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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN BERNARDINO

12
13 **PEOPLE OF THE STATE OF
CALIFORNIA,**

14 Plaintiff,

Case No.

FELONY COMPLAINT

15 v.

16
17 **JOSEPH HERNANDEZ,**

18 
19 Defendant.

20 The undersigned, certifying upon information and belief, complains that in the County of
21 San Bernardino, State of California, defendant did commit the following crimes:

22 **COUNT 1**

23 On or about January 27, 2022, in the County of San Bernardino, the crime of FELON IN
24 POSSESSION OF A FIREARM, in violation of PENAL CODE SECTION 29800(a)(1), a felony,
25 was committed by Joseph Hernandez, who did knowingly and unlawfully purchase, receive,
26 possess, or have custody and control of a firearm, the said defendant having been convicted of a
27 felony under the laws of the United States, the state of California or any other state:
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<u>Court Case</u>	<u>Code/Statute</u>	<u>Conv Date</u>	<u>County</u>	<u>State</u>	<u>Court Type</u>
FWV04701	PC187	11/14/1996	San Bernardino	CA	Superior
FWV04701	PC664/187	11/14/1996	San Bernardino	CA	Superior

It is further alleged that Joseph Hernandez has two prior homicide-related felony convictions within the meaning of Penal Code section 667(e)(2)(C)(iv)(IV), thereby making him eligible for enhanced sentencing pursuant to the Three Strikes Law.

COUNT 2

On or about January 27, 2022, in the County of San Bernardino, the crime of FELON IN POSSESSION OF A FIREARM, in violation of PENAL CODE SECTION 29800(a)(1), a felony, was committed by Joseph Hernandez, who did knowingly and unlawfully purchase, receive, possess, or have custody and control of a firearm, the said defendant having been convicted of a felony under the laws of the United States, the state of California or any other state:

<u>Court Case</u>	<u>Code/Statute</u>	<u>Conv Date</u>	<u>County</u>	<u>State</u>	<u>Court Type</u>
FWV04701	PC187	11/14/1996	San Bernardino	CA	Superior
FWV04701	PC664/187	11/14/1996	San Bernardino	CA	Superior

It is further alleged that Joseph Hernandez has two prior homicide-related felony convictions within the meaning of Penal Code section 667(e)(2)(C)(iv)(IV), thereby making him eligible for enhanced sentencing pursuant to the Three Strikes Law.

COUNT 3

On or about January 27, 2022, in the County of San Bernardino, the crime of UNLAWFUL POSSESSION OF AMMUNITION, in violation of PENAL CODE SECTION 30305(a)(1), a felony, was committed by Joseph Hernandez, who did knowingly and unlawfully own or possess ammunition knowing that he was prohibited from doing so by a prior felony conviction.

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COUNT 4

On or about January 27, 2022, in the County of Riverside, the crime of UNLAWFUL POSSESSION OF A SHORT-BARRELED RIFLE, in violation of PENAL CODE SECTION 33215, a felony, was committed by Joseph Hernandez, who did knowingly and unlawfully possess a short-barreled rifle.

It is further alleged pursuant to PENAL CODE SECTION 1203(e)(11), that probation shall not be granted to Joseph Hernandez except in the unusual case in which the interests of justice would best be served by granting probation.

PRIOR STRIKE ALLEGATIONS

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to all counts that Joseph Hernandez has suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>Court Case</u>	<u>Code/Statute</u>	<u>Conv Date</u>	<u>County</u>	<u>State</u>	<u>Court Type</u>
FWV04701	PC187	11/14/1996	San Bernardino	CA	Superior
FWV04701	PC664/187	11/14/1996	San Bernardino	CA	Superior

NOTICE TO DEFENDANT AND DEFENDANT’S ATTORNEY

Pursuant to Penal Code section 1054.5(b), the People informally request that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2(a)(1), which provides:

“[N]o attorney may disclose or permit to be disclosed to a defendant, members of the defendant’s family, or anyone else, the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1, unless specifically permitted to do so by the court after a hearing and a showing of good cause.”

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I declare under penalty of perjury that the foregoing is true and correct and that this Felony
Complaint consists of four Counts.

Executed March 3, 2022, in San Diego, California.

Respectfully Submitted,
ROB BONTA
Attorney General of California
ROBIN URBANSKI
Supervising Deputy Attorney General

/s/Brendon W. Marshall
BRENDON W. MARSHALL
Deputy Attorney General
Attorneys for Plaintiff

SD2022800290