

OCT -1 2024

Darrel E. Parker, Executive Officer  
BY Sara Eklund SM  
Sara Eklund, Deputy Clerk

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

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

NATHANIEL JAMES MCGUIRE

DOB: 07/04/2004

Defendant.

DA No. 24-09-532348

Court No. 24CR80025

**FELONY COMPLAINT**

**AB109 INELIGIBLE**

The undersigned is informed and believes that:

COUNT 1

On or about September 25, 2024, in the County of Santa Barbara, the crime of ATTEMPTED MURDER OF A PEACE OFFICER, in violation of **PENAL CODE SECTION 664/187(a)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did unlawfully and with malice aforethought attempt to murder a human being, to wit: DEPUTY NELSON.

It is further alleged that said attempted murder was willful, deliberate, and premeditated and committed upon a peace officer engaged in the performance of his duties within the meaning of Penal Code sections 664(e) and 664(f).

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (1).

It is further alleged that the above offense is a violent felony within the meaning of Penal Code Section 667.5(c) (1).

It is further alleged that the above offense of attempted murder was willful, deliberate and premeditated within the meaning of Penal Code 664(a).

**SPEC ALLEG - OFFENSE WHILE ON BAIL OR O.R.**

It is further alleged as to Counts 1 through 8 that at the time of the commission of the above offense, the defendant, NATHANIEL JAMES MCGUIRE, was released from custody on bail or Own Recognizance in Case Number 24CR07224 within the meaning of Penal Code section 12022.1(b).

**SPECIAL ALLEGATION: AGGRAVATING FACTORS**

It is further alleged as to Count(s) 1 through 8, 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(a)**:

- (a)(1) The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness;
- (a)(2) The defendant was armed with or used a weapon at the time of the commission of the crime;
- (a)(6) The defendant threatened witnesses, unlawfully prevented or dissuaded witnesses from testifying, suborned perjury, or in any other way illegally interfered with the judicial process;
- (a)(8) The manner in which the crime was carried out indicates planning, sophistication, or professionalism;

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;

#### COUNT 2

On or about September 25, 2024, in the County of Santa Barbara, the crime of ATTEMPTED MURDER, in violation of **PENAL CODE SECTION 664/187(a)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did unlawfully and with malice aforethought attempt to murder a human being, to wit: The Judge of Santa Maria Courthouse Department 9.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (9).

It is further alleged that the above offense is a violent felony within the meaning of Penal Code Section 667.5(c) (12).

It is further alleged that the above offense of attempted murder was willful, deliberate and premeditated within the meaning of Penal Code 664(a).

#### COUNT 3

On or about September 25, 2024, in the County of Santa Barbara, the crime of EXPLOSION WITH INTENT TO MURDER, in violation of **PENAL CODE SECTION 18745**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did unlawfully explode and ignite and attempt to explode and ignite a destructive device and an explosive with intent to commit murder.

It is further alleged that, pursuant to Penal Code Section 18780, imposition of sentence cannot be suspended or probation granted.

#### COUNT 4

On or about September 25, 2024, in the County of Santa Barbara, the crime of TERRORISM, in violation of **PENAL CODE SECTION 11413(a)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who attempted to and did explode and ignite a destructive device and explosive and committed arson in and about the Santa Maria Courthouse for the purpose of terrorizing another and in reckless disregard of terrorizing another.

COUNT 5

On or about September 25, 2024, in the County of Santa Barbara, the crime of EXPLOSION OF DESTRUCTIVE DEVICE CAUSING BODILY INJURY, in violation of **PENAL CODE SECTION 18750**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did willfully and maliciously explode and ignite a destructive device and explosive which caused bodily injury to N. Ordaz & G. Hernandez.

It is further alleged that, pursuant to **Penal Code Section 18780**, imposition of sentence cannot be suspended or probation granted.

COUNT 6

On or about September 25, 2024, in the County of Santa Barbara, the crime of ARSON OF FOREST LAND, in violation of **PENAL CODE SECTION 451(c)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned a structure or forest land located at 7320 PALMER ROAD. It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(14).

COUNT 7

On or about September 25, 2024, in the County of Santa Barbara, the crime of ARSON OF A FOREST LAND, in violation of **PENAL CODE SECTION 451(c)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned a structure or forest land located at 6801 PALMER ROAD. It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(14).

COUNT 8

On or about September 25, 2024, in the County of Santa Barbara, the crime of ARSON OF FOREST LAND, in violation of **PENAL CODE SECTION 451(c)**, a Felony, was committed by NATHANIEL JAMES MCGUIRE, who did willfully, unlawfully, and maliciously set fire to and burn and cause to be burned a structure or forest land located at 2480 TEPUSQUET ROAD. It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(14).

**SPEC ALLEG - ARSON WITH AGGRAVATING FACTORS**

It is further alleged as to Counts 7 & 8, 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.

COUNT 9

On or about September 25, 2024, in the County of Santa Barbara, the crime of CARRYING A LOADED FIREARM ON ONE'S PERSON OR IN A VEHICLE-MISDEMEANOR, in violation of **PENAL CODE SECTION 25850(a)**, a Misdemeanor, was committed by NATHANIEL JAMES MCGUIRE, did unlawfully carry a loaded firearm on his/her person in a vehicle while in a public place and on a public street in an unincorporated city and in a prohibited area of unincorporated territory, to wit: a shotgun.

COUNT 10

On or about September 25, 2024, in the County of Santa Barbara, the crime of CARRYING A LOADED FIREARM IN A VEHICLE-MISDEMEANOR, in violation of **PENAL CODE SECTION 25850(a)**, a Misdemeanor, was committed by NATHANIEL JAMES MCGUIRE, did unlawfully carry a loaded firearm on his/her person in a vehicle while in a public place and on a public street in an unincorporated city and in a prohibited area of unincorporated territory, to wit: a rifle.

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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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 10 COUNT(S).

Executed at Santa Barbara, California, on September 30, 2024.



KEVIN WEICHBROD  
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>
Nathaniel James Mcguire	M	W	510	220	HZL	BRO	Y9418444	AW/ WT	

sp