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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT  
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

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THE STATE OF UTAH  Plaintiff,  vs.  <b>SEBASTIAN HERNANDEZ</b> <b>DOB: 08/08/2000</b> <b>AKA: Sebastian Gabriel Hernandez</b> <b>2523 South 600 East</b> <b>Salt Lake City, UT 84106</b> <b>OTN#: 65326449</b> <b>SO#: 446774</b> <b>SID#/BCI#:</b> <b>Booking#: 24008644</b>  Defendant.	Screened by: NATHANIEL SANDERS Assigned to: TO BE ASSIGNED  <b>INFORMATION</b>  DAO # 24.003663  BAIL: NO BAIL WARRANT  WARRANT/RELEASE: IN JAIL-PRD 02/27/2024  Case No.
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The undersigned Law Enforcement Officer Carlie S. Marston - Salt Lake City Police Department, Agency Case No. 24-42262, upon a written declaration states on information and belief that the defendant, SEBASTIAN HERNANDEZ, committed the crime(s) of:

COUNT 1

AGGRAVATED ASSAULT, 76-5-103(2)+(3A), a Third Degree Felony, as follows: That on or about February 24, 2024, at 2523 South 600 East, the defendant did attempt, with unlawful force or violence, to do bodily injury to another; (ii) make a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or (iii) commit an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another; and (b) includes in the actor's conduct under Subsection (2)(a) the use of: (i) a dangerous weapon; (ii) any act that impedes the breathing or the circulation of blood of another individual by the actor's use of unlawful force or violence that is likely to produce a loss of consciousness by: (A) applying pressure to the neck or throat of an individual; or (B) obstructing the nose, mouth, or airway of an individual; or (iii) other means or force likely to produce death or serious bodily injury.

COUNT 2

AGGRAVATED ASSAULT, 76-5-103(2)+(3A), a Third Degree Felony, as follows: That on or about February 24, 2024, at 2523 South 600 East, the defendant did attempt, with unlawful force or violence, to do bodily injury to another; (ii) make a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or (iii) commit an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another; and (b) includes in the actor's conduct under Subsection (2)(a) the use of: (i) a dangerous weapon; (ii) any act that impedes the breathing or the circulation of blood of another individual by the actor's use of unlawful force or violence that is likely to produce a loss of consciousness by: (A) applying pressure to the neck or throat of an individual; or (B) obstructing the nose, mouth, or airway of an individual; or (iii) other means or force likely to produce death or serious bodily injury.

COUNT 3

INTERFERENCE WITH ARRESTING OFFICER, 76-8-305, a Class B Misdemeanor, as follows: That on or about February 24, 2024, at 2523 South 600 East, the defendant did have knowledge, or by the exercise of reasonable care should have had knowledge, that a peace officer was seeking to effect a lawful arrest or detention of the defendant or another and interfered with the arrest or detention by: (a) the use of force or any weapon; (b) refusing to perform any act required by lawful order: (i) necessary to effect the arrest or detention; and (ii) made by a peace officer involved in the arrest or detention; or (c) refusing to refrain from performing any act that would impede the arrest or detention.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

Gabe Mcqueen, Kaylee Mitchell, Todd D. Goodsell, Carlie S. Marston, Masha Andersen, Caleb Joffs, Jared G. Mauchley, Joseph R Cyr, Ryan M. Boyd, Alan Greenwood, Brad Bungard, Manuel Rodriguez-Rojas, Craig Orum, Justin Lamarr, Ryan Schroeder, Christopher Valdez, Athena Lynne Tunney and Lindsay Gisele Gentry.

DECLARATION OF PROBABLE CAUSE:

Your Declarant bases the Information upon the following:

The statement of Salt Lake City Police Officer Joffs that on or about February 24, 2024, he responded to Fire Station 3 at 2425 South 900 East in Salt Lake County and met with Gold Cross EMT's Athena Tunney and Lindsay Gentry who reported they responded to 2523 South 600 East in Salt Lake County to treat SEBASTIAN HERNANDEZ who had a serious laceration on his hand that was bleeding. At the ambulance, HERNANDEZ received bandages and was told he needed to be taken to the hospital for stitches. HERNANDEZ declined and became combative. HERNANDEZ released himself from the stretcher and exited the ambulance. Once outside, HERNANDEZ began challenging other fire personnel to fight. When fire refused to engage and left the scene, HERNANDEZ returned into the residence.

Tunney and Gentry reported they remained on scene to clean their equipment and HERNANDEZ came back outside with a black handgun in his hand and his finger on the trigger. HERNANDEZ yelled "get the fuck out of here" and "bitches", while waiving the gun around. HERNANDEZ approached the ambulance and pointed the gun at Tunney and Gentry and said, "I'm gonna kill you". As Tunney and Gentry drove away, they saw HERNANDEZ chasing them with the gun pointing at them.

The statement of Salt Lake City Police Officer Bungard that he and several other officers responded to HERNANDEZ's residence, announced themselves as police and made several call outs. HERNANDEZ opened the door, looked around and retreated back into the residence. After a substantial amount of time and multiple callouts to the occupants of the house to surrender peacefully, HERNANDEZ opened the door, exited the residence and yelled at the police on scene. Officers issued several commands for HERNANDEZ to walk toward the police with his hands in the air, however HERNANDEZ did not comply and attempted to go back inside. HERNANDEZ was struck with two bean bag rounds by the police, and HERNANDEZ retreated inside of the residence and shut the door. HERNANDEZ called dispatch to advise he was coming out to surrender. HERNANDEZ exited the residence and was taken into custody. A search warrant was executed on the residence and officers found a wallet on the couch that contained HERNANDEZ's ID. There was blood on the floor near the couch and in the area of blood was a BB gun that matched the description with a CO2 cartridge and BBs.

#### MOTION FOR PRETRIAL DETENTION:

Pursuant to Utah Code 77-20-201(1) the State requests that Defendant be held without bail until further notice in this matter because there is substantial evidence supporting the charge and clear and convincing evidence that the defendant would constitute a substantial danger to his/herself, any other individual, and/or to the community, if released on bail.

#### Danger to the Community:

As referenced in the probable cause statement in this Information, there is substantial evidence based on the victims' statement that they are Gold Cross EMTs and responded to the defendant's residence to medically treat him for an injury sustained. When advised the defendant would need to be treated at the hospital, the defendant became combative and argumentative. The defendant challenged other fire personnel to a fight, but when they did not engage and left the scene, the defendant returned into his home. The victims stated while they remained on scene to clean their equipment, the defendant exited his home with a gun in his hand, and his finger on the trigger. The defendant waived the gun around and yelled at the victims to get out. The defendant then approached the victims, pointed the gun at them and said he was going to kill them. The victims drove away and contacted the police.

The police state they responded to the scene and called the defendant out of the house. The defendant was non-compliant and at one point exited the residence to yell at officers. The police responded by successfully shooting two bean bags at the defendant who retreated into the home. The defendant then complied with orders, exited the residence and was arrested. A search warrant on the residence was executed and the gun was located and found to be a BB gun.

There is clear and convincing evidence that the Defendant poses a substantial risk and danger to the community as demonstrated by his lack of regard to public safety as provided in this statement. Additionally, the defendant is currently in the custody of the Salt Lake County Jail on charges related to this case. For the reason, the State is requesting a no bail warrant to ensure that this new criminal case is initiated quickly and efficiently.

REQUEST FOR ISSUANCE OF A WARRANT:

**\*\*SEE PC FIELD\*\*\*\*SEE PC FIELD\*\***

Pursuant to Utah Code Annotated § 78B-18a-106 (2018) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: 26th day of February, 2024

/s/ CARLIE S. MARSTON  
Declarant

Authorized for presentment and filing

SIM GILL, District Attorney

/s/ Nathaniel Sanders  
Deputy District Attorney  
26th day of February, 2024  
NS / TS / DAO # 24.003663

**OTHER PENDING CASES FOR THE DEFENDANT**

<b>Court</b>	<b>Court Case #</b>	<b>Trial Judge</b>	<b>DAO #</b>	<b>Charge</b>
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