

10/01/2026

Gonzalez, Ariel

Deputy Clerk of the Superior Court

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

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff )

vs. )

Richard Aguiar )

Defendant )

**COURT CASE NUMBER: FWV26003394**

**FELONY COMPLAINT**

**DA CASE NO 2026-00-0044924**

The undersigned is informed and believes that:

COUNT 1

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE CAUSING INJURY, in violation of VEHICLE CODE SECTION 23153(a), a felony, was committed by Richard Aguiar, who drove a vehicle while under the influence of an alcoholic beverage and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Fermin Ramirez.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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#### COUNT 2

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE CAUSING INJURY, in violation of VEHICLE CODE SECTION 23153(a), a felony, was committed by Richard Aguiar, who drove a vehicle while under the influence of an alcoholic beverage and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Briana Marie Banuelos.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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#### COUNT 3

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE CAUSING INJURY, in violation of VEHICLE

CODE SECTION 23153(a), a felony, was committed by Richard Aguiar, who drove a vehicle while under the influence of an alcoholic beverage and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Kaya Lynn Weingartner.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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#### COUNT 4

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING WITH A .08% BLOOD ALCOHOL CONTENT CAUSING INJURY, in violation of VEHICLE CODE SECTION 23153(b), a felony, was committed by Richard Aguiar, who drove a vehicle while having a 0.08 percent or more, by weight, of alcohol in his blood and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Fermin Ramirez.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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#### COUNT 5

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING WITH A .08% BLOOD ALCOHOL CONTENT CAUSING INJURY, in violation of VEHICLE CODE SECTION 23153(b), a felony, was committed by Richard Aguiar, who drove a vehicle while having a 0.08 percent or more, by weight, of alcohol in his blood and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Briana Marie Banuelos.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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COUNT 6

On or about July 26, 2026, in the above-named judicial district, the crime of DRIVING WITH A .08% BLOOD ALCOHOL CONTENT CAUSING INJURY, in violation of VEHICLE CODE SECTION 23153(b), a felony, was committed by Richard Aguiar, who drove a vehicle while having a 0.08 percent or more, by weight, of alcohol in his blood and concurrently acted illegally and/or negligently in driving the vehicle, thus causing bodily injury to Kaya Lynn Weingartner.

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar had a blood alcohol concentration that was 0.15 percent or more, by weight, and is thus subject to the additional punishment provided for in Vehicle Code Section 23578.

It is further alleged that during the commission of the above violation of Vehicle Code Section 23153, the defendant Richard Aguiar proximately caused bodily injury and/or death to more than one victim and is thus subject to the additional punishment provided for in Vehicle Code Section 23558.

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COUNT 7

On or about July 26, 2026, in the above-named judicial district, the crime of HIT AND RUN DRIVING RESULTING IN INJURY TO ANOTHER PERSON, in violation of VEHICLE CODE SECTION 20001(b)(1), a felony, was committed by Richard Aguiar, who was driving a vehicle involved in an accident resulting in injury to another person and failed to immediately stop and give his or her name to the driver or occupants of a vehicle collided with 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.

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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 defendant induced others to participate in the commission of the crime or occupied a position of leadership or dominance of other participants in its commission;
5. The defendant induced a minor to commit or assist in the commission of the crime;
6. The defendant threatened witnesses, unlawfully prevented or dissuaded witnesses from testifying, suborned perjury, or in any other way illegally interfered with the judicial process;
7. The defendant was convicted of other crimes for which consecutive sentences could have been imposed but for which concurrent sentences are being imposed;
8. The manner in which the crime was carried out indicates planning, sophistication, or professionalism;
9. The crime involved an attempted or actual taking or damage of great monetary value;
10. The crime involved a large quantity of contraband;
11. The defendant took advantage of a position of trust or confidence to commit the offense.
12. The crime constitutes a hate crime under section 422.55;
13. The defendant has engaged in violent conduct that indicates a serious danger to society;
14. The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;
15. The defendant has served a prior term in prison or county jail under section 1170(h);
16. The defendant was on probation, mandatory supervision, postrelease community supervision, or parole when the crime was committed; and
17. The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory; and
18. 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 7 COUNT(S).

Executed at Rancho Cucamonga, California, on October 01, 2026

Kathleen DiDonato

Kathleen DiDonato

DECLARANT AND COMPLAINANT

Agency: Chino Police Department

Prelim Est.

Defendant  
Richard Aguiar

Birth Date  
1975-10-21

Booking No

CII No.  
A21600028

NCIC