI959	Accusatory pleading filed by the prosecutor pursuant to Penal Code section 959.1.
	14	FITXT	Declaration in support of motion to increase bail above schedule per 1275 and request for 1275.1(b) bail hearing order filed.
	15	FIFCI2	Declaration/Affidavit in Support of Arrest filed.
	17	FIFCI2	Police/Arrest Report filed.
	18	WAARS	Felony Warrant of Arrest requested.
	19	WAWTS	Walk-through warrant submitted for bail amount and signature.
	20	WAWSD	Warrant of Arrest warrant signed by Andre De La Cruz and issued for defendant. Night Service: No. Expedite: Yes. PC 853.6: No. Bail set at \$750,000.00, Mandatory Appearance.

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE

MINUTES

Case : 21CF3456 F A
Name : Callahan, Daniel

Date of Action	Seq Nbr	Code	Text
12/03/21	22	WFNBR	Warrant File Number 04151370 sent from AWSS for Warrant # 3421876.

I hereby certify the foregoing instrument consisting of 7 page(s)
is a true and correct copy of the original on file in this court.



ATTEST: (DATE) 12-06-2021
DAVID H. YAMASAKI, EXECUTIVE OFFICER AND CLERK OF THE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

BY: Veronica Padilla DEPUTY



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

JUSTICE CENTER:

- Central - 700 Civic Center Dr. West, Santa Ana, CA 92701-4045**
- Civil Complex Center - 751 W. Santa Ana Blvd., Santa Ana, CA 92701-4512
- Harbor-Laguna Hills Facility - 23141 Moulton Pkwy., Laguna Hills, CA 92653-1251
- Harbor-Newport Beach Facility - 4601 Jamboree Rd., Newport Beach, CA 92660-2595
- Lamoreaux - 341 The City Drive, Orange, CA 92868-3205
- North - 1275 N. Berkeley Ave., P. O. Box 5000, Fullerton, CA 92838-0500
- West - 8141 13th Street, Westminster, CA 92683-4593

PEOPLE OF THE STATE OF CALIFORNIA

DEFENDANT: **KELLIE NICOLE WILLIAMS**

CLERK'S CERTIFICATION

CASE NUMBER:
21CF3456

Pursuant to Government Code § 68150 et seq., this court's original documents in criminal cases are preserved in electronic form.

I certify as follows:

The enclosed copies, consisting of 2 documents and 5 pages, and dated from 12/03/2021 to 12/03/2021, are true and correct copies of the originals on file in this court.

All copies contained herein are true and correct copies of the originals on file in this court.



DAVID H YAMASAKI, Clerk of the Court

By: _____

Berenice Fuentes, Deputy Clerk

Date: 12/7/2021

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE JUSTICE CENTER <input type="checkbox"/> Central – 700 Civic Center Dr. West, Santa Ana, CA 92701 <input type="checkbox"/> Harbor – 4601 Jamboree Road, Newport Beach, CA 92660 <input type="checkbox"/> North – 1275 N. Berkeley Ave., PO Box 5000, Fullerton, CA 92638 <input type="checkbox"/> West – 8141 13 th Street, Westminster, CA 92683		FOR COURT USE ONLY ELECTRONICALLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE 12/03/2021 02:49 PM DAVID H. YAMASAKI, Clerk of the Court 21CF3456	
PEOPLE OF THE STATE OF CALIFORNIA, vs DEFENDANT: Kellie Nicole Williams			
DECLARATION IN SUPPORT OF MOTION TO INCREASE BAIL ABOVE SCHEDULE PER 1275 AND REQUEST FOR 1275.1(b) BAIL HEARING ORDER		LEA CASE NO.: RE20120001 BOOKING NO.:	

I, Civilian Economic Crimes Investigator, Henry C. Griffin Jr., declare(s):

1. I am an investigator for the Orange County District Attorney, Santa Ana, California
2. The above named defendant(s) will be arrested with/without a warrant for the bailable felony offenses(s) of **Penal Code 470(b) - 1 count, Penal Code 134 – 1 count and Penal Code 118(a) 3 counts.**
3. The bail amount of \$20,000 set forth in the schedule of bail is insufficient to assure defendant's appearance, in that I believe the source of any consideration or indemnification would be feloniously obtained for the reasons below and request a Penal Code section 1275.1 (b) and (c) hold on the release of the defendant from custody be ordered and any hearing pursuant to 1275.1 (c) and (f) at which the deputy district attorney assigned to this matter be present.
4. The facts and circumstances in support of this motion are (include factors bail would come from felonious sources, factors of aggravation, seriousness of offense, weapons, injuries, previous record, threat to victims/community, community ties, employment, family, property, length of residence, holds, and pending charges.): **An arrest warrant will be issued for Kellie Nicole Williams for the above referenced felony offenses with the bail set at \$20,000. This investigation has yielded evidence supporting felony charges of PC 470(b) Forgery of name, PC 134 – Preparing False document, and PC 118(a) - Prejury. Following my review of interview reports, documents provided by**

witnesses, escrow and Title Company, to include discovery and testimony that was provided during depositions and a civil bench trial on case number 30-2020-01167066-CU-OR-CJC, I learned Kevin Goel and Lisa Abai expressed interested in purchasing property located at 50 Lakeside Drive, Bueno Park, California in 2017. The purchase was to be a short sale from the owner Daniel Rose who was in default. Documents support, while Goel was working with Aaron Berger, Rose's real estate broker and attorney, to purchase Lakeside Drive before the property was foreclosed upon, unknown to Goel and Abai, Rose obtained a notarized California Quit Claim Deed ("CQCD") from Mark Merz, a Notary Public, on December 31, 2019. This CQCD transferred ownership of Lakeside Drive from "Daniel M. Rose, Trustee of Lakeside Retreat Trust and Daniel M. Rose, Trustee of the Daniel Rose Trust," to "Lakeside Remodeling Trust, M. Johnson Co Trustee." The CQCD, dated December 31, 2019, was later provided to Daniel Callahan, the tenant living at 50 Lakeside Drive. On August 21, 2020, to close escrow on the sale of 50 Lakeside Drive to Abai, Rose obtained a notarized Grant Deed from Michael McCain, a Notary Public. The Grant Deed was filed with the Orange County Clerk Recorders (OCCR) on August 24, 2020, which disclosed Lakeside Drive was granted by "Daniel Rose, Trustee of the Lakeside Retreat Trust, and Daniel Rose, Trustee of the Daniel Rose Trust," to Abai. Berger then negotiated a short sale of Lakeside Drive, totaling \$769,884.01, from a discounted payoff purchase price of \$885,000. On September 30, 2020, the CQCD dated December 31, 2019, obtained by Rose and given to Callahan, was filed with the OCCR by Callahan. Once Callahan filed the fraudulent CQCD on September 30, 2020, Callahan used three of his four children, Mariel Johnson, Emmanuelle Johnson, and Ryan Johnson in order to allow himself, Williams and Rose to file an Action of Quiet Title lawsuit in the Orange County superior Court sixty days after Rose Grant Deeded Lakeside Drive to Abai. Evidence supports Callahan and Rose then had Michael Reznick, an attorney, file the first complaint for an Action of Quiet Title on October 22, 2020, knowing Abai had signed a \$752,250 twelve month balloon payment promissory note secured by a deed of trust on August 24, 2020, in which the entire principal was due and payable on September 1, 2021. Rose, Callahan and Williams then orchestrated a scheme to use an old civil law suit Callahan had filed against Rose in 2017 for mold repairs to support their plot to keep ownership of Lakeside Drive from Goel and Abai. Although this complaint dismissed on May 13, 2019, for Failure to Proceed, Callahan and Rose created a "Settlement Agreement," dated September 1, 2018, which stated Abai was to pay \$220,000 to Lakeside Remodeling Trust or its assignee or designee, in which Williams and Callahan are Trust Beneficiaries. (The Settlement Agreement was entered into evidence in both the deposition and civil trial as "Exhibit 45.") If \$220,000 were not paid by September 1, 2020, Rose would file or cause to file a Quitclaim Deed to the benefit of Lakeside Remodeling. To support Callahan, Rose, and Williams' fraud, the three provided Reznick with the Settlement Agreement, dated September 1, 2018, containing the forged signature of Abai. On November 4,

2021, both Callahan and Williams testified under oath in a civil bench trial that they observed Goel show up at Lakeside Drive on September 1, 2018, with a copy of the Settlement Agreement, which contained Abai's signature, which was a forged signature that had been copied from a Guaranty Abai signed on August 21, 2020. All parties, Callahan, Rose and Williams testified that Rose had the right to obtain and file the fraudulent CQCD, dated December 31, 2019, because Abai did not complete the terms of the Settlement Agreement by providing \$220,000 to Lake Remodeling. I also reviewed and read Williams testimony during a deposition hearing conducted on September 8, 2021. During Williams' deposition, Janet Humphrey, Abai's attorney, asked Williams if she understood that she had taken an oath to tell the truth under penalty of perjury, and even though they were in a conference room, it was some effect as if she was testifying in a court of law. Williams stated, "Yes." During Williams testimony she was asked by Humphrey what was the approximately time frame she first saw a copy of Exhibit 45. Williams said, "Fall of 2018." When questioned under what circumstances was it that she had seen a copy of the settlement agreement, Williams said, "I saw Daniel Rose sign this one." Williams was then asked, "And at the time that Daniel Rose signed this document, did you see the signature of Lisa Abai on the document?" Williams stated, "Yes." Humphrey then ask, "Was it already existing at the time Daniel Rose executed this document?" Williams stated, "That he signed it? Yes, it was there already." Humphrey then asked, "And as you sit here, you're certain," and Williams answered, "Yes, I'm certain." Callahan testimony under oath in court, and Williams testimony under oath in court and a deposition would have been material to this legal proceeding. This is based on my review of Beth Chrisman (a document examiner) report, dated September 3, 2021, which supports the signature of Abai on the Settlement Agreement, dated September 1, 2018, is in fact a transferred signature from a document date August 21, 2020. Therefore, Callahan and Williams committed perjury when they purposely provided false information under oath that Abai's signature was on a settlement agreement dated September 1, 2018, and that the settlement agreement, dated September 1, 2018, a forgery, was material and capable of influencing Judge Hunt's decision.

Based on this information, an additional bail of \$769,884.01 is requested to be added to the arrest warrant amount of \$20,000, for a total of \$769,884.01. I respectfully request a hold on the release of the defendant(s) from custody be ordered pursuant to Penal Code section 1275.1(b).

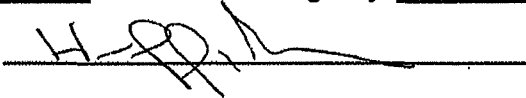
5. I recommend a Penal Code Section 1275 Order and bail be set in the amount of \$769,884.01.
6. I respectfully request a hold on the release of the defendant from custody be ordered pursuant to Penal Code Section 1275.1(b).

7. I respectfully request that the assigned Deputy District Attorney to this matter, Kate Wagner be present at any hearing pursuant to Penal Code Section 1275.1(c) and (f).
8. I declare under penalty of perjury that the foregoing is true and correct.
9. Executed at Santa Ana, on December 1, 2021, at 8:25am

Declarant: Henry C. Griffin

Agency: Orange County District Attorney

Declarant Signature: _____



Phone # 714-648-3663