

Attorney for Defendant
MICHAEL GARGIULO

PEOPLE OF THE STATE OF
CALIFORNIA,

vs.

Defendant.

TO THE ABOVE-NAMED PLAINTIFF AND TO JACKIE LACEY, DISTRICT ATTORNEY FOR THE COUNTY OF LOS ANGELES:

PLEASE TAKE NOTICE that MICHAEL GARGIULO (hereinafter defendant) will move the court, through his counsel, for an order dismissing the information because defendant was not legally committed by a magistrate and that defendant was committed in violation of his due process rights.

This motion will be made pursuant to the *United States Constitution*, Amendments V, VI, VIII and XIV; the *California Constitution* Article 1, sections 7, 15 and 30 (b); *Penal*