



# BUTTE COUNTY DISTRICT ATTORNEY



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## **PRESS RELEASE**

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### **SAD DAY FOR SMILEY**

A Chico gang member was sentenced yesterday to eight years in state prison for his role in a car-to-car shooting last May 31 which was claimed to be a “mistake”.

Manuel Hernandez, 19, whose gang moniker is “Smiley” was in Butte County Superior Court on charges of assault with a firearm with a gang enhancement. Judge Robert Glusman denied Hernandez request for probation. Hernandez’s attorney had asked for probation claiming the teenager had a minimal prior criminal record.

District Attorney Mike Ramsey said Hernandez was the passenger in a car that came up behind and passed a victim’s car on Hanlon Road in Durham shortly after midnight. As the Hernandez car passed on the left, the victim driver saw Hernandez lean out the rear passenger window and fire two shots from a handgun. The shots impacted the victim’s car on the driver’s side.

Shortly after the shooting, rumors began that the shooting was a “mistake”, that the victim’s car was mistaken for another’s and that Hernandez was going to apologize. The victim had no known gang ties. Sheriff’s gang detectives were able to follow up on the rumor and arrested Hernandez.

Ramsey called the shooting reckless and dangerous. He noted that prison sentence would serve as a warning to other gang members of the consequences of such behavior. “Shooting at an innocent person is nothing to smile about.” Ramsey said.