

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

**06/05/2024**  
Darrel E. Parker, Executive Officer  
BY Nguyen, Lisa  
Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

**ROCKIE DAREN GINTER**

**DOB: 05/08/1972**

Defendant.

DA No. 24-06-526983  
Court No. 24CR04242

**FELONY COMPLAINT**

**AB109 INELIGIBLE**

The undersigned is informed and believes that:

**COUNT 1**

On or about June 3, 2024, in the County of Santa Barbara, the crime of ARSON OF AN INHABITED STRUCTURE OR PROPERTY, in violation of **PENAL CODE SECTION 451(b)**, a Felony, was committed by ROCKIE DAREN GINTER, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned an inhabited structure and inhabited property located at 1423 GENOA WAY.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(14)**.

It is further alleged that the above offense is a violent felony pursuant to **Penal Code Section 667.5(c)(10)**.

**SPEC ALLEG - PC667(d)(1),(e)(1) – STRIKE PRIOR**

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)[1192.7] and 667.5(c)** that said defendant ROCKIE DAREN GINTER, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
04/05/2005	PC 451(b)	1179044	SUPERIOR-SANTA MARIA	SANTA BARBARA

**SPEC ALLEGATION – QUALIFYING PRIOR 1170(h) (3)**

It is further alleged that an executed sentence for a felony pursuant to this subdivision shall be served in state prison pursuant to **Penal Code section 1170(h)(3)** in that the defendant, ROCKIE DAREN GINTER, has suffered the following prior conviction(s) of a serious felony described in Penal Code section 1192.7 or a violent felony described in Penal Code section 667.5(c) or is required to register as a sex offender pursuant to Chapter 5.5 (commencing with Penal Code section 290) of Title 9 of Part 1.

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
04/05/2005	PC 451(b)	1179044	SUPERIOR-SANTA MARIA	SANTA BARBARA

“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.”

**SPEC ALLEG - ARSON WITH AGGRAVATING FACTORS:**

It is further alleged, pursuant to **PENAL CODE SECTION 451.1(a)(1)** that the following aggravating factors exist: the defendant has been previously convicted of a felony violation of Section 451 on 04/05/2005 in the Superior Court of Santa Barbara County in case number 1179044.

**SPEC ALLEG - ARSON WITH AGGRAVATING FACTORS**

It is further alleged, pursuant to **PENAL CODE SECTION 451.1(a)(5)** that the following aggravating factors exist: the defendant committed arson as described in subdivision (a), (b), or (c) of Section 451 and the arson was caused by use of a device designed to accelerate the fire or delay ignition.

**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(b)**:


- (b)(1) The defendant has engaged in violent conduct that indicates a serious danger to society;
- (b)(2) The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;

\* \* \* \* \*

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 Maria, California, on June 5, 2024.

  
Madison C. Whitmore  
MADISON WHITMORE  
SENIOR DEPUTY DISTRICT ATTORNEY

Agency: SBSO

<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>
Rockie Daren Ginter	M	W	510	230	HZL	BRO	A3128632	IC	06/05/2024

bs