

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO  
VICTORVILLE DISTRICT

|  |   |                             |
|--|---|-----------------------------|
| THE PEOPLE OF THE STATE OF CALIFORNIA, | ) |                             |
|  | ) |                             |
| Plaintiff                              | ) | FELONY COMPLAINT            |
|  | ) |                             |
| vs.                                    | ) |                             |
|  | ) |                             |
| Ervin Padgett                          | ) | DA CASE NO. 2020-00-0055683 |
|  | ) |                             |
|  | ) |                             |
| Defendant                              | ) |                             |

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The undersigned is informed and believes that:

COUNT 1

On or about November 29, 2020, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Ervin Padgett, who did unlawfully, and with malice aforethought murder Rebecca Padgett , 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 that pursuant to Penal Code section 1170(h)(3) defendant(s) Ervin Padgett is eligible for imprisonment in the state prison due to:

the current charge is a serious or violent felony;

defendant(s) Ervin Padgett has a prior serious or violent felony conviction;

defendant(s) Ervin Padgett has been convicted of a crime with a Penal Code section 186.11 enhancement;

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

It is further alleged as to count(s) 1 that said defendant(s) Ervin Padgett personally and intentionally discharged a firearm, a rifle, which proximately caused great bodily injury and death to Rebecca Padgett within the meaning of Penal Code section 12022.53(d).

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

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

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**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 1 COUNT(S).

Executed at Victorville, California, on December 8, 2020.

Deena M. Pribble  
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Deena M. Pribble  
DECLARANT AND COMPLAINANT

Agency: Barstow Sheriff Station

Prelim Est. 00:00

| Defendant     | Birth Date | Booking No. | CII No. | NCIC |
|---------------|------------|-------------|---------|------|
| Ervin Padgett | 01/15/1983 |             |         |      |