

1 DAN DOW
DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
SAN LUIS OBISPO, CA 93408
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FILED

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8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT

NOV 30 2020

SAN LUIS OBISPO SUPERIOR COURT
BY *L. Ramirez*
L. Ramirez, Deputy Clerk

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA
12 Plaintiff,

COURT CASE NO. F491809002

AMENDED INFORMATION

13 vs.

14 **DAVID RODRIGUEZ HERNANDEZ**
DOB: 12/29/1975 ID NO. D000389569
15 AKA DAVID HERNANDEZ, DAVID RAMOS
HERNANDEZ

DA CASE NO. 079-559729

16
17 **EDGAR ONTIVEROS**
DOB: 03/09/1995 ID NO. D000401413
18 AKA EDGAR * ONTIVEROS, EDGAR
ONTIVEROS, HUERO

DA CASE NO. 079-559730

19
20 **LOUIS HENRY MADRIGAL**
DOB: 01/19/1994 ID NO. D000391138
21 AKA FLACO, CUATES

DA CASE NO. 079-559731

22
23 **ALEJANDRO ANGUIANO**
DOB: 05/13/1994 ID NO. D000401414
24 AKA ALEJANDRO ANGUIANO, BURBUJAS,
ALEJANDRO BENJAMIN ANGUIANO

DA CASE NO. 079-559732

25
26 Defendants.

Appearance Date:

1 The District Attorney of the San Luis Obispo County, California, hereby accuses the
2 above named defendants of the following criminal offenses:

3 Count 1

4 On or about February 23, 2013, in the County of San Luis Obispo, State of
5 California, the crime of Murder in violation of PC187(a), a Felony, was committed in that
6 DAVID RODRIGUEZ HERNANDEZ and EDGAR ONTIVEROS and LOUIS HENRY
7 MADRIGAL and ALEJANDRO ANGUIANO did unlawfully, and with malice aforethought
8 murder Victor Hugo Sanchez, a human being.

9 Enhancement 1

10 It is further alleged that Victor Hugo Sanchez was killed during the commission and
11 attempted commission of a felony, to wit, kidnapping and that EDGAR ONTIVEROS was
12 the actual killer of Victor Hugo Sanchez within the meaning of Penal Code section
13 189(e)(1).

14 Enhancement 2

15 It is further alleged that Victor Hugo Sanchez was killed during the commission and
16 attempted commission of a felony, to wit, kidnapping and that DAVID RODRIGUEZ
17 HERNANDEZ and EDGAR ONTIVEROS and LOUIS HENRY MADRIGAL and
18 ALEJANDRO ANGUIANO were major participants in that kidnapping and acted with
19 reckless indifference to human life within the meaning of Penal Code sections 189(e)(3)
20 and 190.2(d).

21 Enhancement 3

22 It is further alleged that in the commission of the foregoing offense, the defendant EDGAR
23 ONTIVEROS, personally used and intentionally and personally discharged a firearm, and
24 proximately caused death, as defined in Penal Code section 12022.7, to a person other
25 than an accomplice, within the meaning of Penal Code section 12022.53(d).

26 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
27 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c).

1 Conviction of this offence or enhancement will disqualify you from sentencing pursuant to
2 Penal Code section 1170(h).

3 Count 2

4 On or between October 5, 2012 through February 23, 2013, in the County of San Luis
5 Obispo, State of California, the crime of Conspiracy To Commit A Crime in violation of
6 PC182(a)(1), a Felony, was committed in that DAVID RODRIGUEZ HERNANDEZ and
7 EDGAR ONTIVEROS and LOUIS HENRY MADRIGAL and ALEJANDRO ANGUIANO did
8 unlawfully conspire together and with another person to commit the crime of Kidnapping, in
9 violation of Section 207 of the Penal Code, a felony; that pursuant to and for the purpose
10 of carrying out the objectives and purposes of the aforesaid conspiracy, the said
11 defendants committed the following overt acts, one or more of which took place in the
12 County of San Luis Obispo:

14 Overt Act 1

15 On or about a date between October 5, 2012 and November 30, 2013, Maria Del Carmen
16 Granados Fajardo met David Hernandez in Ceres, CA and offered to pay money to have
17 Victor Hugo Sanchez seriously injured.

19 Overt Act 2

20 On or about February 22, 2013, David Hernandez met with Edgar Ontiveros, Louis Henry
21 Madrigal, and Alejandro Anguiano in Modesto, CA and discussed hiring Edgar Ontiveros,
22 Louis Henry Madrigal, and Alejandro Anguiano to kidnap and injure Victor Hugo Sanchez.

24 Overt Act 3

25 On or about February 22, 2013, Edgar Ontiveros obtained firearms to be used during the
26 kidnapping of Victor Hugo Sanchez.

Overt Act 4

1
2 On or about February 22, 2013, David Hernandez drove Edgar Ontiveros, Louis Henry
3 Madrigal and Alejandro Anguiano to Paso Robles.

4
5 Overt Act 5

6 On or about February 22, 2013, David Hernandez pointed out the residence of Victor Hugo
7 Sanchez to Edgar Ontiveros, Louis Henry Madrigal and Alejandro Anguiano, showed them
8 where to park during the commission of the kidnapping, and showed them an egress route
9 to take after they kidnapped and injured Victor Hugo Sanchez.

10
11 Overt Act 6

12 On or about February 22, 2013, David Hernandez paid for a motel room for Edgar
13 Ontiveros, Louis Henry Madrigal, and Alejandro Anguiano in Paso Robles, CA.

14
15 Overt Act 7

16 On or about February 23, 2013, David Hernandez supplied Edgar Ontiveros, Louis Henry
17 Madrigal, and Alejandro Anguiano with a car, to wit, a Honda Accord.

18
19 Overt Act 8

20 On or about February 23, 2013, Mara Del Carmen Granados Fajardo purchased window
21 tinting for the Honda Accord.

22
23 Overt Act 9

24 On or about February 23, 2013, David Hernandez, Edgar Ontiveros, Louis Henry Madrigal
25 and Alejandro Anguiano applied window tinting to the rear windows of the Honda Accord.

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27 Overt Act 10

28 On or about February 23, 2013, Edgar Ontiveros, Louis Henry Madrigal and Alejandro
Anguiano drove to Victor Hugo Sanchez's residence.

Overt Act 11

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2 On or about February 23, 2013, Edgar Ontiveros, Louis Henry Madrigal and Alejandro
3 Anguiano confronted Victor Hugo Sanchez in the parking lot of his residence in Paso
4 Robles, CA.

Overt Act 12

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6 On or about February 23, 2013, Edgar Ontiveros shot Victor Hugo Sanchez with a
7 handgun in the parking lot of Victor Hugo Sanchez's residence.
8

Overt Act 13

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10 On or about February 23, 2013, David Rodriguez Hernandez received a phone call from
11 Edgar Ontiveros, Louis Henry Madrigal and Alejandro Anguiano informing him that the job
12 was done. David Rodriguez Hernandez met the three men to verify their completed job.
13

Overt Act 14

14
15 On or about February 23, 2013, David Hernandez drove Edgar Ontiveros, Louis Henry
16 Madrigal, and Alejandro Anguiano back to Modesto, CA.

Overt Act 15

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18 On or about February 23, 2013, Maria Del Carmen Granados Fajardo paid \$8,000.00 in
19 cash (through an intermediary) to David Hernandez.

Overt Act 16

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21 On or between February 23 and February 24, 2013, David Hernandez paid Edgar
22 Ontiveros \$2000.00 in cash.
23

24 NOTICE: Conviction of a conspiracy to commit any serious felony within the meaning of
25 Penal Code Section 1192.7(c) or any crime specified in Penal Code Section 290 will
26 disqualify you from sentencing pursuant to Penal Code Section 1170(h).
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Count 3

On or about October 6, 2012, in the County of San Luis Obispo, State of California, the crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that DAVID RODRIGUEZ HERNANDEZ did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of Victor Hugo Sanchez.

NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

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

Count 4

On or about October 6, 2012, in the County of San Luis Obispo, State of California, the crime of Assault With A Deadly Weapon in violation of PC245(a)(1), a Felony, was committed in that DAVID RODRIGUEZ HERNANDEZ did willfully and unlawfully commit an assault upon Victor Hugo Sanchez with a deadly weapon, to wit, A TIRE IRON.

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

Count 5

On or about February 23, 2013, in the County of San Luis Obispo, State of California, the crime of Voluntary Manslaughter in violation of PC192(a), a Felony, was committed in that DAVID RODRIGUEZ HERNANDEZ did unlawfully, and without malice kill Victor Hugo Sanchez, a human being, upon a sudden quarrel and heat of passion.

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

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Enhancement

It is further alleged as to count 5 that in the commission and attempted commission of the above offense, the said defendant, DAVID RODRIGUEZ HERNANDEZ, personally used a firearm(s), to wit: a handgun, within the meaning of Penal Code section 12022.5(a) 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).

1 Contrary to the form, force and effect of that statute in such cases made and provided and
2 against the peace and dignity of the people of the State of California.

3 Dated: November 30, 2020

4 DAN DOW
5 DISTRICT ATTORNEY

6 By: _____
7 KRISTY L. IMEL
8 DEPUTY DISTRICT ATTORNEY
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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC187(a) PC190.2(a)(17), PC190.2(D), PC12022.53(d)	Check Code State Prison	David Rodriguez Hernandez and Edgar Ontiveros and Louis Henry Madrigal and Alejandro Anguiano		
2	PC182(a)(1)	Check Code	David Rodriguez Hernandez and Edgar Ontiveros and Louis Henry Madrigal and Alejandro Anguiano		
3	PC211	2-3-5 State Prison	David Rodriguez Hernandez and Edgar Ontiveros and Louis Henry Madrigal and Alejandro Anguiano		
4	PC245(a)(1)	2-3-4 State Prison	David Rodriguez Hernandez and Edgar Ontiveros and Louis Henry Madrigal and Alejandro Anguiano		
5	PC192(a) PC12022.5(a)	3-6-11	David Rodriguez Hernandez		