

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

THE PEOPLE OF THE STATE OF CALIFORNIA,)	COURT CASE NO
)	
Plaintiff)	
)	
vs.)	
)	
Esequiel Cisneros)	FELONY COMPLAINT
)	
)	
Defendant)	DA CASE NO 2012-00-0026244

The undersigned is informed and believes that:

COUNT 1

On or about May 29, 2012, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Esequiel Cisneros, who did unlawfully, and with malice aforethought murder Gregorio Gonzalez Jr, 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)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

It is further alleged as to count(s) 1 that said defendant(s) Esequiel Cisneros personally and intentionally discharged a firearm, a handgun, which caused great bodily injury and death to Gregorio Gonzalez Jr within the meaning of Penal Code Section 12022.53(d) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8). It is further alleged as to count(s) 1 that said defendant(s) Esequiel Cisneros personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code Section 12022.53(c) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent

felony within the meaning of Penal Code section 667.5(c)(8). It is further alleged as to count(s) 1 that said defendant(s) Esequiel Cisneros personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged pursuant to Penal Code section 186.22(b)(1)(C) as to count(s) 1, 2, 3 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 186.30(a). Willful failure to register is a crime."

COUNT 2

On or about May 29, 2012, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Esequiel Cisneros, who did unlawfully and with malice aforethought attempt to murder Eric Olguin , a human being.

It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

It is further alleged as to count(s) 2 that said defendant(s) Esequiel Cisneros personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code Section 12022.53(c) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged as to count(s) 2 that said defendant(s) Esequiel Cisneros personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above

offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged pursuant to Penal Code section 186.22(b)(1)(C) as to count(s) 1, 2, 3 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 186.30(a). Willful failure to register is a crime."

It is further alleged that the offense(s) charged in Count(s) 2 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

COUNT 3

On or about May 29, 2012, in the above named judicial district, the crime of ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Esequiel Cisneros, who did unlawfully and with malice aforethought attempt to murder Gerald Richard Jimenez , a human being.

It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c).

It is further alleged as to count(s) 3 that said defendant(s) Esequiel Cisneros personally and intentionally discharged a firearm, a handgun, which caused great bodily injury and death to Gerald Richard Jimenez within the meaning of Penal Code Section 12022.53(d) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8). It is further alleged as to count(s) 3 that said defendant(s) Esequiel Cisneros personally and intentionally discharged a

firearm, a handgun, within the meaning of Penal Code Section 12022.53(c) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8). It is further alleged as to count(s) 3 that said defendant(s) Esequiel Cisneros personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged pursuant to Penal Code section 186.22(b)(1)(C) as to count(s) 1, 2, 3 that the above offense was committed for the benefit of, at the direction of, or in association with a criminal street gang with the specific intent to promote, further or assist in criminal conduct by gang members.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 186.30(a). Willful failure to register is a crime."

It is further alleged that the offense(s) charged in Count(s) 3 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

COUNT 4

On or about May 29, 2012, in the above named judicial district, the crime of STREET TERRORISM, in violation of PENAL CODE SECTION 186.22(a), a felony, was committed by Esequiel Cisneros, who did unlawfully and actively participate in a criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity and did promote, further or assist in felony criminal conduct by gang members.

* * * * *

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 San Bernardino, California, on May 30, 2012.

C. Epstein

C. Epstein

DECLARANT AND COMPLAINANT

Agency: San Bernardino Police Department

Prelim Est. 00:00

Defendant
Esequiel Cisneros

Birth Date
03/09/1991

Booking No.

CII No.
A27679623

NCIC

Gang