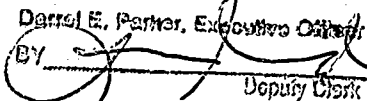


THE SUPERIOR COURT, STATE OF CALIFORNIA  
For the County of Santa Barbara  
Figueroa Division

**FILED**  
SUPERIOR COURT of CALIFORNIA  
COUNTY OF SANTA BARBARA

MAY 25 2021

Darrel E. Porter, Executive Officer  
BY  Deputy Clerk

DA No. 21-05-477460

Court No.

21CR03177

FELONY COMPLAINT

AB109 INELIGIBLE

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

VICTOR ANGEL HERNANDEZ  
AKA: VICTOR HERNANDEZ

DOB: 05/11/1998

Defendant.

The undersigned is informed and believes that:

COUNT 1

On or about May 20, 2021, in the County of Santa Barbara, the crime of ARSON OF AN INHABITED STRUCTURE OR PROPERTY, in violation of **PENAL CODE SECTION 451(b)**, a Felony, was committed by VICTOR ANGEL HERNANDEZ, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned an inhabited structure and inhabited property located at **Via Del Cielo**.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(14)**.

It is further alleged that the above offense is a violent felony pursuant to **Penal Code Section 667.5(c)(10)**.

**SPEC ALLEG - ARSON WITH AGGRAVATING FACTORS:**

It is further alleged, pursuant to **PENAL CODE SECTION 451.1(a)(4)** that the following aggravating factors exist: the defendant proximately caused multiple structures to burn in any single violation of Section 451

COUNT 2

On or between May 10, 2021 and May 20, 2021, in the County of Santa Barbara, the crime of ATTEMPT TO BURN, in violation of **PENAL CODE SECTION 455**, a Felony, was committed by VICTOR ANGEL HERNANDEZ, who did willfully, unlawfully, and maliciously attempt to set fire and attempt to burn a structure, to wit: **the area of McKinley Elementary School**, and did commit an act preliminary thereto and in furtherance thereof.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(14)**.

COUNT 3

On or about June 14, 2020, in the County of Santa Barbara, the crime of ARSON OF A STRUCTURE OR FOREST, in violation of **PENAL CODE SECTION 451(c)**, a Felony, was committed by VICTOR ANGEL HERNANDEZ, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned a structure or forest land located **near 800 Loma Alta Drive**.

"NOTICE: The above offense is a serious felony within the meaning of **Penal Code section 1192.7(c)(14)**."

**SPEC ALLEG – FELONY EXCLUDED FROM LOCAL CUSTODY**

It is further alleged that the above offenses are offenses for which the defendant VICTOR ANGEL HERNANDEZ, is excluded from a state prison sentence to be served in the county jail pursuant to **Penal Code section 1170(h)**.

“NOTICE: Pursuant to **Penal Code section 1170(f)**, notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC”.

**COUNT 4**

On or about May 20, 2021, in the County of Santa Barbara, the crime of POSSESSION OF A CONTROLLED SUBSTANCE, in violation of **HEALTH & SAFETY CODE SECTION 11377(a)**, a Misdemeanor, was committed by VICTOR ANGEL HERNANDEZ, who did willfully and unlawfully possess a controlled substance, to wit: METHAMPHETAMINE.

“NOTICE: If convicted of this offense the court must suspend your driving privileges if you are under the age of 21 years. Vehicle Code Section 13202.5”.

**COUNT 5**

On or about May 20, 2021, in the County of Santa Barbara, the crime of UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE, in violation of **HEALTH & SAFETY CODE SECTION 11550(a)**, a Misdemeanor, was committed by VICTOR ANGEL HERNANDEZ, who did willfully and unlawfully use and be under the influence of a controlled substance, to wit: METHAMPHETAMINE.

“NOTICE: If convicted of this offense the court must suspend your driving privileges if you are under the age of 21 years. Vehicle Code section 13202.5.”

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Pursuant to Penal Code Section 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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 5 COUNT(S).

Executed at Santa Barbara, California, on May 25, 2021.

*Joyce E. Quinley*

KEVIN WEICHBROD  
SENIOR DEPUTY DISTRICT ATTORNEY

Agency: SBPD

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>STS</u>	<u>COURT DATE</u>
Victor Angel Hernandez	M	H	506	170	BRO	BRO	Y6885415	IC	05/25/2021

an