

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

**03/01/2024**

Darrel E. Parker, Executive Officer  
BY Gerhard, Lisa  
Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

DA No. 24-01-521045

Court No.

**24CR01715**

**FELONY COMPLAINT**

**AB109 INELIGIBLE**

**RICKI LEIGH NEWTON**

**DOB: 08/10/2001**

Defendant.

The undersigned is informed and believes that:

**COUNT 1**

On or about August 13, 2023, in the County of Santa Barbara, the crime of VEHICLE MANSLAUGHTER-NON ALCOHOL-GROSS NEG.-UNLAWFUL ACT, in violation of **PENAL CODE SECTION 192(c)(1)**, a Felony, was committed by RICKI LEIGH NEWTON, who did unlawfully kill a human being, to wit, L. HERNANDEZ, JR, without malice but with gross negligence, as a proximate result of the commission by said defendant of an unlawful act, a violation of Vehicle Code Section 22348(b), while driving a vehicle.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (8).

**SPECIAL ALLEGATION: AGGRAVATING FACTORS**

It is further alleged as to Count 1, that the People will seek findings from the jury on factors in aggravation pursuant to **California Rules of Court, Rule 4.421** that:

Pursuant to **California Rules of Court, Rule 4.421(a)**:

- (a)(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;
- (a)(3) The victim was particularly vulnerable;

Pursuant to **California Rules of Court, Rule 4.421(b)**:

- (b)(1) The defendant has engaged in violent conduct that indicates a serious danger to society;

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

It is further alleged that the above offense is an offense for which the defendant RICKI LEIGH NEWTON, 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”.

**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.”

\* \* \* \* \*

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 1 COUNT(S).

Executed at Santa Barbara, California, on March 1, 2024.



MICHELLE MOSSEMBEKKER  
DEPUTY DISTRICT ATTORNEY

Agency: CHP

<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>
Ricki Leigh Newton	M	B	503	154	BRO	BRO	Y1972983	LR	03/15/2024

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