

TULARE COUNTY SUPERIOR COURT DISTRICT  
VISALIA DIVISION, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

DA No. 23-0034003

vs.

Court No. VCF447147

RICHARD RAY RAMIREZ DOB: 02/14/1974  
AKA: RICHARD RAY POOKIE DOB: 02/14/1974

**FELONY COMPLAINT  
TWO STRIKES  
FIRST AMENDED**

Defendant(s).

The undersigned is informed and believes that:

**COUNT 1**

On or about October 8, 2023, in the County of Tulare, the crime of TORTURE, in violation of PENAL CODE SECTION 206, a Felony, was committed by RICHARD RAY RAMIREZ, who did unlawfully and with the intent to cause cruel and extreme pain and suffering for the purpose of revenge, extortion, persuasion and for a sadistic purpose, inflict great bodily injury, as defined in Penal Code section 12022.7, upon E.P.

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

**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)1-3, the defendant RICHARD RAY RAMIREZ had been convicted of the following serious and/or violent felonies, 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:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
VCF399811	PC136.1(B)(1)	07.20.21	Tulare	California	Superior
VCF399811	PC136.1(B)(1)	07.20.21	Tulare	California	Superior
VCF399811	PC136.1(B)(2)	07.20.21	Tulare	California	Superior

**SPEC ALLEG-CAL PRIOR-SERIOUS FELONY**

It is further alleged as to count(s) 1-3 pursuant to Penal Code section 667(a)(1) that the defendant(s) RICHARD RAY RAMIREZ, has suffered the following prior conviction(s) of a serious felony:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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VCF399811	PC136.1(B)(2)	07.20.21	Tulare	California	Superior

**SPEC ALLEG-TWO OR MORE PRIOR FELONY CONVICTIONS-ELIGIBILITY FOR PROBATION**

It is further alleged as to count(s) 1-3 that said defendant(s) RICHARD RAY RAMIREZ, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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VCF399811	PC273.5(A)	07.20.21	Tulare	California	Superior
VCF399811	PC646.9(A)	07.20.21	Tulare	California	Superior

**SPEC ALLEG - POSITION OF TRUST**

It is further alleged that, pursuant to California Rules of Court Rule 4.421(a)(11), the defendant(s) RICHARD RAY RAMIREZ took advantage of a position of trust, to wit GAVE E.P A RIDE and confidence to commit the offense as alleged in count(s) 1-3.

**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) RICHARD RAY RAMIREZ has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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VCF399811	PC646.9(A)	07.20.21	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) RICHARD RAY RAMIREZ served a prior prison term(s), to wit:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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VCF399811	PC646.9(A)	07.20.21	Tulare	California	Superior

**SPEC ALLEG - PROBATION OR PAROLE**

It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(4), that when the defendant(s) RICHARD RAY RAMIREZ committed the crime(s) alleged in Count(s) 1-3, the defendant(s) RICHARD RAY RAMIREZ was on probation and parole on the following offense(s), to wit:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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VCF399811	PC646.9(A)	07.20.21	Tulare	California	Superior

**COUNT 2**

On or about October 8, 2023, in the County of Tulare, the crime of INJURING A SPOUSE, COHABITANT, BOYFRIEND, GIRLFRIEND OR CHILD'S PARENT, AFTER A PRIOR CONVICTION, in violation of PENAL CODE SECTION 273.5(F)(1), a Felony, was committed by RICHARD RAY RAMIREZ, who willfully inflicted corporal injury resulting in a traumatic condition upon E.P, who was someone with whom the defendant had a former dating relationship, within seven years of the following previous conviction under Penal Code section 273.5(a):

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
VCF399811	PC273.5(A)	07.20.21	Tulare	California	Superior

**SPEC ALLEG - GBI - DOMESTIC VIOLENCE**

It is further alleged, within the meaning of Penal Code section 12022.7(e), as to count(s) 1-5 that in the commission of the above offense, the said defendant(s) RICHARD RAY RAMIREZ, personally inflicted great bodily injury upon E.P, under circumstances involving domestic violence.

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

**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)1-3, the defendant RICHARD RAY RAMIREZ had been convicted of the following serious and/or violent felonies, 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:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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**SPEC ALLEG-CAL PRIOR-SERIOUS FELONY**

It is further alleged as to count(s) 1-3 pursuant to Penal Code section 667(a)(1) that the defendant(s) RICHARD RAY RAMIREZ, has suffered the following prior conviction(s) of a serious felony:

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**SPEC ALLEG-TWO OR MORE PRIOR FELONY CONVICTIONS-ELIGIBILITY FOR PROBATION**

It is further alleged as to count(s) 1-3 that said defendant(s) RICHARD RAY RAMIREZ, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

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**SPEC ALLEG - POSITION OF TRUST**

It is further alleged that, pursuant to California Rules of Court Rule 4.421(a)(11), the defendant(s) RICHARD RAY RAMIREZ took advantage of a position of trust, to wit GAVE E.P A RIDE and confidence to commit the offense as alleged in count(s) 1-3.

**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) RICHARD RAY RAMIREZ has prior convictions as an adult and sustained petitions in juvenile delinquency proceedings that are numerous and of increasing seriousness, to wit:

<b>COURT CASE NO.</b>	<b>CODE/ STATUTE</b>	<b>CONVICTION DATE</b>	<b>COUNTY</b>	<b>STATE</b>	<b>COURT TYPE</b>
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**SPEC ALLEG - PRIOR PRISON TERM**

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

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It is further alleged that pursuant to California Rules of Court Rule 4.421(b)(4), that when the defendant(s) RICHARD RAY RAMIREZ committed the crime(s) alleged in Count(s) 1-3, the defendant(s) RICHARD RAY RAMIREZ was on probation and parole on the following offense(s), to wit:

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VCF399811	PC646.9(A)	07.20.21	Tulare	California	Superior

**COUNT 3**

On or about October 8, 2023, in the County of Tulare, the crime of KIDNAPPING, in violation of PENAL CODE SECTION 207(A), a Felony, was committed by RICHARD RAY RAMIREZ, who did unlawfully, forcibly and by instilling fear, steal, take, hold, detain and arrest E.P in TULARE County, California, and did take the said E.P into another country, state, county and another part of TULARE County.

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

**SPEC ALLEG - GBI - DOMESTIC VIOLENCE**

It is further alleged, within the meaning of Penal Code section 12022.7(e), as to count(s) 1-5 that in the commission of the above offense, the said defendant(s) RICHARD RAY RAMIREZ, personally inflicted great bodily injury upon E.P, under circumstances involving domestic violence.

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

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

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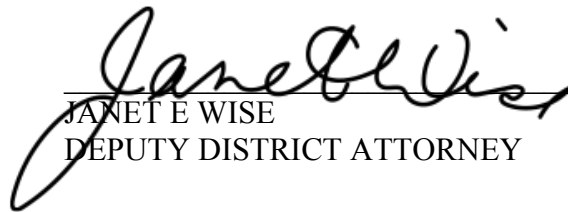
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Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

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 3 COUNT(S).

Executed at VISALIA DIVISION, California, on 10/10/2023.

  
 \_\_\_\_\_  
 JANET E WISE  
 DEPUTY DISTRICT ATTORNEY

Agency: VISALIA POLICE DEPARTMENT

<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>
Richard Ray Ramirez	M	H	5'09	180	Green	Brown	10/10/23	IC

COMPLAINT PROCESSED BY: JS