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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **COUNTY OF SAN MATEO**

18 **JANE DOE, C.C.**, individually and through
19 proposed court-appointed *Guardian ad litem*;

20 Plaintiff,

21 v.

22 **AMERICAN MEDICAL RESPONSE**
23 **WEST**, a California Corporation; and,

24 **AMERICAN MEDICAL RESPONSE,**
25 **INC.**, a Delaware Corporation;

26 **DOES 1-25.**

27 Defendants.

28 CASE NO. 23-CIV-02303

COMPLAINT FOR:

1. **VIOLATION OF THE ELDER AND
DEPENDENT ADULT CIVIL
PROTECTION ACT**
[Welf. & Instit. Code § 15600 *et seq.*]
2. **INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS**

DEMAND FOR JURY TRIAL

Electronically
FILED
5/19/2023
by Superior Court Clerk for the County of San Mateo
ON
By /s/ Jennifer Torres
Deputy Clerk

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 Dependent Adult Physical Abuse
 (Pursuant to Welfare and Institutions Code § 15600 et seq.)
 (AGAINST ALL DEFENDANTS) 17

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1 **I. INTRODUCTION**

2 1. This case involves the horrific sexual assault of an elderly resident of San Mateo
3 County. On December 23, 2022, Plaintiff **Jane Doe**¹ was subjected to forced oral copulation and
4 elder abuse by Emergency Medical Technician/paramedic **Miguel Angel Nieblas Ontiveros**, a/k/a
5 Miguel Ontiveros (“Ontiveros”) while strapped to a gurney with three body straps immobilizing
6 her body, as well as a cervical-collar (“c-collar”) immobilizing her neck.



16 (Image available through <https://www.amr.net>, showing three seatbelt system in AMR ambulance)



23 (Example of c-collar immobilizer)

24 2. Ontiveros forced his penis into Jane Doe’s mouth and ejaculated into her mouth and
25 on her body while she was bound and unable to move in the back of an AMR ambulance enroute
26 to San Mateo Medical Center hospital after falling at her assisted living home in Colma.

27
28 ¹ A Confidential Information Form will be served with the Complaint, confidentially identifying the Plaintiff.

1 3. According to District Attorney Steve Wagstaffe:

2 *“I’ve been doing this for four and a half decades and I have never seen a case like this*
3 *before...If proven guilty, sexual assault and elder abuse, just the harm to two elderly*
4 *woman, who were in care homes, being transported to undergo this, there is no civilized*
5 *person that could be capable of doing this.”*²

6 4. Plaintiff brings this action against Defendants **American Medical Response West**
7 **(“AMR West”)** and **American Medical Response, Inc. (“AMR Inc.”)** (collectively “AMR
8 Defendants”) for violations of state laws, including, but not limited to, the Elder Abuse and
9 Dependent Adult Civil Protection Act (Welfare and Institutions Code Section 15600 *et seq.*), and
10 intentional infliction of emotional distress.³ Jane Doe seeks damages and recovery of fees, and
11 costs. Plaintiff anticipates that discovery will uncover additional defendants and therefore lists
12 these defendants as Doe Defendants 1-25. Plaintiff will move to amend the complaint once their
13 identities are ascertained.

14 5. A copy of the criminal complaint against Ontiveros related to his sexual assault of
15 Jane Doe is attached as **Exhibit 1** (complaint in *The People of the State of California v. Miguel*
16 *Nieblas Ontiveros*, Case 23-SF-006516-A, San Mateo Superior Court). As reflected in **Exhibit 1**,
17 Ontiveros is charged not just with the December 2022 assault of Jane Doe, but also with a similar
18 assault of another elderly patient on May 21, 2022. Jane Doe would not have been sexually
19 assaulted if the AMR Defendants had taken action after the May 21, 2022 assault, instead they
20 continued to employ Ontiveros and allowed him to be alone in the back of their ambulance with
21 Jane Doe on December 23, 2022. Ontiveros faces life in prison for the heinous assault of elderly
22 patients left in his care by his employer.

23 6. Shockingly investigation shows that the AMR Defendants hired or retained
24 Ontiveros despite a pending felony grand theft case related to his prior job with the South San

25 ² [https://www.smdailyjournal.com/news/local/paramedic-charged-for-sex-assault-of-an-elderly-](https://www.smdailyjournal.com/news/local/paramedic-charged-for-sex-assault-of-an-elderly-woman-in-ambulance/article_462400bc-e63f-11ed-b86c-53809f5791ec.html)
26 *woman-in-ambulance/article_462400bc-e63f-11ed-b86c-53809f5791ec.html* (last accessed May 6,
27 2023).

28 ³ Plaintiff intends to amend this Complaint to include additional causes of action for Negligence
and Negligent Hiring and Supervision. While Plaintiff disputes that Code of Civil Procedure § 364
applies to this case, out of an abundance of caution, Plaintiff served an “intent to sue” letter on
Defendants on May 11, 2023 notifying Defendants that Plaintiff intended to bring additional
claims for these causes of action.

1 Francisco Fire Department, which was filed in December 2020, and charged Ontiveros with felony
2 theft between November 1, 2019 and March 26, 2020. See, **Exhibit 2**, *The People of the State of*
3 *California v. Miguel Nieblas Ontiveros*, Case 20-NF-014642-A, San Mateo Superior Court.

4 7. Plaintiff is informed and believes that the AMR Defendants were aware of the
5 accusations against Ontiveros as a result of the May 2022 assault, and were aware of other felony
6 charges against Ontiveros, and knew or should have known that he was a sexual predator but they
7 allowed him to remain in their employ and allowed Ontiveros to be alone in a back of an AMR
8 ambulance with Jane Doe, providing opportunity for Ontiveros to violently assault Jane Doe while
9 she was tied to a gurney.

10 **II. JURISDICTION AND VENUE**

11 8. This Court has jurisdiction over the subject matter of this action because the claims
12 asserted herein arise under state law.

13 9. Venue is proper in this County because Defendants are located and/or perform
14 business in San Mateo County, and a substantial part of the acts, events, omissions, and
15 transactions complained of herein occurred in San Mateo County.

16 10. Each Defendant has sufficient minimum contacts with California, or otherwise
17 purposefully avails itself of the benefits and protections of California or does business in
18 California so as to render the exercise of jurisdiction over it by the California courts consistent
19 with traditional notions of fair play and substantial justice. The AMR Defendants operate
20 ambulances in San Mateo County. AMR West is a California Company based in Burlingame,
21 California. The perpetrator of the assault, Ontiveros, is a California resident living in Redwood
22 City, California (San Mateo County). The sexual assault occurred in San Mateo County. The
23 amount in controversy exceeds the jurisdictional minimum of this court.

24 **III. THE PARTIES**

25 **A. Plaintiff**

26 11. Plaintiff, at all times relevant to this action, was a resident of San Mateo County.
27 Jane Doe was born in 1940 and is 82 years old and was 82 years old at the time of the December
28 23, 2022 sexual assault. Jane Doe is an “elder adult” as defined in Welfare and Institutions Code §

1 15610.27. At the time of the sexual assault, Jane Doe was a resident of an assisted living facility
2 in Colma, California (San Mateo County).

3 **B. Defendants**

4 1. **American Medical Response West**

5 12. Defendant American Medical Response West (AMR-West) provides ambulance
6 services in more than 15 Northern California counties, and employs dispatchers, call takers,
7 drivers, emergency medical technicians (EMT's), paramedics and nurses. AMR-West is a
8 California company. It has an office located at 1510 Rollins Rd, Burlingame, CA 94010 (“AMR
9 San Mateo”).

10 13. AMR-West contracts with the County of San Mateo to provide ambulance services
11 to county residents such as Jane Doe.⁴



20 (AMR San Mateo Headquarters at 1510 Rollins Road, Burlingame, California)⁵

21 ///

22 ///

23 ///

24 _____
25 ⁴ AMR provides service in San Mateo County pursuant to the terms of its Emergency Ambulance
26 Services with Advanced Life Support Ambulance Transport Agreement with San Mateo County,
27 dated July 1, 2019. (“SMC-AMR Contract”) The contract is available online: chrome-
28 extension://efaidnbmnnnibpcajpcgglefindmkaj/https://www.smchealth.org/sites/main/files/file-
29 attachments/20190514_agreement_911_ambulance_amr_executed.pdf (Last accessed May 12,
2023).

⁵ See, <https://www.loopnet.com/property/1510-rollins-rd-burlingame-ca-94010/06081-025273080/>
(last accessed May 5, 2023)

1 **2. American Medical Response, Inc.**

2 14. Defendant American Medical Response, Inc. (“AMR Inc.”) is a medical
3 transportation company operating in San Mateo County for 30 years. It also has offices located at
4 1510 Rollins Rd, Burlingame, CA 94010.

5 15. AMR Inc. provides and manages community-based medical transportation services,
6 including emergency medical services, non-emergency and managed transportation, rotary and
7 fixed-wing air ambulance services, and disaster response.

8 16. AMR Inc. operates in San Mateo County as “American Medical Response – San
9 Mateo County”:



American Medical Response - San Mateo County

1.3K likes • 1.5K followers

Message Like Search

20
21 17. AMR Inc. maintains a Facebook page for “ American Medical Response – San
22 Mateo” (<https://www.facebook.com/AMRSanMateo/>) with a San Mateo specific e-mail address of
23 amr.san.mateo@amr.net.⁶ AMR at all times was governed by state and local laws and regulations
24 regarding Ambulance Licensing, and EMS/Paramedic licensing, pursuant to the Health & Safety
25 Code, including 1797 *et seq.* and Title 13 of the California Code of Regulations § 1107 and Title
26 22 of the California Code of Regulations.

27 //./

28

⁶ See, <https://www.facebook.com/AMRSanMateo/> (last accessed May 5, 2023).

1 **3. Doe Defendants**

2 18. Plaintiff is ignorant of the true names and identities of those Defendants sued herein
3 as Does 1 through 25, and for that reason have sued such Defendants by fictitious names. Plaintiff
4 will seek leave of Court to amend this Complaint to identify said defendants upon discovery of
5 their identities.

6 19. Plaintiff is informed and believes, and therefore alleges, that each Defendant
7 designated as a Doe was responsible for the events and happenings herein referred to, which
8 proximately caused the injuries and damages to Plaintiff as alleged herein.

9 **C. Alter Ego/Joint Venture**

10 20. AMR Defendants actively participated in, authorized, and/or directed the operation
11 of AMR and the conduct of its agents and employees through employment, training, and
12 supervision of administrators, directors, and other employees at AMR – San Mateo.

13 21. The AMR Defendants are sufficiently united in their ownership and financial
14 interest, such that the acts of one must be imputed to the others. AMR Defendants are operated in
15 such a way as to make their individual identities indistinguishable, and they are therefore alter-
16 egos of one another.

17 22. AMR Defendants’ corporate and business forms were established for the sole
18 purpose of insulating each other from liability, while simultaneously obscuring the corporate
19 identities of those responsible for the care and services being provided by AMR in San Mateo. By
20 creating these separate corporate bodies, the owners and/or beneficiaries of the management fees
21 may hide from the public the details of the ownership, management, and control of other such
22 facilities, to create the false appearance of each corporation being independent of one another.
23 However, at all relevant times to this action, AMR Defendants had a unity of interest and
24 ownership such that their separate identities did not meaningfully exist.

25 23. Therefore, the individual identities of the AMR Defendants are substantially
26 identical, and have identical ties to, identical interests in, and identical control over AMR in San
27 Mateo County. Moreover, AMR Defendants shared a common pool of management. Additionally,
28 AMR Defendants operate pursuant to a common scheme and plan of operation which renders them

1 a joint venture. Thus, AMR Defendants operated in a manner which could not meaningfully exist
2 without the other – as a joint venture sharing in profits and losses. This joint venture was operated
3 in furtherance of the maximization of profits from the operation of AMR– San Mateo by
4 underfunding and understaffing the facility, at the expense of its residents, while shielding assets
5 from liability.

6 24. Plaintiff is informed and believes, and therefore alleges, that each Defendant
7 designated as a Doe was responsible for the events and happenings herein referred to, which
8 proximately caused the injuries and damages to Plaintiff as alleged herein.

9 25. Plaintiff is informed and believes, and on that basis alleges, that at all times
10 mentioned herein, in doing the things hereinafter alleged, Defendants and each of them, were
11 acting within the course and scope of said alternative personality, capacity, identity, agency,
12 representation and/or employment and were within the scope of their authority, whether actual or
13 apparent.

14 **IV. FACTUAL ALLEGATIONS**

15 **A. AMR Employee Ontiveros Sexually Assaulted Jane Doe When He Forcefully**
16 **Orally Copulated Her in an AMR Ambulance December 23, 2022, Ejaculating in**
17 **Her Mouth and on Her Clothing, While She Was Tied to a Gurney**

18 26. Jane Doe is 82 years old and lives in an assisted living home in Colma, California.
19 She is the matriarch of a loving family. Her two daughters and daughter-in-law routinely visit Jane
20 Doe and tend to her needs. Although physically frail, Jane Doe loved spending time with friends
21 and family. She was a fierce Mahjong player. She enjoyed a peaceful and happy life before the
22 December 2022 assault.

23 27. Jane Doe suffers from mild Parkinson’s disease and has had some health setbacks.
24 At times previous to the December 23, 2022, assault, Jane Doe had to be transported to the hospital
25 but was always transported to nearby Seton Medical Center in Daly City (a five-minute ride from
26 her assisted living community.)

27 28. On the morning of December 23, 2022, Plaintiff’s daughter-in-law took her to the
28 dentist. The treatment left some open wounds in her mouth.

1 29. On the evening of December 23, 2022, Plaintiff experienced a fall. The care team
2 at her assisted living home called for emergency services. On the day, Defendant Ontiveros and
3 another individual whom Plaintiff believes to be an EMT were in the ambulance unit that
4 responded. A fire department paramedic also responded to the call.

5 30. Ontiveros and the other paramedics were informed by the assisted living facility's
6 care team that Plaintiff suffered from mild Parkinson's disease and that she did not speak English –
7 indeed she speaks only Cantonese.

8 31. For unknown reasons, the AMR team decided to take Jane Doe to San Mateo
9 Medical Center for emergency care, despite the fact that SMMC was more than ten times as far
10 away as Seton Daly City, with Seton being less than a mile and a half and five minutes from Jane
11 Doe's residence and San Mateo Medical Center being nearly 20 miles away and a half hour drive.
12 By diverting the ambulance to far away San Mateo Medical Center, Ontiveros was afforded time
13 to commit the sexual assault.

14 32. In the ambulance, Plaintiff's neck was strapped in a neck brace immobilizer, and
15 she was securely strapped to the stretcher to restrict movement.

16 33. Ontiveros rode in the back of the vehicle while the EMT drove the ambulance
17 towards San Mateo Medical Center.

18 34. While they were enroute to the hospital. Ontiveros turned the lights off in the back
19 of the ambulance. He cleaned Jane Doe's face, and then blindfolded Jane Doe before forcefully
20 pushing his penis in her mouth and ejaculating semen in her mouth and over her body. During this
21 violent act, Jane Doe was totally immobilized and unable to fight back or stop the attack. Forced
22 oral copulation is a heinous crime, but under the additional circumstances of the victim being
23 elderly and immobilized, strapped to a gurney and with a c-collar neck immobilizer it was nothing
24 short of a sadistic act.

25 35. According to news accounts, investigators said that Ontiveros' partner, who was
26 driving the ambulance, could not see what was happening during transport, but when the
27 ambulance arrived at the hospital, and the driver went to the back of the ambulance she saw
28

1 Ontiveros pulling up his pants.⁷ According to another news report, the driver saw Jane Doe spitting
2 semen out of her mouth.⁸

3 36. At some point after Jane Doe’s transfer to the hospital, the nurse in the emergency
4 department was informed that the EMT-driver suspected sexual abuse occurred in the ambulance.

5 37. The nurse contacted Jane Doe’s daughter-in-law, K.N. around 2:39 am on
6 December 24, 2022, to come to the hospital. Jane Doe’s daughter-in-law reached the hospital
7 within a short time after she received the call. Jane Doe was upset and visibly distraught. Police
8 were on scene. Jane Doe’s daughter H.F. arrived at the hospital around 3:30 a.m. Hospital nursing
9 staff initiated a rape kit test and forensic examination.

10 38. The police investigators who responded to the scene were unable to communicate
11 with Plaintiff as she does not speak English – she speaks only a dialect of Cantonese. Jane Doe’s
12 daughter-in-law, K.N., helped the police investigators translate their questions into Cantonese.
13 Jane Doe’s age and culture made relating the facts of what happened terrifying. Jane Doe narrated
14 that a bad man did horrible things to her. Jane Doe explained that the paramedic (Ontiveros) placed
15 Jane Doe’s face mask on her eyes to blindfold her and cleaned her mouth. She had not asked him
16 to clean her mouth. After he was done cleaning, she felt a penis pushed inside her mouth. She
17 related that her mouth was full of semen, and she used her face mask to wipe her mouth. Semen
18 was found on the neck collar Plaintiff was wearing when she was transported to the hospital.

19 39. Plaintiff is informed and believes that Ontiveros’s semen was present on articles of
20 clothing worn by Ontiveros as well as any wipes or napkin that he used to wipe his semen off
21 Plaintiff’s face and clothes as well as surrounding environment. DNA testing has confirmed that
22 Ontiveros’s DNA was present on Jane Doe’s person.

23 40. On April 21, 2023, Ontiveros was charged with two felony counts of forcible oral
24 copulation.

25 _____
26 ⁷ Former AMR paramedic accused of sexually assaulting 2 senior patients,
27 [https://www.ems1.com/sexual-assault/articles/former-amr-paramedic-accused-of-sexually-](https://www.ems1.com/sexual-assault/articles/former-amr-paramedic-accused-of-sexually-assaulting-2-senior-patients-MiLSgiAtlCcmKJET/)
28 [assaulting-2-senior-patients-MiLSgiAtlCcmKJET/](https://www.ems1.com/sexual-assault/articles/former-amr-paramedic-accused-of-sexually-assaulting-2-senior-patients-MiLSgiAtlCcmKJET/) (last accessed May 12, 2023)

⁸ Former AMR paramedic accused of sexually assaulting elderly victims during transport, KTVU
Fox 2, [https://www.ktvu.com/news/former-amr-paramedic-accused-of-sexually-assaulting-elderly-](https://www.ktvu.com/news/former-amr-paramedic-accused-of-sexually-assaulting-elderly-victims-during-transport)
victims-during-transport (Last accessed May 12, 2023).

1 41. Ontiveros’s actions are not an isolated instance of an AMR employee sexually
2 assaulting a patient using their services. AMR Defendants have enabled predators like Ontiveros to
3 prey on the patients using their emergency services.

4 **B. AMR Representations to the Public**

5 42. AMR has been the contract holder with San Mateo County since 1990, operating
6 under the names of Baystar Medtrans/Laidlaw, AMR and AMR West. AMR entities have provided
7 uninterrupted emergency ambulance since January 1990 in San Mateo County. As previously
8 noted, the current contract between AMR West (d/b/a American Medical Response) is dated July
9 1, 2019. AMR West’s contract with the County requires AMR West to provide "efficient, effective
10 and compassionate prehospital care" (*See*, SMC/AMR West Contract, Section 1.4(A)(5)). The
11 contract also requires that employees be “competent” and that background checks be done.

12 43. AMR is required to have approximately 25 ambulances in its fleet and have up to
13 19 ambulances available on duty on any given day operating in San Mateo County.

14 44. AMR represents to the public that:

15 *The team at AMR has a single mission: making a difference by caring for people in need.*
16 *We are caregivers, first and foremost. Our promise to you is that we will treat our patients,*
17 *customers and teams with respect.*

18 **C. AMR Has a Culture of Sexual Harassment and a History of Employees Sexually**
19 **Abusing Patients in Ambulances**

20 45. Despite its promises to provide the best services, AMR has faced numerous lawsuits
21 establishing a history of sexual predation during ambulance transport as well sexual abuse at
22 workplaces throughout its offices in the United States.

23 46. At various points in 2009 and 2010, six women filed actions for damages against
24 defendant American Medical Response Northwest, Inc. Each woman alleged that defendant had
25 permitted Lannie Haszard, a paramedic in its employ, to sexually abuse her while they were
26 vulnerable. *See Whalen v. Am. Med. Response Nw., Inc.*, 256 Or. App. 278; *Herring v. Am. Med.*
27 *Response Northwest., Inc.*; *Wyers v. American Medical Response Northwest, Inc.*, 268 Or.App. 232
28

1 (2014). In total, thirty-five women came forward with allegations of sexual abuse against the EMT
2 involved in these cases.

3 47. In 2020, several AMR New Haven employees filed a suit against the company for
4 claims of sexual harassment in federal district court. The suit claims that there is a “culture” of
5 enabling sexual harassment within the company. In response to the statement AMR posted a
6 response that their “company completes background checks on every new hire to join our
7 organization and we offer pathways for not only investigating complaints but reporting them.....
8 Employees are educated about our Compliance Hotline upon hire in our New Employee Training
9 program as well as with our subsequent mandatory annual training. We apply the appropriate level
10 of discipline and will terminate employees if substantiated through our investigative processes...”

11 48. On or about March 2022, an AMR paramedic allegedly molested and assaulted a
12 14-year-old girl in an ambulance in Riverside County, California. The paramedic is on bail and is
13 currently facing criminal charges in Riverside County, California.⁹

14 **D. AMR Knew or Should Have Known That Ontiveros Was Unfit For Service**

15 49. It is apparent that there is a pattern of negligent hiring, supervision and lack of
16 oversight in operations at AMR.

17 50. Ontiveros was previously employed with the South San Francisco Fire Department
18 until on or about July 16, 2020. He was dismissed from service because he had submitted
19 fraudulent timecards and got paid \$15,000 for hours that he didn’t work during a four-month
20 period. AMR hired him despite his record. The felony charges for grand theft against Ontiveros are
21 readily available through the San Mateo Superior Court’s website. Further there was local news
22 coverage of the charges against Ontiveros:

23 ///

24 ///

25 ///

26 ///

27
28 ⁹ <https://www.latimes.com/california/story/2022-03-29/riverside-ambulance-worker-arrested-on-suspicion-of-sexually-assaulting-teenage-patient> (last accessed May 6, 2023).

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Henry K. Lee
@henrykleeKTVU



Miguel Nieblas Ontiveros, an EMT with @SSFFire, charged w/grand theft by employee for submitting fraudulent time cards & getting paid for 486 hours worth \$15K that he didn't work during 4-month period, per @sanmateoco DA



1:26 PM · Jan 25, 2021

51. AMR knew or should have known that Ontiveros was charged with felony grand theft from his time as an employee of South San Francisco Fire Department. He was terminated in or about 2020. A simple google search revealed this fact, and any reasonable background check would have revealed this fact.

E. Defendant Had Sexually Assaulted Another Elderly Patient In May 2022 and AMR Still Kept Ontiveros in the Field

52. After Jane Doe was sexually assaulted investigators revealed that Ontiveros had previously been accused of a similar attack on an 80-year-old woman during a hospital transport on May 21, 2022. According to press accounts “Investigators said in that incident, the victim "was not mentally competent" and that there was no corroborating evidence in the case at the time.”¹⁰

¹⁰ See, <https://www.ktvu.com/news/former-amr-paramedic-accused-of-sexually-assulting-elderly-victims-during-transport>.

1 53. AMR Defendants were aware of the accusations against Ontiveros as a result of the
2 May 2022 assault allegation, but they chose to do nothing, and instead allowed Ontiveros to be
3 alone in the back of one of its ambulances with Jane Doe on December 23, 2022.

4 54. Through their acts and omissions, AMR Defendants allowed a sexual predator to
5 roam free and prey on the elderly. AMR Defendants knew or should have known that Ontiveros
6 had committed sexual assault in May 2022. He was unfit to serve as a paramedic.

7 55. AMR Defendants failed to take reasonable steps to remove Ontiveros from active
8 duty, report to the police or to take any reasonable steps to prevent foreseeable assault from a
9 sexual predator who had already committed a similar crime while being on duty and in the course
10 of his employment. After the assault on Jane Doe there have been press reports that AMR claims
11 to have suspended Ontiveros or fired Ontiveros following his assault of Jane Doe – if true, these
12 actions were taken too late. Ontiveros should never have been hired by AMR, much less retained
13 after the May 2022 assault.

14 **F. AMR Put Profits Over Safety**

15 56. AMR hired and kept Ontiveros on payroll despite numerous red flags because AMR
16 has had well documented issues hiring and retaining EMTs and paramedics. One third of EMTs
17 quit in 2021 and a 2022 study by the American Ambulance Association found that 39% of part-
18 time EMT and 55% of part-time paramedic positions went unfilled because of a lack of qualified
19 candidates.¹¹ AMR even announced that it was ending non-emergency transport in Los Angeles
20 County. *Id.*

21 57. AMR's decision to keep Ontiveros in service, and riding in the back of ambulances
22 as a paramedic was the result of corporate greed. AMR just wanted warm bodies to staff its
23 ambulances and did not care whether it was employing a sexual predator like Ontiveros.

24 58. According to a recent job listing, AMR is looking for a paramedic in San Mateo
25 (Burlingame):¹²

26 ¹¹ See, <https://www.cbsnews.com/news/emt-shortage-quit-ambulance/>.

27 ¹² [https://www.indeed.com/q-AMR-l-San-Mateo,-CA-](https://www.indeed.com/q-AMR-l-San-Mateo,-CA-jobs.html?vjk=52c2b3032212af2b&advn=6893225867368132)
28 [jobs.html?vjk=52c2b3032212af2b&advn=6893225867368132](https://www.indeed.com/q-AMR-l-San-Mateo,-CA-jobs.html?vjk=52c2b3032212af2b&advn=6893225867368132) (last accessed May 12, 2023). See
also, AMR's career's website, also listing paramedic jobs in Burlingame at \$31.09-46.72/hour for
an average work week of 42 hours and 12 hour shifts, and Paramedic Basic in Burlingame for even



Paramedic (Burlingame) - Located in Burlingame, CA

AMR (part of Global Medical Response) ★★★★★ 1,837 reviews

Burlingame, CA 94010

\$31.09 - \$46.72 an hour - Full-time

Training options
Based on surveys from Indeed users

Apply now [Close icon]

Job details

No matching job preferences

Salary
\$31.09 - \$46.72 an hour

Job Type
Full-time

Shift and Schedule
12 hour shift

Located in Burlingame, CA

59. According to the same website, AMR is also actively looking for an EMTs in San Mateo (Burlingame) and offering a salary of \$19.50-\$21.11 per hour.

60. AMR is offering less pay to its local EMTs than is offered by the local In-N-Out franchises:

///

///

less, at "\$27.21(Min) - \$33.17(Mid) - \$40.88(Max) per hour."
<https://careers.gmr.net/amr/jobs/31356?lang=en-us> and
<https://careers.gmr.net/amr/jobs/25625?lang=en-us> (last accessed May 12, 2023)



LOCAT



Search by Address or Zip



APPLY NOW

APLIQUE AHORA

3.43 MILES

372 Gellert Blvd.

Daly City, CA 94015



Starting wage: \$21.00/hour
Earn Up to \$24.50/hour



APPLY NOW

APLIQUE AHORA

3.93 MILES

11 Rollins Rd.

Millbrae, CA 94030



Starting wage: \$21.00/hour
Earn Up to \$24.50/hour

61. This is a travesty. According to the SMC-AMR Contract, AMR's per mile fee charged to patients is \$60.68/mile, greatly exceeding the \$46.72/hour high end of paramedic pay. Of course, the per mile fee is a small fraction of what AMR is entitled to charge patients such as Jane Doe, with ambulance trips regularly costing thousands of dollars. Exhibit 3 details what AMR is permitted to charge in San Mateo County:

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EXHIBIT 3: Contractor's User Fees

Contractor shall be entitled to charge patient for the services rendered according to the patient fee schedule below:

5

Contractor's User Fees – 9-1-1 System	Effective 7/1/2019
Base Rate	\$2,431.24
Night Charge	\$234.76
Oxygen	\$234.76
Mileage	\$60.68/mile
12 Lead Cardiac Monitor	\$ 241.96
Glucometer Supplies	\$ 61.58
IV Intravenous Supplies	\$ 91.06
ECG Electrodes	\$ 65.77
Universal Precautions	\$ 121.47
Clinical Care EMS Technology Fee	\$ 1.50/mile
Treat, Non-transport rate	\$00.00

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V. **PLAINTIFF HAS SUFFERED TRAUMA AS THE RESULT OF ONTIVEROS FORCIBLY ORALLY COPULATING IN PLAINTIFF'S MOUTH AND EJACULATING INTO HER MOUTH**

19 62. As stated, Jane Doe was subjected to sexual assault (forced oral copulation) while
20 tied up to a gurney. Jane Doe is elderly and frail. She was enroute to a hospital after suffering a fall
21 at her assisted living facility. Jane Doe does not speak English. She had no way to stop the assault.
22 Ontiveros was a large man weighing approximately 250 pounds and standing approximately six
23 feet tall. Because of the AMR Defendants' negligence, Jane Doe was left alone, locked in the back
24 of the ambulance, for about a half an hour, with a rapist.

25 63. Ontiveros turned off the lights in the ambulance and put something over Jane Doe's
26 eyes, so she was in blackness. He stood towering over Jane Doe and pulled down his pants
27 exposing his penis, which he forced into Jane Doe's mouth. Jane Doe was hopeless to stop the
28 assault. Ontiveros ejaculated semen into Jane Doe's mouth and onto her body and on her c-collar

1 and garments. After assaulting her, Jane Doe was left tied to the gurney with semen filling her
2 mouth.

3 64. Upon arrival at the hospital, Jane Doe had no way to communicate that she had
4 been sexually assaulted. She spoke only Cantonese. She was isolated and terrified, having just
5 been brutally assaulted.

6 65. Plaintiff has suffered trauma that will in all likelihood last the rest of her life due to
7 the AMR Defendants' negligence and elder abuse. As a result of the aforementioned acts of each
8 of the Defendants, Plaintiff is afraid to be in an ambulance. Indeed, on April 1 after lunch at her
9 assisted living home, Jane Doe suffered another fall. Her daughter-in-law was visiting. Jane Doe
10 adamantly refused to be transported in an ambulance and refused to go to the hospital. She was too
11 traumatized to get treatment.

12 66. Plaintiff suffers severe emotional distress from the assault. Following the assault
13 she had to take HIV prevention medication. Her fears of contracting HIV or other sexually
14 transmitted diseases are heightened by the fact that she had open wounds in her mouth from a
15 dental procedure earlier in the day on December 23, 2022.

16 67. Compounding Jane Doe's situation – because she speaks only Cantonese – it has
17 proven impossible thus far for her to find an affordable therapist who speaks her native language.

18 **VI. CAUSES OF ACTION**

19 **FIRST CAUSE OF ACTION**

20 **Dependent Adult Physical Abuse**

21 **(Pursuant to Welfare and Institutions Code § 15600 et seq.)**

22 **(AGAINST ALL DEFENDANTS)**

23 68. Plaintiffs hereby re-allege and incorporate by reference each and every allegation
24 set forth above, as if fully set forth herein.

25 69. At all relevant times, Jane Doe was an elder as defined by Welfare & Institutions
26 Code § 15610.27. She was eighty-two years old at the time of the incident and Defendants'
27 conduct.

28

1 70. The actions described above constitute abuse of an elder as defined by the Welfare
2 and Institutions Code.

3 71. The above-mentioned acts of Ontiveros constituted ‘Physical Abuse’ and/or
4 conduct likely to harm a senior within the meaning of Welfare and Institutions Code § 15610.63.
5 Defendants knew that Plaintiff was suffering from Parkinson’s disease and could not speak
6 English. She was incapacitated at the time; she was blindfolded, could not and did not give consent
7 to Ontiveros to sexually touch her at any time while she was in the ambulance.

8 a. Ontiveros committed sexual battery as defined in Section 243.4 of the Penal Code.
9 He engaged in forcible oral copulation with Plaintiff without her consent, knowing
10 she was elderly, incapacitated and could not give her consent.

11 b. Ontiveros committed oral copulation as defined in Section 287 of the Penal Code.

12 72. Defendants' conduct was a substantial factor in causing Plaintiff to suffer physical,
13 emotional, and economic harm, as well as other damages in an amount to be determined according
14 to proof. As a legal result of the alleged acts and omissions, Plaintiff incurred damages for pain
15 and suffering.

16 73. Each defendant ratified the conduct of the other defendants and of Ontiveros. The
17 specific facts set forth herein show Ontiveros knowingly and maliciously sexually assaulted and
18 physically abused Jane Doe.

19 74. Ontiveros’s actions arose out of the course and scope of his employment with AMR
20 Defendants. AMR Defendants, including their officers, directors and managing agents, had
21 advanced knowledge of the unfitness of Ontiveros and employed Ontiveros with a knowing
22 disregard of the rights and safety of others, including Plaintiff and other members of the public.
23 Defendants retained Ontiveros as an employee despite knowing: (1) he was unfit for the job; (2) he
24 had pending felony grand theft charges from his prior job; (3) he engaged in various practices that
25 should have served as red flags that he was creating an environment to allow sexual assault; and,
26 (4) that he was alleged to have sexually assaulted an elderly patient in May 2022 and has a
27 propensity to assault patients in his care. AMR Defendants failure to fire Ontiveros after the May
28 2022 incident was an approval of his acts.

1 75. The conduct, acts, and omissions of Ontiveros, and AMR Defendants as alleged
2 herein, are sufficient to show they are guilty of recklessness, oppression, fraud, and/or malice.

3 76. Plaintiff is entitled to compensatory damages, including general and special
4 damages, in an amount to be determined according to proof at trial. As a legal result of
5 Defendants' recklessness, malice, oppression and fraud, Plaintiff is entitled, in addition to
6 compensatory damages, to an award of reasonable attorney fees and costs under Welfare and
7 Institutions Code § 15657, to punitive damages under Civil Code § 3294 and to treble punitive
8 damages under Civil Code § 3345.

9 **SECOND CAUSE OF ACTION**

10 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

11 **(AGAINST ALL DEFENDANTS)**

12 77. Plaintiff re-alleges and incorporates by reference herein each and every allegation
13 contained herein above as though fully set forth and brought in this cause of action.

14 78. The conduct of the AMR Defendants and each Doe Defendant towards Plaintiff, as
15 described herein, was outrageous and extreme.

16 79. A reasonable person would not expect or tolerate the sexual harassment,
17 molestation, and abuse of Plaintiff and other similarly situated victims by Ontiveros, and
18 Defendants' knowledge and reckless disregard of the probability that Ontiveros would commit
19 sexual harassment and molestation of patients.

20 80. Defendants' conduct toward Plaintiff, as described herein, was outrageous and
21 extreme.

22 81. A reasonable person would not expect or tolerate Defendants putting Ontiveros,
23 who was known to Defendants to have physically and sexually abused another elderly patient
24 months earlier, in a position of care of Plaintiff, which enabled Ontiveros to have access to elderly
25 patients like the Plaintiff so that he could commit wrongful sexual acts, including the conduct
26 described herein.

27 82. A reasonable person would not expect or tolerate the Defendants and their agents to
28 be incapable of supervising and/or stopping participants and members of Defendants, including

1 Ontiveros, from committing wrongful sexual acts with patients like the Plaintiff. Defendants'
2 conduct described herein was intentional and malicious and done for the purpose of causing or
3 with the substantial certainty that Plaintiff would suffer humiliation, mental anguish, and
4 emotional and physical distress.

5 83. Defendants' conduct was a substantial factor in causing Plaintiff to suffer severe
6 emotional distress, as well as other damages in an amount to be determined according to proof.

7 84. As a result of the above-described conduct, Plaintiff has suffered and continues to
8 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
9 distress including embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment
10 of life; has suffered and continues to suffer and was prevented and will continue to be prevented
11 from performing daily activities and obtaining the full enjoyment of life, and/or has incurred and
12 will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

13 85. In subjecting Plaintiff to the wrongful treatment herein described, the Defendants,
14 each of them willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard
15 of Plaintiff's rights, so as to constitute malice and/or oppression under California Civil Code
16 section 3294. Plaintiff is informed, and on that basis alleges, that these willful, malicious, and/or
17 oppressive acts, as alleged herein above, were ratified by the officers, directors, and/or managing
18 agents of the Defendants. Plaintiff is entitled to compensatory damages, including general and
19 special damages, in an amount to be determined according to proof at trial. As a legal result of
20 Defendants' malice, oppression and fraud, Plaintiff is entitled, in addition to compensatory
21 damages, to punitive damages under Civil Code § 3294 and to treble punitive damages under Civil
22 Code § 3345.

23 **VII. PRAYER FOR RELIEF**

24 1. For past, present and future non-economic damages in an amount to be determined
25 at trial;

26 2. For past, present and future special damages, including but not limited to economic
27 damages, in an amount to be determined at trial;

28 3. Any appropriate statutory damages;

- 1 4. For costs of suit;
2 5. Punitive damages, according to proof;
3 6. For treble damages under Civil Code § 3345;
4 7. For interest based on damages, as well as pre-judgment and post-judgment interest
5 as allowed by law;
6 8. For attorney's fees and costs pursuant to Welfare and Institution Code sections
7 15600 *et seq.* or as otherwise allowable by law;
8 9. For such other and further relief as the Court may deem proper.

9 Dated: May 19, 2023

COTCHETT, PITRE & McCARTHY, LLP

10
11 By: 

12 ANNE MARIE MURPHY
13 DONALD J. MAGILLIGAN
14 OWAIS M. BARI
15 GAYATRI RAGHUNANDAN

16 *Attorneys for Plaintiff and
17 Proposed Guardian ad litem*

18 **VIII. DEMAND FOR JURY TRIAL**

19 Please take notice that Plaintiff demands a trial by jury in this action.

20 Dated: May 19, 2023

COTCHETT, PITRE & McCARTHY, LLP

21
22 By: 

23 ANNE MARIE MURPHY
24 DONALD J. MAGILLIGAN
25 OWAIS M. BARI
26 GAYATRI RAGHUNANDAN

27 *Attorneys for Plaintiff and
28 Proposed Guardian ad litem*

Exhibit 1

1 STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY
2 County of San Mateo, State of California
3 State Bar No. 78470
4 400 County Center, Third Floor
5 Redwood City, CA 94063
6 By: Alpana D. Samant, Deputy District Attorney
7 Telephone: (650) 363-4636
8 Attorney for Plaintiff

FILED
SAN MATEO COUNTY

APR 21 2023

Clerk of the Superior Court

By


DEPUTY CLERK

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF SAN MATEO

11 THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

12 vs.

13 MIGUEL NIEBLAS ONTIVEROS
14 258 SAN CARLOS AV
15 REDWOOD CITY, CA 94601

16 Defendant.

REPORT NO. HP20221655
DA CASE NO. 0883625

23 SF 006516A
FELONY COMPLAINT

17
18 I, the undersigned, say, on information and belief, that in the County of San Mateo, State of
19 California:

20 **COUNT 1: PC287(c)(2)(A) (Felony)**

21 On or about May 21, 2022, in the County of San Mateo, State of California, the crime of Forcible
22 Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MIGUEL
23 NIEBLAS ONTIVEROS did unlawfully participate in an act of oral copulation with JANE DOE #1
24 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of

1 immediate and unlawful bodily injury to said victim and to another. NOTICE: Conviction of this
2 offense will require the court to order you to submit to a blood test for evidence of antibodies to the
3 probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section
4 1202.1. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
5 section 290. Willful failure to register is a crime. NOTICE: Adjudication as a ward of the court for
6 this offense and a disposition to the California Youth Authority will require you to provide specimens
7 and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and
8 samples is a crime. NOTICE: The above offense is a serious felony within the meaning of Penal
9 Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

10
11 **ENHANCEMENT 1**

12 PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

13 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant,
14 MIGUEL NIEBLAS ONTIVEROS, as to Count 1 that the following circumstances apply: multiple
15 victims and victim tied and bound.

16 **ENHANCEMENT 2**

17 PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

18 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant,
19 MIGUEL NIEBLAS ONTIVEROS, as to Count 1 that the following circumstances apply: multiple
20 victims and victim tied and bound.

21 **ENHANCEMENT 3**

22 PC1170(b)(2): Special Allegation - Felony with Circumstances in Aggravation

23 It is further alleged, as to Count 1 within the meaning of Penal Code section 1170(b)(2), that the
24 following circumstance(s) apply, the victim was particularly vulnerable.

1 **COUNT 2: PC287(c)(2)(A) (Felony)**

2 On or about December 23, 2022, in the County of San Mateo, State of California, the crime of
3 Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MIGUEL
4 NIEBLAS ONTIVEROS did unlawfully participate in an act of oral copulation with JANE DOE #2
5 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of
6 immediate and unlawful bodily injury to said victim and to another. NOTICE: Conviction of this
7 offense will require the court to order you to submit to a blood test for evidence of antibodies to the
8 probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section
9 1202.1. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
10 section 290. Willful failure to register is a crime. NOTICE: Adjudication as a ward of the court for
11 this offense and a disposition to the California Youth Authority will require you to provide specimens
12 and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and
13 samples is a crime. NOTICE: The above offense is a serious felony within the meaning of Penal
14 Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

15
16 **ENHANCEMENT 1**

17 PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

18 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant,
19 MIGUEL NIEBLAS ONTIVEROS, as to Count 2 that the following circumstances apply: multiple
20 victims and victim tied and bound.

21 **ENHANCEMENT 2**

22 PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

1 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant,
2 MIGUEL NIEBLAS ONTIVEROS, as to Count 2 that the following circumstances apply: multiple
3 victims and victim tied and bound.

4 **ENHANCEMENT 3**

5 PC1170(b)(2): Special Allegation - Felony with Circumstances in Aggravation

6 It is further alleged, as to Count 2 within the meaning of Penal Code section 1170(b)(2), that the
7 following circumstance(s) apply, the victim was particularly vulnerable.

8 NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms,
9 ammunition and ammunition feeding devices.

10
11 Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that
12 defendant(s) and his or her attorney provide to the People the discovery required by Penal Code
13 Section 1054.3. This is a continuing request pursuant to the provisions of Penal Code Section 1054.7.

14 I declare under penalty of perjury that the foregoing is true and correct except for those things
15 stated on information and belief and those I believe to be true.

16 Executed on April 21, 2023, at San Mateo County, California.

17
18 
19 _____
COMPLAINANT

20 ADS/ads


Exhibit 2

NTA

STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY
County of San Mateo, State of California
State Bar No. 78470
1050 Mission Road
South San Francisco, CA 94080
By: Joseph L. Cannon, Deputy District Attorney
Telephone: (650) 877-5454
Attorney for Plaintiff

FILED
SAN MATEO COUNTY

DEC 30 2020

Clerk of the Superior Court
By  DEPUTY CLERK

RECEIVED

DEC 30 2020

CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

MIGUEL NIEBLAS ONTIVEROS
258 SAN CARLOS AV
REDWOOD CITY, CA 94601

Defendant.

REPORT NO. 20-0616-01

DA CASE NO. 0833101

20NF014642

FELONY COMPLAINT

I, the undersigned, say, on information and belief, that in the County of San Mateo, State of California:

COUNT 1: PC487(b)(3) (Felony)

On or between November 1, 2019 and November 30, 2019, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and

1 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
2 South San Francisco Fire Department having an aggregate value exceeding the \$950.

3 COUNT 2: PC487(b)(3) (Felony)

4 On or between December 1, 2019 and December 31, 2019, in the County of San Mateo, State of
5 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
6 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
7 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
8 South San Francisco Fire Department having an aggregate value exceeding the \$950.

9 COUNT 3: PC487(b)(3) (Felony)

10 On or between January 1, 2020 and January 31, 2020, in the County of San Mateo, State of
11 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
12 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
13 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
14 South San Francisco Fire Department having an aggregate value exceeding the \$950.

15 COUNT 4: PC487(b)(3) (Felony)

16 On or between February 1, 2020 and February 29, 2020, in the County of San Mateo, State of
17 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
18 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
19 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
20 South San Francisco Fire Department having an aggregate value exceeding the \$950.

21 COUNT 5: PC487(b)(3) (Felony)

22 On or between March 1, 2020 and March 26, 2020, in the County of San Mateo, State of California,
23 the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a
24 Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take,

1 steal and carry away certain personal property belonging to his/her employer to-wit: South San
2 Francisco Fire Department having an aggregate value exceeding the \$950.

3 NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms,
4 ammunition and ammunition feeding devices.

5
6 Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that
7 defendant(s) and his or her attorney provide to the People the discovery required by Penal Code
8 Section 1054.3. This is a continuing request pursuant to the provisions of Penal Code Section 1054.7.

9 I declare under penalty of perjury that the foregoing is true and correct except for those things
10 stated on information and belief and those I believe to be true.

11 Executed on December 23, 2020, at San Mateo County, California.

12
13 

14 _____
COMPLAINANT

15 JLC/jlc

1 STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY
2 County of San Mateo, State of California
3 State Bar No. 78470
4 400 County Center, Third Floor
5 Redwood City, CA 94063
6 By: Joshua T. Martin, Deputy District Attorney
7 Telephone: (650) 363-4636
8 Attorney for Plaintiff

FILED
SAN MATEO COUNTY

DEC 21 2021

Clerk of the Superior Court

By 

DEPUTY CLERK

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF SAN MATEO

11 THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

12 vs.

13 MIGUEL NIEBLAS ONTIVEROS
14 258 SAN CARLOS AV
15 REDWOOD CITY, CA 94601

16 Defendant.

REPORT NO. 20-0616-01

DA CASE NO. 0833101

DOCKET NO. 20-NF-014642-A

FELONY INFORMATION

17 That said Defendant is accused by the District Attorney of the County of San Mateo of the
18 state of California, by this Information, of the following crime(s) in San Mateo County:

19 COUNT 1: PC487(b)(3) (Felony)

20
21 On or between November 1, 2019 and November 30, 2019, in the County of San Mateo, State of
22 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
23 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
24 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
25 South San Francisco Fire Department having an aggregate value exceeding the \$950.

1 COUNT 2: PC487(b)(3) (Felony)

2
3 On or between December 1, 2019 and December 31, 2019, in the County of San Mateo, State of
4 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
5 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
6 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
7 South San Francisco Fire Department having an aggregate value exceeding the \$950.

8 COUNT 3: PC487(b)(3) (Felony)

9
10 On or between January 1, 2020 and January 31, 2020, in the County of San Mateo, State of
11 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
12 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
13 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
14 South San Francisco Fire Department having an aggregate value exceeding the \$950.

15 COUNT 4: PC487(b)(3) (Felony)

16
17 On or between February 1, 2020 and February 29, 2020, in the County of San Mateo, State of
18 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of
19 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and
20 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:
21 South San Francisco Fire Department having an aggregate value exceeding the \$950.

22 COUNT 5: PC487(b)(3) (Felony)

23
24 On or between March 1, 2020 and March 26, 2020, in the County of San Mateo, State of California,
25

1 the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a
2 Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take,
3 steal and carry away certain personal property belonging to his/her employer to-wit: South San
4 Francisco Fire Department having an aggregate value exceeding the \$950.

5 NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms,
6 ammunition and ammunition feeding devices.

7 Dated: December 20, 2021

8
9 STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY

10
11 By  _____

12 Joshua T. Martin
13 Deputy District Attorney

14 JTM/jtm
15
16
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