

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
Plaintiff)
)
vs.)
)
) FELONY COMPLAINT
)
Sergio Rodriguez ,)
aka Sergio Devil,)
aka John One Doe)
) DA CASE NO 2020-00-0025100
)
Defendant)

NOTICE: The charge(s) below include(s) at least one offense described in rule 4(c) of the California Emergency Rules of Court (April 6, 2020). The Emergency Bail Schedule *does not apply* to offenses listed in rule 4(c). The San Bernardino County District Attorney's Office therefore requests this Court set bail pursuant to the Uniform Countywide Schedule of Bail as described by Penal Code section 1269b, subdivision (c). Except as provided in Penal Code section 1270.1, subdivision (e), the San Bernardino County District Attorney's Office requests a hearing with two days written notice to the parties, as required by Penal Code section 1270.1, subdivision (b), *prior to any deviation from the Uniform Countywide Schedule of Bail.*

The undersigned is informed and believes that:

COUNT 1

On or about May 13, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Sergio Rodriguez, who did unlawfully, and with malice aforethought attempt to murder Colin Brooks , Angella Eyitayo, Natalie E. and Shanell E., a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 1 that said defendant(s) Sergio Rodriguez personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

It is further alleged as to count(s) 1 that said defendant(s) Sergio Rodriguez personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

the current charge is a serious or violent felony;

defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;

the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 2

On or about May 13, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Sergio Rodriguez, who did unlawfully, and with malice aforethought attempt to murder Reginald Bryant , a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 2 that said defendant(s) Sergio Rodriguez personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and death to Reginald Bryant within the meaning of Penal Code section 12022.53(d).

It is further alleged as to count(s) 2 that said defendant(s) Sergio Rodriguez personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

It is further alleged as to count(s) 2 that said defendant(s) Sergio Rodriguez personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

the current charge is a serious or violent felony;

defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;

the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 3

On or about May 13, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Sergio Rodriguez, who did unlawfully, and with malice aforethought attempt to murder Adrian Caballero , a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 3 that said defendant(s) Sergio Rodriguez personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

It is further alleged as to count(s) 3 that said defendant(s) Sergio Rodriguez personally used a firearm, a handgun, within the meaning of Penal Code section 12022.53(b).

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

the current charge is a serious or violent felony;

defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;

the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 4

On or about May 13, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Sergio Rodriguez, who did unlawfully, and with malice aforethought attempt to murder Conner Hennessey, a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 4 that in the commission of the above offense the said defendant(s) Sergio Rodriguez, personally inflicted great bodily injury upon Conner Hennessey, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8) and a violent felony within the meaning of Penal Code Section 667.5(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged as to count(s) 4 that in the commission and attempted commission of the above offense, the said defendant(s) Sergio Rodriguez, personally used a deadly and dangerous weapon(s), to wit, box cutter, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

- the current charge is a serious or violent felony;
- defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;
- the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 5

On or about May 13, 2020, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Sergio Rodriguez, who did unlawfully, and with malice aforethought attempt to murder Mardin Padilla , a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 5 that in the commission of the above offense the said defendant(s) Sergio Rodriguez, personally inflicted great bodily injury upon Mardin Padilla , not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8) and a violent felony within the meaning of Penal Code Section 667.5(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged as to count(s) 5 that in the commission and attempted commission of the above offense, the said defendant(s) Sergio Rodriguez, personally used a deadly and dangerous weapon(s), to wit, box cutter, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

- the current charge is a serious or violent felony;
- defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;
- the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 6

On or about May 13, 2020, in the above named judicial district, the crime of ASSAULT UPON PEACE OFFICER OR FIREFIGHTER, in violation of PENAL CODE SECTION 245(c), a felony, was committed by Sergio Rodriguez, who did willfully and unlawfully commit an assault with a deadly weapon and instrument upon the person of Shaun Wallen when said defendant(s) Sergio Rodriguez knew and should have known that said person was a peace officer then and there engaged in the performance of his/her duties .

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

the current charge is a serious or violent felony;

defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;

the crime is not punishable pursuant to Penal Code section 1170(h)(3).

COUNT 7

On or about May 13, 2020, in the above named judicial district, the crime of ASSAULT UPON PEACE OFFICER OR FIREFIGHTER, in violation of PENAL CODE SECTION 245(c), a felony, was committed by Sergio Rodriguez, who did willfully and unlawfully commit an assault by force likely to produce great bodily injury upon the person of Gina Kuhn when said defendant(s) Sergio Rodriguez knew and should have known that said person was a peace officer then and there engaged in the performance of his/her duties .

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sergio Rodriguez is eligible for imprisonment in the state prison due to:

- the current charge is a serious or violent felony;
- defendant(s) Sergio Rodriguez has a prior serious or violent felony conviction;
- the crime is not punishable pursuant to Penal Code section 1170(h)(3).

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2, 3, 4, 5, 6, 7 that said defendant(s) Sergio Rodriguez, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

| Court Case | Code/Statute | Conv Date | County | State | Court Type |
|------------|--------------|------------|-------------|-------|------------|
| BA171289 | PC422 | 11/10/1998 | Los Angeles | CA | Municipal |
| BA235174 | PC245(A)(2) | 02/27/2002 | Los Angeles | CA | Municipal |

* * * * *

NOTICE TO DEFENDANT AND DEFENDANT’S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting 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 which provides: "No attorney may disclose or permit to be disclosed to a defendant 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."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 7 COUNT(S).

Executed at Rancho Cucamonga, California, on May 15, 2020.

S Truesdell

S Truesdell
DECLARANT AND COMPLAINANT

Agency: Rancho Cucamonga Police Dept

Prelim Est. 00:00

| | | | | |
|------------------|------------|-------------|-----------|------|
| Defendant | Birth Date | Booking No. | CII No. | NCIC |
| Sergio Rodriguez | 10/26/1973 | 2005340861 | A08978712 | |