

STATE OF OREGON  
Marion County Circuit Courts  
OCT 28 2010  
ENTERED

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OCT 28 2010  
FILED

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MARION

THE STATE OF OREGON  
Plaintiff,  
vs.  
GABRIEL DAVID DIAZ,  
Defendant.

) No. 10C49061  
)  
) SECRET  
) INDICTMENT  
)  
)

The Defendant is accused by the Grand Jury of the County of Marion and the State of Oregon, by this indictment of the criminal offenses of:

- Count 01: ORS 163.427 SEXUAL ABUSE IN THE FIRST DEGREE(B Felony)
- Count 02: ORS 163.427 SEXUAL ABUSE IN THE FIRST DEGREE(B Felony)
- Count 03: ORS 163.427 SEXUAL ABUSE IN THE FIRST DEGREE(B Felony)

committed as follows:

**COUNT 01** The defendant, on or between January 1, 2010 to August 31, 2010, in Marion County, Oregon, did unlawfully and knowingly subject [REDACTED], a person who was physically helpless, to sexual contact by touching her breast, a sexual or intimate part of [REDACTED]

**COUNT 02** In an act of the same or similar character but not part of the same criminal episode as alleged in Count 1 above, the defendant, on or between January 1, 2010 to August 31, 2010, in Marion County, Oregon, did unlawfully and knowingly, by means of forcible compulsion, subject [REDACTED], to sexual contact by touching her buttocks, a sexual or intimate part of [REDACTED]

**COUNT 03** In an act of the same or similar character but not part of the same criminal episode as alleged in Count 1 and Count 2 above, the defendant, on or between January 1, 2010 to August 31, 2010, in Marion County, Oregon, did unlawfully and knowingly, by means of forcible compulsion, subject [REDACTED], to sexual contact by causing [REDACTED] to touch defendant's lips, a sexual or intimate part of defendant.

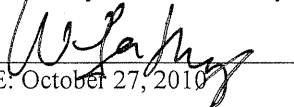
WITNESSES: All Witnesses appeared in person unless otherwise noted.

[REDACTED] - vic  
[REDACTED] - wit  
C. Tucker - SMP

A TRUE BILL

  
Grand Jury Foreperson

WALTER M. BEGLAU  
Marion County District Attorney

By   
DATE: October 27, 2010

WDL/jag/OSB #043381

**WARRANT REQUEST - NCIC**

IT IS ORDERED that a warrant be issued for the arrest of the defendant, bail being set in the amount of:  
NO BAIL SHALL ISSUE

10/29/2010  
Date

  
Judge

Arresting Agency Name: SMP Case #: 10-34899

IDENTIFIERS: A/M Ht: 604 Wt: 240 Hair: BLK Eyes: BRO DOB: 06/22/1983 SID: 13804014

INST: CNTRL # \*\*Def Needs Printed\*\*

**CLERK'S CERTIFICATE**

I hereby certify this copy to be a true, full and correct copy of the original now on record in my office.

\_\_\_\_\_  
Clerk of the Circuit Court

By: \_\_\_\_\_  
Deputy

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MARION

STATE OF OREGON,  <p style="text-align: right;">Plaintiff,</p> vs.  GABRIEL DIAZ,  <p style="text-align: right;">Defendant.</p>	No. 10C49061  AFFIDAVIT OF COUNSEL IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL
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STATE OF OREGON                    )  
  ) ss.  
County of Marion                    )

I, Carla M. French, being first duly sworn on oath do depose and say that:

1. I am the attorney of record for Gabriel Diaz, defendant herein.
2. There is currently a breakdown of the attorney-client relationship which has caused irreparable issues and which prohibit me from further representing defendant.
3. I have advised Mr. Diaz of his next court appearances which are as follows: Pretrial Conference: January 18, 2012 at 1:00 p.m., and Trial on January 30 and 31, 2012, at 9:00 a.m. at the Marion County Courthouse, Courtroom of the Honorable Vance Day, addressed to him at his last known address, sent via certified mail.
4. I make this affidavit in support of my motion for withdrawal as attorney

*Carla M. French*

CARLA M. FRENCH

SUBSCRIBED AND SWORN to before me this 6th day of January, 2012.

*Elyse A. Grossman*

NOTARY PUBLIC FOR OREGON

My Commission Expires: 9-4-2014

