

FILED

JUL 17 2024

SAN LUIS OBISPO SUPERIOR COURT

BY S. Gonzalez
S. Gonzalez, Deputy Clerk

1 DAN DOW
DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN LUIS OBISPO
DEPARTMENT 9

10

11 THE PEOPLE OF THE STATE OF
CALIFORNIA
12 Plaintiff,

COURT CASE NO. 24F-01123
AMENDED COMPLAINT

13 vs.

14 **NORMAN HIBBLE**
DOB: 12/19/1969
15 ID NO. D000457752
16 CII: A36724707

DA CASE NO. 079-694552

17 Defendant. Appearance Date: July 17, 2024
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20 The District Attorney of San Luis Obispo County, California, hereby accuses the
21 above named defendant of the following criminal offenses:

22 **Count 1**

23 On or between April 26, 2017 and December 31, 2017, in the County of San Luis Obispo,
24 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
25 a Felony, was committed in that being a person described in Penal Code section 424
26 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
27 manner not incidental and minimal, without authority of law, appropriate the same, and a
28 portion thereof, to personal use and the use of another.

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Count 2

On or between January 1, 2018 and June 30, 2018, in the County of San Luis Obispo, State of California, the crime of Misappropriation of Public Funds in violation of PC424(a), a Felony, was committed in that being a person described in Penal Code section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, without authority of law, appropriate the same, and a portion thereof, to personal use and the use of another.

Count 3

On or between July 1, 2018 and December 31, 2018, in the County of San Luis Obispo, State of California, the crime of Misappropriation of Public Funds in violation of PC424(a), a Felony, was committed in that being a person described in Penal Code section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, without authority of law, appropriate the same, and a portion thereof, to personal use and the use of another.

Count 4

On or between January 1, 2019 and June 30, 2019, in the County of San Luis Obispo, State of California, the crime of Misappropriation of Public Funds in violation of PC424(a), a Felony, was committed in that being a person described in Penal Code section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, without authority of law, appropriate the same, and a portion thereof, to personal use and the use of another.

Count 5

On or between July 1, 2019 and December 31, 2019, in the County of San Luis Obispo, State of California, the crime of Misappropriation of Public Funds in violation of PC424(a), a Felony, was committed in that being a person described in Penal Code section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a

1 manner not incidental and minimal, without authority of law, appropriate the same, and a
2 portion thereof, to personal use and the use of another.

3 **Count 6**

4 On or between January 1, 2020 and June 30, 2020, in the County of San Luis Obispo,
5 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
6 a Felony, was committed in that being a person described in Penal Code section 424
7 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
8 manner not incidental and minimal, without authority of law, appropriate the same, and a
9 portion thereof, to personal use and the use of another.

10 **Count 7**

11 On or between July 1, 2020 and December 31, 2020, in the County of San Luis Obispo,
12 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
13 a Felony, was committed in that being a person described in Penal Code section 424
14 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
15 manner not incidental and minimal, without authority of law, appropriate the same, and a
16 portion thereof, to personal use and the use of another.

17 **Count 8**

18 On or between January 1, 2021 and June 30, 2021, in the County of San Luis Obispo,
19 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
20 a Felony, was committed in that being a person described in Penal Code section 424
21 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
22 manner not incidental and minimal, without authority of law, appropriate the same, and a
23 portion thereof, to personal use and the use of another.

24 **Count 9**

25 On or between October 28, 2021 and December 31, 2021, in the County of San Luis
26 Obispo, State of California, the crime of Misappropriation of Public Funds in violation of
27 PC424(a), a Felony, was committed in that being a person described in Penal Code

1 section 424 charged with the receipt, safekeeping; transfer, and distribution of public
2 moneys, did in a manner not incidental and minimal, without authority of law, appropriate
3 the same, and a portion thereof, to personal use and the use of another.

4 **Count 10**

5 On or between January 1, 2022 and June 30, 2022, in the County of San Luis Obispo,
6 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
7 a Felony, was committed in that being a person described in Penal Code section 424
8 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
9 manner not incidental and minimal, without authority of law, appropriate the same, and a
10 portion thereof, to personal use and the use of another.

11 **Count 11**

12 On or between July 1, 2022 and December 31, 2022, in the County of San Luis Obispo,
13 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
14 a Felony, was committed in that being a person described in Penal Code section 424
15 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
16 manner not incidental and minimal, without authority of law, appropriate the same, and a
17 portion thereof, to personal use and the use of another.

18 **Count 12**

19 On or between January 1, 2023 and October 16, 2023, in the County of San Luis Obispo,
20 State of California, the crime of Misappropriation of Public Funds in violation of PC424(a),
21 a Felony, was committed in that being a person described in Penal Code section 424
22 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a
23 manner not incidental and minimal, without authority of law, appropriate the same, and a
24 portion thereof, to personal use and the use of another.

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Count 13

On or between October 18, 2016 and April 25, 2017, in the County of San Luis Obispo, State of California, the crime of Misappropriation of Public Funds in violation of PC424(a), a Felony, was committed in that being a person described in Penal Code section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, without authority of law, appropriate the same, and a portion thereof, to personal use and the use of another.

Enhancement

PC186.11(a)(3): Spec Alleg - Aggravated White Collar Crime

It is further alleged, pursuant to Penal Code section 186.11(a), that the offenses set forth in counts One through Thirteen are related felonies, a material element of which is fraud and embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than One Hundred Thousand Dollars (\$100,000).

Allegation

PC803(c): Spec Alleg-Statute Of Limitations-Late Discovery (Zamora Allegation)

It is further alleged as to counts 1, 2, 3, 4, 5, 6, and 13, offenses described in Penal Code section 803(c), that the above violations were not discovered until investigation into defendant's expenditures commenced in October, 2023, after accounting staff from the San Luis Obispo County Information Technology Department notified the San Luis Obispo County Auditor-Controller Office of a potentially unauthorized charge made on August 26, 2023, on the defendant's County-issued credit card. It is further alleged that no victim of said violations and no law enforcement agency chargeable with the investigation and prosecution of said violation had actual and constructive knowledge of said violations prior to the investigation which commenced in October, 2023, because the defendant regularly manipulated and falsified records to disguise unauthorized purchases as legitimate, within the meaning of Penal Code section 803(c).

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It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the following factors in aggravation listed in California Rule of Court 4.421 may apply to the defendant(s) or to conduct of the defendant(s):

4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

4.421(a)(2) The defendant was armed with or used a weapon at the time of the commission of the crime.

4.421(a)(3) The victim was particularly vulnerable.

4.421(a)(4) The defendant induced others to participate in the commission of the crime and occupied a position of leadership and dominance of other participants in its commission.

4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the crime.

4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded witnesses from testifying, suborned perjury, and in any other way illegally interfered with the judicial process.

4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences can be imposed but for which concurrent sentences shall be imposed.

4.421(a)(8) The manner in which the crime was carried out indicates planning, sophistication, and professionalism.

4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary value.

4.421(a)(10) The crime involved a large quantity of contraband.

4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit the offense.

1 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
2 and no hate crime enhancements under section 422.75 of the Penal Code shall be
3 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
4 Code.

5 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
6 to society.

7 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
8 juvenile delinquency proceedings are numerous and of increasing seriousness.

9 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
10 1170(h).

11 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
12 community supervision, and parole when the crime was committed.

13 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
14 release community supervision, and parole was unsatisfactory.

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1 All of which is contrary to the statute in such cases made and provided, and against
2 the peace and dignity of the People of the State of California.


3 I declare that an investigation has been conducted to determine if said Defendant(s)
4 did commit the stated crime, which reports are attached hereto and incorporated herein by
5 reference, and that the facts therein show probable cause that the said Defendant(s) did
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if
7 said Defendant(s) do not appear voluntarily in response to an appearance letter, or if no
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are
10 hereby informally requesting that defense counsel provide discovery to the people as
11 required by Penal Code Section 1054.3.

12 On this day July 17, 2024, in the County of San Luis Obispo, I certify and declare
13 under penalty of perjury that the foregoing is true and correct.

14 Dated: July 17, 2024

15 DAN DOW
16 DISTRICT ATTORNEY

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19 By: _____
20 BEN G BLUMENTHAL
21 DEPUTY DISTRICT ATTORNEY

22 Upon review of the reports attached and incorporated herein by reference, I find sufficient
23 probable cause to warrant the defendant(s) continued detention.

24 Dated: _____
25 _____
26 Judge of the Superior Court

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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC424(a)		Norman Hibble		
2	PC424(a)		Norman Hibble		
3	PC424(a)		Norman Hibble		
4	PC424(a)		Norman Hibble		
5	PC424(a)		Norman Hibble		
6	PC424(a)		Norman Hibble		
7	PC424(a)		Norman Hibble		
8	PC424(a)		Norman Hibble		
9	PC424(a)		Norman Hibble		
10	PC424(a)		Norman Hibble		
11	PC424(a)		Norman Hibble		
12	PC424(a)		Norman Hibble		
13	PC424(a) PC186.11(a)(3), PC803(c)		Norman Hibble		