

TULARE COUNTY SUPERIOR COURT DISTRICT
VISALIA DIVISION, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

ANGEL JOSEPH URIARTE DOB: 08/19/1987
AKA: ANGEL URIARTE DOB: 08/19/1987
AKA: ANGEL URIATE DOB: 08/19/1987

NOAH DAVID BEARD DOB: 12/17/1997
AKA: NOAH DAVID HAMILTON-BEARD DOB: 12/17/1997

Defendant(s).

DA No. 23-0003091

Court No.

**FELONY COMPLAINT
TWO STRIKES (URIARTE)**

The undersigned is informed and believes that:

COUNT 1

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder R.P, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed R.P while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed R.P while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND CURRENT CHARGE IS ANY FELONY

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG CASE URIARTE & BEARD

It is further alleged as to Count 1 that a principal personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and death to R.P within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 1 that a principal personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 1 that a principal personally used a firearm, a handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count 1 that said defendant(s) ANGEL JOSEPH URIARTE personally and intentionally discharged a firearm, a HANDGUN, which caused great bodily injury and death to R.P 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 1 that said defendant(s) ANGEL JOSEPH URIARTE 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 1 that said defendant(s) ANGEL JOSEPH URIARTE 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).

**SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE
URIARTE & BEARD**

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

**SPEC ALLEG - GREAT BODILY INJURY
URIARTE & BEARD**

It is further alleged that the crimes alleged in Count (s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count (s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 2

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder A.P, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed A.P while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed A.P while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

<u>COURT CASE NO.</u>	<u>CODE/ STATUTE</u>	<u>CONVICTION DATE</u>	<u>COUNTY</u>	<u>STATE</u>	<u>COURT TYPE</u>
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

**SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG
CASE
URIARTE & BEARD**

It is further alleged as to Count 2 that a principal personally and intentionally discharged a firearm, a rifle, which proximately caused great bodily injury and death to A.P within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 2 that a principal personally and intentionally discharged a firearm, a rifle, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 2 that a principal personally used a firearm, a rifle, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count 2 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, which caused great bodily injury and death to A.P 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 2 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, 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 2 that said defendant(s) NOAH DAVID BEARD personally used a firearm, a RIFLE, 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).

SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE
URIARTE & BEARD

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

SPEC ALLEG - GREAT BODILY INJURY
URIARTE & BEARD

It is further alleged that the crimes alleged in Count(s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in Count (s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 3

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder N.P, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed N.P while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed N.P while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

**SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG
CASE
URIARTE & BEARD**

It is further alleged as to Count 3 that a principal personally and intentionally discharged a firearm, a rifle, which proximately caused great bodily injury and death to N.P within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 3 that a principal personally and intentionally discharged a firearm, a rifle, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 3 that a principal personally used a firearm, a rifle, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count(s) 3 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, which caused great bodily injury and death to N.P 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) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, 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) NOAH DAVID BEARD personally used a firearm, a RIFLE, 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).

SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE

URIARTE & BEARD

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

SPEC ALLEG - GREAT BODILY INJURY

URIARTE & BEARD

It is further alleged that the crimes alleged in Count(s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

**SPEC ALLEG - VULNERABLE VICTIM
 URIARTE & BEARD**

It is further alleged as to Count(s) 3 that N.P was particularly vulnerable within the meaning of California Rules of Court Rule 4.421(a)(3), to wit: VICTIM N.P WAS A 10-MONTH-OLD BABY SHOT & KILLED IN HIS MOTHER’S ARMS.

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 4

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder M.P, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed M.P while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed M.P while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

**SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG
CASE
URIARTE & BEARD**

It is further alleged as to Count 4 that a principal personally and intentionally discharged a firearm, a rifle, which proximately caused great bodily injury and death to M.P within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 4 that a principal personally and intentionally discharged a firearm, a rifle, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 4 that a principal personally used a firearm, a rifle, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count 4 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, which caused great bodily injury and death to M.P 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 4 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, 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 4 that said defendant(s) NOAH DAVID BEARD personally used a firearm, a RIFLE, 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).

SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE

URIARTE & BEARD

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

SPEC ALLEG - GREAT BODILY INJURY

URIARTE & BEARD

It is further alleged that the crimes alleged in Count(s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in Count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 5

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder E.P, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed E.P while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed E.P while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

<u>COURT CASE NO.</u>	<u>CODE/ STATUTE</u>	<u>CONVICTION DATE</u>	<u>COUNTY</u>	<u>STATE</u>	<u>COURT TYPE</u>
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

**SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG
CASE
URIARTE & BEARD**

It is further alleged as to Count 5 that a principal personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and death to E.P within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 5 that a principal personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 5 that a principal personally used a firearm, a handgun, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count 5 that said defendant(s) ANGEL JOSEPH URIARTE personally and intentionally discharged a firearm, a HANDGUN, which caused great bodily injury and death to E.P 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 5 that said defendant(s) ANGEL JOSEPH URIARTE 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 5 that said defendant(s) ANGEL JOSEPH URIARTE 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).

SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE
URIARTE & BEARD

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

SPEC ALLEG - GREAT BODILY INJURY
URIARTE & BEARD

It is further alleged that the crimes alleged in Count(s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 6

On or about January 16, 2023, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by ANGEL JOSEPH URIARTE & NOAH DAVID BEARD, who did unlawfully and with malice aforethought, murder J.A, a human being.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) ANGEL JOSEPH URIARTE intentionally killed J.A while the defendant(s) ANGEL JOSEPH URIARTE was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-STREET GANG MURDER

It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendant(s) NOAH DAVID BEARD intentionally killed J.A while the defendant(s) NOAH DAVID BEARD was an active participant in a criminal street gang and the murder was carried out to further the activities of the criminal street gang.

**SPEC ALLEG-MULTIPLE MURDER
URIARTE & BEARD**

It is further alleged as to Count(s) 1-6 that the offenses charged in counts 1-6 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-CAL PRIOR-SERIOUS FELONY

It is further alleged as to Count(s) 1-6 pursuant to Penal Code section 667(a)(1) that the defendant(s) ANGEL JOSEPH URIARTE, has suffered the following prior conviction(s) of a serious felony:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-PRINCIPAL'S INTENTIONAL DISCHARGE OF A FIREARM, GBI- GANG
CASE
URIARTE & BEARD

It is further alleged as to Count 6 that a principal personally and intentionally discharged a firearm, a rifle, which proximately caused great bodily injury and death to J.A within the meaning of Penal Code section 12022.53(d) and (e)(1).

It is further alleged as to Count 6 that a principal personally and intentionally discharged a firearm, a rifle, within the meaning of Penal Code section 12022.53(c) and (e)(1).

It is further alleged as to Count 6 that a principal personally used a firearm, a rifle, within the meaning of Penal Code sections 12022.53(b) and (e)(1).

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI

It is further alleged as to Count 6 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, which caused great bodily injury and death to JA 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 6 that said defendant(s) NOAH DAVID BEARD personally and intentionally discharged a firearm, a RIFLE, 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 6 that said defendant(s) NOAH DAVID BEARD personally used a firearm, a RIFLE, 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).

SPEC ALLEG - GREAT BODILY INJURY
URIARTE & BEARD

It is further alleged that the crimes alleged in Count(s) 1-6 involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness within the meaning of California Rules of Court Rule 4.421(a)(1).

SPEC ALLEG-STREET TERRORISM-LIFE SENTENCE
URIARTE & BEARD

It is further alleged that the offense(s) charged in Count(s) 1-6 are punishable in the state prison for life and cause the sentencing to be pursuant to section 186.22(b)(5).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) ANGEL JOSEPH URIARTE was armed with or used a weapon, to wit HANDGUN, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - USE OF WEAPON

It is further alleged as to Count(s) 1-6 that the defendant(s) NOAH DAVID BEARD was armed with or used a weapon, to wit RIFLE, at the time of the commission of the crime within the meaning of California Rules of Court Rule 4.421(a)(2).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) ANGEL JOSEPH URIARTE carried out the crime(s) alleged in count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - PLANNING, SOPHISTICATION, PROFESSIONALISM

It is further alleged that the manner in which the defendant(s) NOAH DAVID BEARD carried out the crime(s) alleged in count(s) 1-6 indicate(s) planning, sophistication, and professionalism within the meaning of California Rules of Court Rule 4.421(a)(8).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) ANGEL JOSEPH URIARTE has previously engaged in violent conduct, to wit: ASSAULT WITH A FIREARM & STREET TERRORISM that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - VIOLENT CONDUCT

It is further alleged that the defendant(s) NOAH DAVID BEARD engaged in violent conduct, to wit: FIRST DEGREE ROBBERY & ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY that indicates a serious danger to society within the meaning of California Rules of Court Rule 4.421(b)(1).

SPEC ALLEG - INCREASING SERIOUSNESS OF PRIORS/SUSTAINED PETITIONS

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(2) that the defendant(s) NOAH DAVID BEARD has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
JJD66576	PC211	12.10.12	Tulare	California	Superior
JJD66576	PC245(a)(4)	11.30.15	Tulare	California	Superior

SPEC ALLEG - PRIOR PRISON TERM

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(3) the defendant(s) ANGEL JOSEPH URIARTE served a prior prison term(s), to wit:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

COUNT 7

On or about January 16, 2023, in the County of Tulare, the crime of POSSESSION OF FIREARM BY A FELON, in violation of PENAL CODE SECTION 29800(A)(1), a Felony, was committed by ANGEL JOSEPH URIARTE, who did unlawfully own, purchase, receive, possess, and have custody and control of a firearm, to wit, HANDGUN, the said defendant(s) ANGEL JOSEPH URIARTE having been convicted of a felony under the laws of the United States, the state of California and any other state, government and county:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

**2ND STRIKE: ONE OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND
CURRENT CHARGE IS ANY FELONY**

It is further alleged that prior to the commission of that offense or offenses alleged in Count(s) 1-7, the defendant ANGEL JOSEPH URIARTE had been convicted of the following serious and/or violent felony, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b), and is thus subject to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12:

COURT CASE NO.	CODE/ STATUTE	CONVICTION DATE	COUNTY	STATE	COURT TYPE
VCF304358	PC245(A)(2) w/ 186.22	05.20.15	Tulare	California	Superior

SPEC ALLEG-STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1)(A) as to Count 7 that the above offense was committed for the benefit of, at the direction of, and in association with a criminal street gang with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

"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 8

On or about January 16, 2023, in the County of Tulare, the crime of POSSESSION OF FIREARM WITH PRIOR JUVENILE PETITION, in violation of PENAL CODE SECTION 29820(B), a Felony, was committed by NOAH DAVID BEARD, who did unlawfully own, possess, and have custody and control of a firearm, to wit: RIFLE.

It is further alleged that the defendant(s) NOAH DAVID BEARD was under the age of thirty at the time he committed the offense and has been adjudged a ward of the juvenile court of TULARE County, California on DECEMBER 10, 2012 & NOVEMBER 30, 2015 for a violation of Penal code section PC211 (JJD66575) & PC245(a)(4) (JJD66575), within the meaning of Section 602 of the Welfare and Institutions Code, of an offense which is listed in Section 707(b) of Welfare and Institutions Code, and an offense described in Section 1203.073(b), 29805, 25850, 25400(a), and 26100(a) of the Penal Code.

SPEC ALLEG-STREET TERRORISM

It is further alleged pursuant to Penal Code section 186.22(b)(1)(A) as to Count 8 that the above offense was committed for the benefit of, at the direction of, and in association with a criminal street gang with the specific intent to promote, further and assist in criminal conduct by gang members. Said act also caused the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(28).

"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."

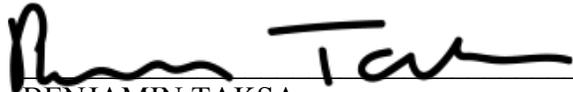
* * * * *

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.

Pursuant to People v. Cunningham, the People hereby put the defendant on notice that the aggravated sentence may be sought in this case.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 7 COUNT(S).

Executed at VISALIA DIVISION, California, on 02/03/2023.


BENJAMIN TAKSA
DEPUTY DISTRICT ATTORNEY

Agency: TULARE COUNTY SHERIFF'S OFFICE

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>COURT DATE</u>	<u>INTAKE STATUS</u>
Angel Joseph Uriarte	M	H	6'0	161	Brown	Black		WA
Noah David Beard	M	B	5'11	185	Brown	Black		WA

COMPLAINT PROCESSED BY: JS