



JEANNINE M. PACIONI  
District Attorney

## **PRESS RELEASE**

March 29, 2019

---

Contact: John F. Hubanks, Deputy District Attorney  
Telephone: 831-755-5128

### **Salinas Restaurant Owner Pleads to Felony Fraud and Illegal Alcohol Sales Charges**

---

*People v. Fernando Jimenez Hernandez*

SALINAS, California- Monterey County District Attorney Jeannine M. Pacioni announced today that Fernando Jimenez Hernandez (aka Fernando Jimenez), a 45-year-old Salinas resident, pled no contest, in two different cases, to three felony charges related to insurance and payroll tax fraud, one misdemeanor charge for failing to have workers' compensation insurance and one misdemeanor charge for serving alcohol to a minor with resulting great bodily injury.

Hernandez owns and manages Tacos Acambaro, a restaurant in Salinas, which has a state license to serve beer and wine. Hernandez has had as many as 20 employees working at Tacos Acambaro since April 1, 2014.

The Monterey County District Attorney opened a criminal investigation of Hernandez's business operations following the tragic death of 20-year-old Abraham Requena on January 30, 2017. According to witnesses and security video, Mr. Requena was consuming alcohol beverages inside Tacos Acambaro during the evening of January 29, 2017. The video also revealed that Hernandez was inside his restaurant that evening and Mr. Requena's consumption of alcohol which increasingly led to his intoxicated behavior. At no point did Hernandez or his staff ask for Mr. Requena's identification. Mr. Requena sustained fatal injuries when, after leaving the restaurant, he lost control of his car and crashed into a tree. Autopsy results showed a .27 blood alcohol level, nearly three times the legal limit.

In addition to the investigation of the illegal alcohol sales, the District Attorney also investigated Hernandez's business operations. District Attorney investigators verified that he did not have workers' compensation coverage and had not accurately reported his employee wages and payroll to the Employment Development Department.

Hernandez will be sentenced on August 16, 2019 and faces a minimum of 180 days in jail and will be placed on formal supervised probation.

The case was investigated by District Attorney Investigators Martin Sanchez and George Costa, with assistance from the Department of Alcoholic Beverage Control's Salinas office.

Under California criminal law, business owners and the public need to be aware that California law requires all employers to secure workers' compensation insurance for their employees so that there is adequate medical coverage and other benefits for employees for any work-related injuries that may occur. Additionally, employers are required to register their business with the EDD and report their payroll on a quarterly basis. Failing to file payroll tax returns with intent to evade tax has a maximum penalty of three years and up to a \$20,000 fine.