

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA**

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

DANA NIKA DAWSON,
dob 02/04/1991;
JOSHUA NOEL WILLIAM UNDERWOOD,
dob 04/12/1989;
RODNEY BARONE ROBINSON,
dob 12/01/2002;
Defendants.

Docket: 01-197688-5

DA No: 0131037483

COMPLAINT - FELONY

Count 1) PC182(a)(1)

Count 2) PC459

Count 3) PC211

Count 4) PC211/213(b)

Count 5) PC490.4

Count 6) PC29800(a)(1)

Count 7) PC496(a)

COUNT 1 – CONSPIRACY TO COMMIT A CRIME

The undersigned states, on information and belief, that Dana Nika Dawson, Joshua Noel William Underwood, and Rodney Barone Robinson, Defendants, did commit a Felony, a violation of PC182(a)(1), Conspiracy To Commit A Crime, committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Conspiracy To Commit A Crime in violation of PC182(a)(1), a Felony, was committed in that DANA NIKA DAWSON AND JOSHUA NOEL WILLIAM UNDERWOOD AND RODNEY BARONE ROBINSON did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Robbery, Burglary and Organized Retail Theft, in violation of Section 211, 459/460(b), 490.4 of the Penal Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants, DANA NIKA DAWSON AND JOSHUA NOEL WILLIAM UNDERWOOD AND RODNEY BARONE ROBINSONs committed the following overt act and acts at and in the County of Contra Costa:

1. Approximately 90 individuals stormed the Nordstrom Department Store in Walnut Creek simultaneously using three separate entrances.
2. Most of individuals arrived at the Nordstrom in cars that were missing license plates, were cold plated or had temporary registration tags. Approximately 25 cars were strategically parked in front of Nordstrom preventing emergency crews from accessing the location.
3. Several of the individuals storming Nordstrom were armed with weapons including crowbars and hammers.
4. Nordstrom employee Flamm was pepper sprayed by a member of the group.
5. Nordstrom employee Acasio was kicked and punched in the face by a member of the group.
6. Nordstrom employee Rydman was assaulted with a knife by a member of the group.
7. Nordstrom employee Juarez-Ruis was struck in the head by a member of the group.
8. The group stole over \$100,000.00 worth of merchandise from the store in approximately one minute.

ENHANCEMENT 1

PC12022.53(b): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 1 that said defendant, DANA NIKA DAWSON personally used a firearm, a Glock 29 9mm handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

ENHANCEMENT 2

PC12022.5(a): Special Allegation-Use Of Firearm

It is further alleged as to Count 1 that in the commission and attempted commission of the above offense, the said defendant, DANA NIKA DAWSON, personally used a firearm(s), to wit: Glock 26 9mm handgun, within the meaning of Penal Code sections 1203.06(a)(1) and 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

COUNT 2 – SECOND DEGREE BURGLARY

The undersigned states, on information and belief, that Dana Nika Dawson, Joshua Noel William Underwood, and Rodney Barone Robinson, Defendants, did commit a Felony, a violation of PC459, Second Degree Burglary, committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Second Degree Burglary in violation of PC459, a Felony, was committed in that DANA NIKA DAWSON AND JOSHUA NOEL WILLIAM UNDERWOOD AND RODNEY BARONE ROBINSON did unlawfully enter a/an Nordstrom Department Store, located at 1200 Broadway Plaza in Walnut Creek, with the intent to commit larceny and a felony.

ENHANCEMENT 1

PC12022.5(a): Special Allegation-Use Of Firearm

It is further alleged as to Count 2 that in the commission and attempted commission of the above offense, the said defendant, DANA NIKA DAWSON, personally used a firearm(s), to wit: Glock 26 9mm handgun, within the meaning of Penal Code sections 1203.06(a)(1) and 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

COUNT 3 – SECOND DEGREE ROBBERY

The undersigned states, on information and belief, that Rodney Barone Robinson, Defendant, did commit a Felony, a violation of PC211, Second Degree Robbery, committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that RODNEY BARONE ROBINSON did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of Nordstrom Employees Juarez-Ruiz, Flamm, Acasio, and Rydman.

COUNT 4 – ATTEMPTED SECOND DEGREE ROBBERY

The undersigned states, on information and belief, that Dana Nika Dawson and Joshua Noel William Underwood, Defendants, did commit a Felony, a violation of PC211/213(b), Attempted Second Degree Robbery, committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Attempted Second Degree Robbery in violation of PC211/213(b), a Felony, was committed in that DANA NIKA DAWSON AND JOSHUA NOEL WILLIAM UNDERWOOD did unlawfully, and by means of force and fear attempt to take personal property from the person, possession, and immediate presence of Nordstrom Employees Juarez-Ruiz, Flamm, Acasio and Rydman.

ENHANCEMENT 1

PC12022.53(b): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 4 that said defendant, DANA NIKA DAWSON personally used a firearm, a Glock 26 9mm handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

COUNT 5 – ORGANIZED RETAIL THEFT (FORM 3)

The undersigned states, on information and belief, that Dana Nika Dawson, Joshua Noel William Underwood, and Rodney Barone Robinson, Defendants, did commit a Felony, a violation of PC490.4, Organized Retail Theft (Form 3), committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Organized Retail Theft (Form 3) in violation of PC490.4, a Felony, was committed in that DANA NIKA DAWSON AND JOSHUA NOEL WILLIAM UNDERWOOD AND RODNEY BARONE ROBINSON recruited, coordinated, organized, supervise, directed, managed, or financed another to to steal merchandise from the Nordstrom Department Store.

ENHANCEMENT 1

PC12022.5(a): Special Allegation-Use Of Firearm

It is further alleged as to Count listed above that in the commission and attempted commission of the above offense, the said defendant, DANA NIKA DAWSON, personally used a firearm(s), to wit: Glock 26 9mm handgun, within the meaning of Penal Code sections 1203.06(a)(1) and 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

COUNT 6 – POSSESSION OF FIREARM BY A FELON - PRIOR(S)

The undersigned states, on information and belief, that Dana Nika Dawson, Defendant, did commit a Felony, a violation of PC29800(a)(1), Possession Of Firearm By A Felon - Prior(s), committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Possession Of Firearm By A Felon - Prior(s) in violation of PC29800(a)(1), a Felony, was committed in that DANA NIKA DAWSON did unlawfully own, possess, purchase, receive, and have custody and control of a firearm, to wit, Glock 26 9mm handgun, the said defendant, DANA NIKA DAWSON having theretofore been duly and legally convicted of a felony or felonies, to wit:

PC 487(a)	Grand Theft	CASC San Francisco	#02448286	01/22/10
PC 487(a)	Grand Theft	CASC Santa Cruz	#F21737	02/16/12
PC 460(b)	2nd Burglary	CASC Westminster	#13WF2062	11/20/14
PC 29800	Felon with a Firearm	CASC San Fernando	#LASPA08044301	03/04/15
PC 245(a)(4)	Assault w/DW	CASC Oakland	#18-CR-009589	09/21/18
PC 460(b)	2nd Burglary	CASC San Francisco	#17018038	03/13/19

COUNT 7 – RECEIVING STOLEN PROPERTY WITH A VALUE EXCEEDING \$950

The undersigned states, on information and belief, that Rodney Barone Robinson, Defendant, did commit a Felony, a violation of PC496(a), Receiving Stolen Property With A Value Exceeding \$950, committed as follows:

On or about November 20, 2021, in the County of Contra Costa, State of California, the crime of Receiving Stolen Property With A Value Exceeding \$950 in violation of PC496(a), a Felony, was committed in that RODNEY BARONE ROBINSON did buy or receive property, exceeding nine hundred fifty dollars (\$950) in value, that had been stolen and/or that had been obtained in a manner constituting theft or extortion and conceal, sell, withhold, or aid in concealing, selling or withholding property, exceeding nine hundred fifty dollars (\$950) in value, from the owner, specifically, Merchandise from the Nordstrom Department Store, knowing the property to be so stolen or obtained.

Complainant requests that the Defendant[s] be dealt with according to the law. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 24, 2021, at Martinez, California

DIANA BECTON
District Attorney



Jason Peck
Deputy District Attorney
JP/jf