

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

THE PEOPLE OF THE STATE OF CALIFORNIA,)	
)	
Plaintiff)	
)	
vs.)	FELONY COMPLAINT
)	
Noe Armando Banuelos)	
aka Noe Banuelos)	
)	DA CASE NO 2024-00-0037235
)	
Defendant)	
)	
)	
)	

The undersigned is informed and believes that:

COUNT 1

On or about September 04, 2024, in the above-named judicial district, the crime of GROSS VEHICULAR MANSLAUGHTER WHILE INTOXICATED, in violation of PENAL CODE SECTION 191.5(a), a felony, was committed by Noe Armando Banuelos, who did unlawfully, and without malice, kill Richard M Pshock, a human being, while driving a vehicle in violation of Vehicle Code sections 23140, 23152 and 23153 and said killing was the proximate result of the commission of an unlawful act, not amounting to a felony, and with gross negligence; and the proximate result of the commission of a lawful act which might have produced death, in an unlawful manner, and with gross negligence.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and 1192.8(a).

It is further alleged that after committing the above violation of Penal Code Section 191.5, the defendant Noe Armando Banuelos fled the scene of the crime and is thus subject to the additional punishment provided for in Vehicle Code Section 20001(c).

COUNT 2

On or about September 04, 2024, in the above-named judicial district, the crime of HIT AND RUN DRIVING RESULTING IN DEATH OR SERIOUS INJURY TO ANOTHER PERSON, in violation of VEHICLE CODE SECTION 20001(b)(2), a felony, was committed by Noe Armando Banuelos, who was driving a vehicle involved in an accident resulting in death to another person and failed to immediately stop and give the registration number of the vehicle he or she was driving to the person struck and to a traffic or police officer at the scene of the accident, and/or further failed to provide reasonable assistance to a person injured in the accident.

COUNT 3

On or about September 04, 2024, in the above-named judicial district, the crime of ESCAPE FROM ARREST, in violation of PENAL CODE SECTION 836.6(b), a misdemeanor, was committed by Noe Armando Banuelos, who did unlawfully attempt to and did escape from a peace officer after being lawfully arrested. The defendant(s) was, at the time, under arrest and knew or should have known, by the exercise of reasonable care, that he or she was under arrest.

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 that said Noe Armando Banuelos, 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
LC VA12395601	PC 459 - 1st	2012-04-03	Los Angeles	CA	Superior

It is further alleged as to count(s) 1 pursuant to Penal Code section 667(a)(1) that the Noe Armando Banuelos, has suffered the following prior conviction(s) of a serious felony:

Court Case	Code/Statute	Conv Date	County	State	Court Type
LC VA12395601	PC 459 - 1st	2012-04-03	Los Angeles	CA	Superior

* * * * *

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 convicted of other crimes for which consecutive sentences could have been imposed but for which concurrent sentences are being imposed;
3. The crime involved an attempted or actual taking or damage of great monetary value;
4. The defendant has engaged in violent conduct that indicates a serious danger to society;
5. The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;
6. The defendant has served a prior term in prison or county jail under section 1170(h);
7. The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory; and
8. And any other aggravating factors that may be permitted by law.

* * * * *

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 3 COUNT(S).

Executed at Victorville, California, on September 06, 2024

Jamie Cimino

Jamie Cimino
DECLARANT AND COMPLAINANT

Agency: CHP Inland Division

Prelim Est.

Defendant	Birth Date	Booking No	CII No.	NCIC
Noe Armando Banuelos	1991-11-27	2409340341	A31922713	