

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

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

JHORDY DIAZ RAMIREZ

DOB: 07/05/1995

Defendant.

DA No. 17-05-402486
Court No.

FELONY COMPLAINT

AB109 INELIGIBLE

The undersigned is informed and believes that:

COUNT 1

On or about May 12, 2017, in the County of Santa Barbara, the crime of ATTEMPTED MURDER, in violation of **PENAL CODE SECTION 664/187(a)**, a Felony, was committed by JHORDY DIAZ RAMIREZ, who did unlawfully and with malice aforethought attempt to murder a human being, to wit: SILVIA NARCISO DIAZ.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (9).

It is further alleged that the above offense is a violent felony within the meaning of Penal Code Section 667.5(c) (12).

It is further alleged that the above offense of attempted murder was willful, deliberate and premeditated within the meaning of Penal Code 664(a).

SPECIAL ALLEG - GREAT BODILY INJURY

It is further alleged that in the commission of the above offense the said defendant, JHORDY DIAZ RAMIREZ, personally inflicted great bodily injury on SILVIA NARCISO DIAZ, not on an accomplice to the above offense, within the meaning of **Penal Code Section 12022.7(a)** and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(8)**.

SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY

It is further alleged that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“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 2

On or about May 12, 2017, in the County of Santa Barbara, the crime of ASSAULT WITH PERSONAL USE OF DEADLY WEAPON, in violation of **PENAL CODE SECTION 245(a)(1)**, a Felony, was committed by JHORDY DIAZ RAMIREZ, who did willfully, unlawfully and personally commit an assault upon RICARDO RAMIREZ with a deadly and dangerous weapon, a KNIFE.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(23).

SPECIAL ALLEG - GREAT BODILY INJURY

It is further alleged that in the commission of the above offense the said defendant, JHORDY DIAZ RAMIREZ, personally inflicted great bodily injury on RICARDO RAMIREZ, not on an accomplice to the above offense, within the meaning of **Penal Code Section 12022.7(a)** and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(8)**.

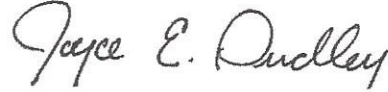
COUNT 3

On or about May 12, 2017, in the County of Santa Barbara, the crime of RESIST, OBSTRUCT, DELAY OF PEACE OFFICER OR EMT, in violation of **PENAL CODE SECTION 148(a)(1)**, a Misdemeanor, was committed by JHORDY DIAZ RAMIREZ, who did willfully and unlawfully resist, delay or obstruct OFFICERS RUIZ, GONZALEZ AND VELAZQUEZ, police officers attempting to and discharging the duty of his/her office and employment.

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 3 COUNT(S).

Executed at Santa Maria, California, on May 15, 2017.



BRANDON JEBENS
SENIOR DEPUTY DISTRICT ATTORNEY

Agency: SMPD

<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>
Jhordy Diaz Ramirez	M	H	504	125	BRO	BLK	F5151779	IC	05/16/2017

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