

FILED / ENDORSED
SEP 22 2025
By [Signature] Deputy Clerk

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3 Sacramento County
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5 Deputy District Attorney
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9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF SACRAMENTO

12 THE PEOPLE OF THE STATE OF CALIFORNIA,
13 Plaintiff,
14 vs.
15 ANIBAL HERNANDEZ-SANTANA,
16 Defendant.

) NO. 25FE018782 DEPT 62
) PEOPLE'S MOTION FOR NO BAIL
)
) Hearing: 9/22/25
) Time: 3:00PM

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18 TO THE DEFENDANT AND TO HIS ATTORNEY: //

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20 PLEASE TAKE NOTICE that on September 22, 2025 at 3:00 PM or as soon thereafter as the
21 matter may be heard in Courtroom 62 of the above entitled court, the People will move the court for
22 an order to remand the defendant into custody and hold him without bail.

23 The grounds for said motion are stated in the attached declaration.

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DECLARATION OF COUNSEL

I, CASEY NEWTON, declare as follows:

1. I am the Deputy District Attorney assigned to represent the People in the above entitled case.

2. On September 22, 2025, the District Attorney filed a criminal complaint charging the defendant with the bailable felony offenses of Penal Code section 246 (Shooting into an occupied building), 245(a)(2) – Assault with a Firearm, and PC 246.3 – Negligent Discharge of a Firearm. An enhancement for personal use of a firearm is attached to each charge pursuant to Penal Code Section 12022.5(a).

3. According to a review of the People’s file, the bail in this case was originally set at \$200,000.00.

4. A review of the emerging facts of the case make it clear that defendant is a clear, present danger of violence to the public at large and he should be held without bail.

5. Some of the critical emerging facts in this case include:

- There is evidence suggesting defendant planned the shooting prior to the day of the crime;
- Defendant “scouted” the ABC location prior to the shooting by parking his vehicle and walking to an area where the front and side of the building were visible;
- Defendant then returned to his car and *changed clothes* before driving a short distance away from the target building;
- Defendant exited his car and shot once in the direction of the target building, then returned to his car and drove to a different location on Broadway;
- Defendant then exited his car again and fired three shots into the Broadway-facing windows of the known lobby to the business;
- The lobby area was occupied by at least one person who observed the defendant through the window prior to the shooting;

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- The crime scene photos reveal the shots were “person high” in that, the bullets entered the target building at a height that would have struck persons if they were unexpectedly in the line of fire; (see photos below)
- The defendant then fled the scene, establishing guilty knowledge of his actions;
- Defendant’s car contained the following note (See below) indicating political-based motive for the crimes;

For hiding Epstein &
ignoring red flags.
Do not support Patel, Bingham,
& AG Pam Bondi. They're next.
- C.K. from above





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I declare under penalty of perjury under the laws of the State of California that to the best of my knowledge the foregoing is true and correct, and that this declaration is executed on September 22, 2025 at Sacramento, California.

CASEY NEWTON
DEPUTY DISTRICT ATTORNEY

1 **and the court finds based upon clear and convincing evidence that there is a**
2 **substantial likelihood the person’s release would result in great bodily harm to others.”**

3 (Cal. Const., art. I, § 12 (b).) In “denying bail, the judge or magistrate shall take into
4 consideration the protection of the public, the safety of the victim, the seriousness of the
5 offense charged, the previous criminal record of the defendant, and the probability of his or
6 her appearing at the trial or hearing of the case. **Public safety and the safety of the victim**
7 **shall be the primary considerations.”** (Cal. Const., art. I, § 28, (f)(3).)

8
9 The California Supreme Court has more specifically addressed the standards and
10 review process for a finding of no bail. “On review, we consider whether any court could
11 have found clear and convincing evidence that the person's release on bail posed a
12 substantial likelihood of great bodily harm to others.” (*In re White* (2020) 9 Cal.5th 455, 467
13 (White).) They also reaffirmed therein that the appropriate standard of review is one of
14 Abuse of Discretion. (*Id.* at p. 469.) “In exercising that discretion, a trial court must
15 consider, at a minimum, “the protection of the public, the seriousness of the offense charged,
16 the previous criminal record of the defendant, and the probability of his or her appearing at
17 [the] trial or at a hearing of the case”—and among those factors, “public safety shall be the
18 primary consideration.” (*Id.* at p. 470, citing Pen. Code, § 1275, subd. (a)(1).)

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21 The court has the authority to revoke the defendant’s bail and to hold him in custody
22 without bail where there is evidence that the defendant is a danger to the public. There is clear
23 evidence that the defendant represents a continuing danger to the public based on the facts and
24 circumstances in this case.

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26 Here, defendant planned, and then executed, a brazen plan to fire multiple firearm
27 rounds into an obviously occupied business during daylight and business hours. At least one
28 person was in the lobby area when the defendant fired multiple “person-high” rounds into the

1 lobby, and there is some evidence to suggest that the victim was visible to the defendant prior to
2 his firing the weapon. The defendant then fled the scene and was later located and arrested. His
3 car contained a note that suggest this shooting was politically motivated, which further increases
4 this defendant's dangerousness if released.

5 The bail set in this particular case is inadequate given the severity of the offense, the
6 likelihood of further violence, and the need to protect the community.

7 CONCLUSION

8 Based on the foregoing points and authorities, the People respectfully request the court
9 revoke the defendant's bail and remand the defendant into custody without bail.

10
11 Respectfully submitted,

THIEN HO
DISTRICT ATTORNEY
County of Sacramento, State of California

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16 DATED: September 22, 2025

By 
CASEY NEWTON
DEPUTY DISTRICT ATTORNEY

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