

- SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, v. 01 ROBERT BLAKE (9/18/1933), aka MICHAEL GUBITOSI, and 02 EARLE S. CALDWELL (3/18/1956) Defendant(s).
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CASE NO. LA040377

FELONY COMPLAINT

The undersigned is informed and believes that:

COUNT 1

On or about May 4, 2001, in the County of Los Angeles, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a Felony, was committed by ROBERT BLAKE, who did unlawfully, and with malice aforethought murder BONNY LEE BAKLEY, a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

It is further alleged that said defendant(s), ROBERT BLAKE personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and death to BONNY LEE BAKLEY within the meaning of Penal Code section 12022.53(d).

It is further alleged that the murder of Bonny Lee Bakley was by defendant(s), ROBERT BLAKE and that the defendant(s) intentionally killed the victim by means of lying in wait, within the meaning of Penal Code Section 190.2(a)(15).

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OVERT ACT 1:

On or about March 2001, Defendant Caldwell provided a small-caliber gun in a zippered case to Defendant Blake.

OVERT ACT 2:

In March 2001, Defendant Blake asked a person to hide in Defendant Blake's van, which would be parked in a desert area, and kill Bonny Lee Bakley. Defendant Blake further told that person that Defendant Caldwell would have already dug holes for burial.

OVERT ACT 3:

In March 2001, Defendant Blake suggested to the same person that the murder could also take place somewhere behind Vitello's Restaurant, and drove that person to view possible murder sites.

OVERT ACT 4:

In March 2001, Defendant Blake showed and offered to the person he solicited to commit the murder a gun in a zippered case, which he claimed was untraceable, with which that person could commit the murder.

OVERT ACT 5:

In March 2001, Defendant Blake asked a second person to kill Bonny Lee Bakley as she sat in a parked car and suggested that the murder could take place somewhere near Bullhead City, Arizona. Defendant Blake also said that the murder could take place outside Vitello's Restaurant.

OVERT ACT 6:

In March 2001, Defendant Blake showed that second person a small gun in a zippered case and suggested that the person could use that gun to commit the murder.

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OVERT ACT 7:

On or about March 11, 2001, Defendant Blake bought an AT&T prepaid phone card from a 7-11 store that he used to call two people from his home whom he had solicited to kill Bonny Lee Bakley without leaving any record of the calls on his personal phone bills.

OVERT ACT 8:

In early 2001, Defendant Caldwell, at the request of Defendant Blake, wrote and kept the following list of items for use in the murder of Bonny Lee Bakley: "2 shovels, small sledge, crowbar, 25 auto, 'get blank gun ready,' old rugs, duct tape, Draino, pool acid, lye, plant."

OVERT ACT 9:

Between February and April 2001, Defendant Blake arranged with victim Bakley to meet in Parker, Arizona, and travel from there to Three Rivers, California.

OVERT ACT 10:

In March 2001, Defendant Blake and Defendant Caldwell, without Bonny Lee Bakley, traveled together to Three Rivers, California, a location they would later visit with Ms. Bakley.

OVERT ACT 11:

In March 2001, Defendant Blake traveled without Bonny Lee Bakley to Parker, Arizona, a location he and Defendant Caldwell would later visit with Ms. Bakley.

OVERT ACT 12:

In April 2001, Defendant Caldwell and Defendant Blake traveled with Bonny Lee Bakley to Parker, Arizona.

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OVERT ACT 13:

In April 2001, during the trip to Parker, Arizona and Three Rivers, California, Defendant Caldwell, armed with a handgun, hid in bushes on the banks of a river and jumped out while Defendant Blake and Bonny Lee Bakley were together.

OVERT ACT 14:

In April 2001, Defendant Caldwell and Defendant Blake traveled with Bonny Lee Bakley to Three Rivers, California.

OVERT ACT 15:

On May 4, 2001, Defendant Blake drove Bonny Lee Bakley to dinner at Vitello's Restaurant and parked his car behind a dumpster and next to a construction site more than a block away from the restaurant.

OVERT ACT 16:

On May 4, 2001, after eating at Vitello's Restaurant, Defendant Blake caused Bonny Lee Bakley to sit in the passenger's seat of his 1991 Dodge Stealth, lowered the windows, got out of the car, and kept the keys.

OVERT ACT 17:

On May 4, 2001, Defendant Blake shot Bonny Lee Bakley twice with an unregistered vintage Walther P-38 military 9-mm handgun.

OVERT ACT 18:

On May 4, 2001, after shooting Bonny Lee Bakley, Defendant Blake threw the Walther P-38 handgun into a dumpster near the location where he parked his 1991 Dodge Stealth.

COUNT 2

On or about March 2001, in the County of Los Angeles, the crime of SOLICITATION OF MURDER, in violation of PENAL CODE SECTION 653f(b), a Felony, was committed by ROBERT BLAKE, who did unlawfully and with the intent that the crime be committed, solicit a person to commit and join in the commission of the murder of Bonny Lee Bakley, a human being.

* * * * *

COUNT 3

On or about March 2001, in the County of Los Angeles, the crime of SOLICITATION OF MURDER, in violation of PENAL CODE SECTION 653f(b), a Felony, was committed by ROBERT BLAKE, who did unlawfully and with the intent that the crime be committed, solicit a second person to commit and join in the commission of the murder of BONNY LEE BAKLEY, a human being.

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COUNT 4

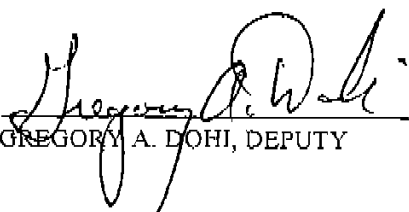
On or about January 2, 2001, in the County of Los Angeles, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION 182(a)(1), a Felony, was committed by ROBERT BLAKE and EARLE S. CALDWELL, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of MURDER, in violation of Section 187 of the PENAL Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants committed one or more of the following overt acts at and in the County of LOS ANGELES:

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER LA040377, CONSISTS OF 4 COUNT(S).

Executed at VAN NUYS, County of Los Angeles, on April 22, 2002.

DECLARANT AND COMPLAINANT

.....
STEVE COOLEY, DISTRICT ATTORNEY

BY: 
GREGORY A. DOHI, DEPUTY

AGENCY: LAPD -
ROBBERY-HOMICIDE
DIVISION

I/O:

ID NO.:

PHONE:

DR NO.: 011515091

OPERATOR: CC

PRELIM. TIME EST.:

<u>DEFENDANT</u>	<u>CII NO.</u>	<u>DOB</u>	<u>BOOKING NO.</u>	<u>BAIL RECOM'D</u>	<u>CUSTODY R'TN DATE</u>
BLAKE, ROBERT		9/18/1933		S0	
CALDWELL, EARLE S		3/18/1956		S0	

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

FELONY COMPLAINT -- ORDER HOLDING TO ANSWER -- P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

ROBERT BLAKE

<u>Count</u> <u>No.</u>	<u>Charge</u>	<u>Charge</u> <u>Range</u>	<u>Special</u> <u>Allegation</u>	<u>Alleg.</u> <u>Effect</u>
1	PC 187(a)	LWOP/Death	PC 12022.53(d) PC 190.2(a)(15)	+25Y-Life, MSP* LWOP/Death
2	PC 653f(b)	3-6-9		
3	PC 653f(b)	3-6-9		
4	PC 182(a)(1)	Check Code		

EARLE S CALDWELL

<u>Count</u> <u>No.</u>	<u>Charge</u>	<u>Charge</u> <u>Range</u>	<u>Special</u> <u>Allegation</u>	<u>Alleg.</u> <u>Effect</u>
4	PC 182(a)(1)	Check Code		

I order that the defendant(s) be held to answer therefor and be admitted to bail in the sum of:

ROBERT BLAKE _____ Dollars

EARLE S CALDWELL _____ Dollars