

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

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
	)	
Plaintiff	)	FIRST AMENDED
	)	
vs.	)	Felony COMPLAINT
	)	
Sydney Strauscahill (FWV22000412)	)	DA CASE NO 2022-00-0014443
Gabriel Leo Espinoza	)	
aka Gabriel L Espinoza	)	
	)	
	)	
Defendant	)	
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	)	
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The undersigned is informed and believes that:

COUNT 1

On or about January 30, 2022 through February 01, 2022, in the above-named judicial district, the crime of MAYHEM, in violation of PENAL CODE SECTION 203, a felony, was committed by Sydney Strauscahill, who did unlawfully and maliciously deprive John Doe of a member of the body and did disable, disfigure and render it useless and did cut and disable the tongue, and put out an eye and slit the nose, ear and lip of said person.

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) Sydney Strauscahill is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Sydney Strauscahill has a prior serious or violent felony conviction; defendant(s) Sydney Strauscahill 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).

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## COUNT 2

On or about January 30, 2022 through February 01, 2022, in the above-named judicial district, the crime of CHILD ABUSE UNDER CIRCUMSTANCES OR CONDITIONS LIKELY TO CAUSE GBI OR DEATH, in violation of PENAL CODE SECTION 273a(a), a felony, was committed by Sydney Strauscahill, who did willfully and unlawfully, under circumstances and conditions likely to produce great bodily harm and death, injure, cause, and permit a child, John Doe, to suffer and to be inflicted with unjustifiable physical pain and mental suffering, and, having the care and custody of said child, injure, cause, and permit the person and health of said child to be injured and did willfully cause and permit said child to be placed in such situation that his/her person and health was/were endangered.

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Sydney Strauscahill is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Sydney Strauscahill has a prior serious or violent felony conviction; defendant(s) Sydney Strauscahill 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, within the meaning of Penal Code section 12022.7(d), as to count(s) 2 that defendant personally inflicted great bodily injury on John Doe who was under the age of five years.

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## COUNT 3

On or about February 01, 2022, in the above-named judicial district, the crime of MAYHEM, in violation of PENAL CODE SECTION 203, a felony, was committed by Gabriel Leo Espinoza, who did unlawfully and maliciously deprive John Doe of a member of the body and did disable, disfigure and render it useless and did cut and disable the tongue, and put out an eye and slit the nose, ear and lip of said person.

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) Gabriel Leo Espinoza is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Gabriel Leo Espinoza has a prior serious or violent felony conviction; defendant(s) Gabriel Leo Espinoza 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).

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#### COUNT 4

On or about February 01, 2022, in the above-named judicial district, the crime of CHILD ABUSE UNDER CIRCUMSTANCES OR CONDITIONS LIKELY TO CAUSE GBI OR DEATH, in violation of PENAL CODE SECTION 273a(a), a felony, was committed by Gabriel Leo Espinoza, who did willfully and unlawfully, under circumstances and conditions likely to produce great bodily harm and death, injure, cause, and permit a child, John Doe, to suffer and to be inflicted with unjustifiable physical pain and mental suffering, and, having the care and custody of said child, injure, cause, and permit the person and health of said child to be injured and did willfully cause and permit said child to be placed in such situation that his/her person and health was/were endangered.

It is further alleged, within the meaning of Penal Code section 12022.7(d), as to count(s) 4 that defendant personally inflicted great bodily injury on John Doe who was under the age of five years.

It is further alleged that pursuant to Penal Code section 1170(h)(3) defendant(s) Gabriel Leo Espinoza is eligible for imprisonment in the state prison due to: the current charge is a serious or violent felony; defendant(s) Gabriel Leo Espinoza has a prior serious or violent felony conviction; defendant(s) Gabriel Leo Espinoza 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).

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It is further alleged as to each count, pursuant to Penal Code section 1170, subdivision (b)(2), that the following circumstances may apply in this case:

1. The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness;
2. The defendant was armed with or used a weapon at the time of the commission of the crime;
3. The victim was particularly vulnerable;
4. The manner in which the crime was carried out indicates planning, sophistication, or professionalism;
5. The crime involved an attempted or actual taking or damage of great monetary value;
6. The defendant took advantage of a position of trust or confidence to commit the offense.
7. The defendant has engaged in violent conduct that indicates a serious danger to society;
8. And any other aggravating factors that may be permitted by law.

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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 4 COUNT(S).

Executed at Rancho Cucamonga, California, on February 15, 2022.

J. Martinez

J. Martinez

DECLARANT AND COMPLAINANT

Agency: Chino Hills Police and Sheriffs Dept

Prelim Est.

Defendant	Birth Date	Booking No	CII No.	NCIC
Sydney Strauscahill	2002-07-04	2202300078	A40217495	
Gabriel Leo Espinoza	1996-01-22	2202300389	A36266998	