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2 ANNE MARIE SCHUBERT
3 DISTRICT ATTORNEY
4 901 G STREET
5 SACRAMENTO, CA 95814
6 (916) 874-6218

SPD-06-362363
S. GRIPPI, DDA
TEAM:
XRef: 5224107

8 **SUPERIOR COURT OF CALIFORNIA**
9 **COUNTY OF SACRAMENTO**

10
11 THE PEOPLE OF THE STATE OF CALIFORNIA, FELONY COMPLAINT
12 vs.
13 ROY CHARLES WALLER ,
14 Defendant.

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16 The People of the State of California upon oath of the undersigned, upon information and belief
17 complain against the defendant above named for the crime(s) as follows:
18

19 **COUNT ONE**

20 On or about October 14, 2006, at and in the County of Sacramento, State of California, the
21 defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section
22 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have
23 and accomplish an act of sexual intercourse with a person, to wit, K. DOE, not his spouse,
24 against said person's will, by means of force, violence, duress, menace and fear of immediate and
25 unlawful bodily injury on said person (First Occasion).
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28 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
29 1192.7(c)."
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32 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
33 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
34 Syndrome (AIDS). Penal Code Section 1202.1."
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37 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
38 290. Willful failure to register is a crime."
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3 It is further alleged that in the commission and attempted commission of the above offense, the
4 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
5 handgun, within the meaning of Penal Code Section 12022.53(b).
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7 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
8 offense during the commission of a burglary, within the meaning of Penal Code Section
9 667.61(d)(4).
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11 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
12 offense during the commission of a burglary, within the meaning of Penal Code Section
13 667.61(e)(2).
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15 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
16 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
17 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
18 of Penal Code Section 667.61(e)(3).
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21 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
22 present case or cases of committing an offense specified in subdivision (c) against more than one
23 victim, within the meaning of Penal Code Section 667.61(e)(4).
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25 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
26 binding of the victim or another person in the commission of the present offense, within the
27 meaning of Penal Code Section 667.61(e)(5).
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29 **COUNT TWO**

30 For a further and separate cause of action, being a different offense of the same class of crimes
31 and offenses and connected in its commission with the charges set forth in Count One hereof: On
32 or about October 14, 2006, at and in the County of Sacramento, State of California, the
33 defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section
34 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have
35 and accomplish an act of sexual intercourse with a person, to wit, K. DOE, not his spouse,
36 against said person's will, by means of force, violence, duress, menace and fear of immediate and
37 unlawful bodily injury on said person (Second Occasion).
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3 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c)."
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7 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
8 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
9 Syndrome (AIDS). Penal Code Section 1202.1."
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11 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
12 290. Willful failure to register is a crime."
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15 It is further alleged that in the commission and attempted commission of the above offense, the
16 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
17 handgun, within the meaning of Penal Code Section 12022.53(b).
18

19 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
20 offense during the commission of a burglary, within the meaning of Penal Code Section
21 667.61(d)(4).
22

23 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
24 offense during the commission of a burglary, within the meaning of Penal Code Section
25 667.61(e)(2).
26

27 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
28 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
29 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
30 of Penal Code Section 667.61(e)(3).
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32 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
33 present case or cases of committing an offense specified in subdivision (c) against more than one
34 victim, within the meaning of Penal Code Section 667.61(e)(4).
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36 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
37 binding of the victim or another person in the commission of the present offense, within the
38 meaning of Penal Code Section 667.61(e)(5).
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4 **COUNT THREE**

5 For a further and separate cause of action, being a different offense of the same class of crimes
6 and offenses and connected in its commission with the charges set forth in Counts One and Two
7 hereof: On or about October 14, 2006, at and in the County of Sacramento, State of California,
8 the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section
9 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have
10 and accomplish an act of sexual intercourse with a person, to wit, K. DOE, not his spouse,
11 against said person's will, by means of force, violence, duress, menace and fear of immediate and
12 unlawful bodily injury on said person (Third Occasion).
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15 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
16 1192.7(c)."
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19 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
20 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
21 Syndrome (AIDS). Penal Code Section 1202.1."
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24 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
25 290. Willful failure to register is a crime."
26

27 It is further alleged that in the commission and attempted commission of the above offense, the
28 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
29 handgun, within the meaning of Penal Code Section 12022.53(b).
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31 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
32 offense during the commission of a burglary, within the meaning of Penal Code Section
33 667.61(d)(4).
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35 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
36 offense during the commission of a burglary, within the meaning of Penal Code Section
37 667.61(e)(2).
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3 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
4 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
5 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
6 of Penal Code Section 667.61(e)(3).
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9 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
10 present case or cases of committing an offense specified in subdivision (c) against more than one
11 victim, within the meaning of Penal Code Section 667.61(e)(4).
12

13 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
14 binding of the victim or another person in the commission of the present offense, within the
15 meaning of Penal Code Section 667.61(e)(5).
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17 **COUNT FOUR**

18 For a further and separate cause of action, being a different offense of the same class of crimes
19 and offenses and connected in its commission with the charges set forth in Counts One through
20 Three hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
21 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
22 of Section 261(a)(2) of the Penal Code of the State of California, in that said defendant did
23 unlawfully have and accomplish an act of sexual intercourse with a person, to wit, K. DOE, not
24 his spouse, against said person's will, by means of force, violence, duress, menace and fear of
25 immediate and unlawful bodily injury on said person (Last Occasion).
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28 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
29 1192.7(c)."
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32 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
33 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
34 Syndrome (AIDS). Penal Code Section 1202.1."
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37 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
38 290. Willful failure to register is a crime."
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3 It is further alleged that in the commission and attempted commission of the above offense, the
4 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
5 handgun, within the meaning of Penal Code Section 12022.53(b).
6

7 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
8 offense during the commission of a burglary, within the meaning of Penal Code Section
9 667.61(d)(4).
10

11 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
12 offense during the commission of a burglary, within the meaning of Penal Code Section
13 667.61(e)(2).
14

15 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
16 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
17 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
18 of Penal Code Section 667.61(e)(3).
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21 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
22 present case or cases of committing an offense specified in subdivision (c) against more than one
23 victim, within the meaning of Penal Code Section 667.61(e)(4).
24

25 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
26 binding of the victim or another person in the commission of the present offense, within the
27 meaning of Penal Code Section 667.61(e)(5).
28

29 **COUNT FIVE**

30 For a further and separate cause of action, being a different offense of the same class of crimes
31 and offenses and connected in its commission with the charges set forth in Counts One through
32 Four hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
33 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
34 of Section 288a(c)(2) of the Penal Code of the State of California, in that said defendant did
35 unlawfully participate in an act of oral copulation with K. DOE, and did accomplish said act
36 against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful
37 bodily injury to said victim.
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3 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

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6 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
7 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
8 Syndrome (AIDS). Penal Code Section 1202.1."
9

10 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
11 290. Willful failure to register is a crime."
12

13 It is further alleged that in the commission and attempted commission of the above offense, the
14 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
15 handgun, within the meaning of Penal Code Section 12022.53(b).
16

17 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
18 offense during the commission of a burglary, within the meaning of Penal Code Section
19 667.61(d)(4).
20

21 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
22 offense during the commission of a burglary, within the meaning of Penal Code Section
23 667.61(e)(2).
24

25 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
26 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
27 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
28 of Penal Code Section 667.61(e)(3).
29

30 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
31 present case or cases of committing an offense specified in subdivision (c) against more than one
32 victim, within the meaning of Penal Code Section 667.61(e)(4).
33

34 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
35 binding of the victim or another person in the commission of the present offense, within the
36 meaning of Penal Code Section 667.61(e)(5).
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3 **COUNT SIX**

4 For a further and separate cause of action, being a different offense of the same class of crimes
5 and offenses and connected in its commission with the charges set forth in Counts One through
6 Five hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
7 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
8 of Section 289(a)(1) of the Penal Code of the State of California, in that said defendant did
9 unlawfully cause the penetration of the K. DOE opening of K. DOE, for the purpose of sexual
10 arousal, gratification, and abuse by a foreign object, substance, instrument and device, and by an
11 unknown object, accomplished by force, violence, duress, menace and fear of immediate and
12 unlawful bodily injury on the victim.

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14 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
15 1192.7(c)."
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17 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
18 290. Willful failure to register is a crime."
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20 It is further alleged that in the commission and attempted commission of the above offense, the
21 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
22 handgun, within the meaning of Penal Code Section 12022.53(b).
23

24 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
25 offense during the commission of a burglary, within the meaning of Penal Code Section
26 667.61(d)(4).
27

28 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
29 offense during the commission of a burglary, within the meaning of Penal Code Section
30 667.61(e)(2).
31

32 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
33 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
34 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
35 of Penal Code Section 667.61(e)(3).
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1 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
2 present case or cases of committing an offense specified in subdivision (c) against more than one
3 victim, within the meaning of Penal Code Section 667.61(e)(4).
4

5 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
6 binding of the victim or another person in the commission of the present offense, within the
7 meaning of Penal Code Section 667.61(e)(5).
8

9 **COUNT SEVEN**

10 For a further and separate cause of action, being a different offense of the same class of crimes
11 and offenses and connected in its commission with the charges set forth in Counts One through
12 Six hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
13 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
14 of Section 261(a)(2) of the Penal Code of the State of California, in that said defendant did
15 unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Y. DOE, not
16 his spouse, against said person's will, by means of force, violence, duress, menace and fear of
17 immediate and unlawful bodily injury on said person.
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19 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
20 1192.7(c)."
21

22 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
23 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
24 Syndrome (AIDS). Penal Code Section 1202.1."
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26 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
27 290. Willful failure to register is a crime."
28

29 It is further alleged that in the commission and attempted commission of the above offense, the
30 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
31 handgun, within the meaning of Penal Code Section 12022.53(b).
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33 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
34 offense during the commission of a burglary, within the meaning of Penal Code Section
35 667.61(d)(4).
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3 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
4 offense during the commission of a burglary, within the meaning of Penal Code Section
5 667.61(e)(2).
6

7 It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous
8 or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the
9 present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning
10 of Penal Code Section 667.61(e)(3).
11

12 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
13 present case or cases of committing an offense specified in subdivision (c) against more than one
14 victim, within the meaning of Penal Code Section 667.61(e)(4).
15

16 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
17 binding of the victim or another person in the commission of the present offense, within the
18 meaning of Penal Code Section 667.61(e)(5).
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21 **COUNT EIGHT**

22 For a further and separate cause of action, being a different offense of the same class of crimes
23 and offenses and connected in its commission with the charges set forth in Counts One through
24 Seven hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
25 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
26 of Section 261(a)(2) of the Penal Code of the State of California, in that said defendant did
27 unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Y. DOE, not
28 his spouse, against said person's will, by means of force, violence, duress, menace and fear of
29 immediate and unlawful bodily injury on said person.
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31 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
32 1192.7(c)."
33

34 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
35 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
36 Syndrome (AIDS). Penal Code Section 1202.1."
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38 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
39 290. Willful failure to register is a crime."
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It is further alleged that in the commission and attempted commission of the above offense, the defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber handgun, within the meaning of Penal Code Section 12022.53(b).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(d)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(e)(2).

It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning of Penal Code Section 667.61(e)(3).

It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the present case or cases of committing an offense specified in subdivision (c) against more than one victim, within the meaning of Penal Code Section 667.61(e)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or binding of the victim or another person in the commission of the present offense, within the meaning of Penal Code Section 667.61(e)(5).

COUNT NINE

For a further and separate cause of action, being a different offense of the same class of crimes and offenses and connected in its commission with the charges set forth in Counts One through Eight hereof: On or about October 14, 2006, at and in the County of Sacramento, State of California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Y. DOE, not his spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person.



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"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 the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

It is further alleged that in the commission and attempted commission of the above offense, the defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber handgun, within the meaning of Penal Code Section 12022.53(b).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(d)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(e)(2).

It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning of Penal Code Section 667.61(e)(3).

It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the present case or cases of committing an offense specified in subdivision (c) against more than one victim, within the meaning of Penal Code Section 667.61(e)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or binding of the victim or another person in the commission of the present offense, within the meaning of Penal Code Section 667.61(e)(5).



COUNT TEN

For a further and separate cause of action, being a different offense of the same class of crimes and offenses and connected in its commission with the charges set forth in Counts One through Nine hereof: On or about October 14, 2006, at and in the County of Sacramento, State of California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Y. DOE, not his spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person.

"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 the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

It is further alleged that in the commission and attempted commission of the above offense, the defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber handgun, within the meaning of Penal Code Section 12022.53(b).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(d)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(e)(2).

It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning of Penal Code Section 667.61(e)(3).



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3 It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the
4 present case or cases of committing an offense specified in subdivision (c) against more than one
5 victim, within the meaning of Penal Code Section 667.61(e)(4).
6

7 It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or
8 binding of the victim or another person in the commission of the present offense, within the
9 meaning of Penal Code Section 667.61(e)(5).
10

11 **COUNT ELEVEN**

12 For a further and separate cause of action, being a different offense of the same class of crimes
13 and offenses and connected in its commission with the charges set forth in Counts One through
14 Ten hereof: On or about October 14, 2006, at and in the County of Sacramento, State of
15 California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation
16 of Section 288a(c)(2) of the Penal Code of the State of California, in that said defendant did
17 unlawfully participate in an act of oral copulation with Y. DOE, and did accomplish said act
18 against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful
19 bodily injury to said victim.
20

21 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
22 1192.7(c).
23

24 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
25 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
26 Syndrome (AIDS). Penal Code Section 1202.1."
27

28 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
29 290. Willful failure to register is a crime."
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32 It is further alleged that in the commission and attempted commission of the above offense, the
33 defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber
34 handgun, within the meaning of Penal Code Section 12022.53(b).
35

36 It is further alleged that the defendant, ROY CHARLES WALLER, committed the present
37 offense during the commission of a burglary, within the meaning of Penal Code Section
38 667.61(d)(4).
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It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(e)(2).

It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning of Penal Code Section 667.61(e)(3).

It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the present case or cases of committing an offense specified in subdivision (c) against more than one victim, within the meaning of Penal Code Section 667.61(e)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or binding of the victim or another person in the commission of the present offense, within the meaning of Penal Code Section 667.61(e)(5).

COUNT TWELVE

For a further and separate cause of action, being a different offense of the same class of crimes and offenses and connected in its commission with the charges set forth in Counts One through Eleven hereof: On or about October 14, 2006, at and in the County of Sacramento, State of California, the defendant, ROY CHARLES WALLER, did commit a felony, namely: a violation of Section 289(a)(1) of the Penal Code of the State of California, in that said defendant did unlawfully cause the penetration of the anal opening of Y. DOE, for the purpose of sexual arousal, gratification, and abuse by a foreign object, substance, instrument and device, and by an unknown object, accomplished by force, violence, duress, menace and fear of immediate and unlawful bodily injury on the victim.

"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 register pursuant to Penal Code Section 290. Willful failure to register is a crime."



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It is further alleged that in the commission and attempted commission of the above offense, the defendant, ROY CHARLES WALLER, personally used a firearm, to wit, an unknown caliber handgun, within the meaning of Penal Code Section 12022.53(b).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(d)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, committed the present offense during the commission of a burglary, within the meaning of Penal Code Section 667.61(e)(2).

It is further alleged that the defendant, ROY CHARLES WALLER, personally used a dangerous or deadly weapon or a firearm, to wit, an unknown caliber handgun, in the commission of the present offense in violation of Section 12022, 12022.3, 12022.5 or 12022.53, within the meaning of Penal Code Section 667.61(e)(3).

It is further alleged that the defendant, ROY CHARLES WALLER, has been convicted in the present case or cases of committing an offense specified in subdivision (c) against more than one victim, within the meaning of Penal Code Section 667.61(e)(4).

It is further alleged that the defendant, ROY CHARLES WALLER, engaged in the tying or binding of the victim or another person in the commission of the present offense, within the meaning of Penal Code Section 667.61(e)(5).

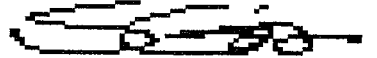
That attached hereto and by this reference incorporated herein is a declaration setting forth facts in support of probable cause for the issuance of a warrant of arrest herein.



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I declare upon information and belief and under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento County, California, the 19th day of September, 2018.



STEVE GRIPPI
SACRAMENTO COUNTY DISTRICT ATTORNEY
(916) 874-6218
Telephone Number

NR



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HOLDING ORDER

_____ It appearing to me that the offense(s) in the within complaint has/have been committed,
and that there is sufficient cause to believe that the defendant, ROY CHARLES
WALLER, is guilty thereof,
_____ The defendant, ROY CHARLES WALLER, having waived preliminary hearing to the
offense(s) set forth in this complaint,

Exceptions/Additions/Conditions: _____

I order that the defendant be held to answer to same. In my capacity as Judge of the Superior
Court, I deem the within complaint to be an Information and order it filed in the Superior Court.

Date: _____ Dept: _____

Judge of the Superior Court Sitting as Magistrate



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4 **DECLARATION IN SUPPORT OF ARREST WARRANT**

5 (Made under 2015.5 CCP)
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7 The undersigned hereby declares:

8 That your declarant is currently employed as a Deputy District Attorney for the County of
9 Sacramento, State of California.

10 That pursuant to said employment, your declarant has been assigned to investigate
11 allegations that the defendant, ROY CHARLES WALLER, did commit the crime(s) as set forth
12 in the attached complaint.

13 That pursuant to said assignment, your declarant has contacted person(s) having
14 knowledge of said offense(s) and who has/have prepared written reports and/or statements,
15 and/or has received and read written reports and/or statements prepared by others known by your
16 declarant to be law enforcement officers, all of which reports and/or statements are included in a
17 report consisting of 3 page(s), which is attached hereto as Exhibit I and incorporated by
18 references as though fully set forth.

19 That each of these documents is presently an official record of a law enforcement agency.

20 WHEREFORE, your declarant prays that a warrant issue for the arrest of the
21 hereinabove-named defendant and that said defendant be dealt with according to law.

22 I declare under penalty of perjury that the foregoing is true and correct.

23 Executed on the 19th day of September, 2018, Sacramento, California.
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30 _____
31 STEVE GRIPPI

32 Declarant

33 901 G Street,

34 Sacramento, California 95814

35 Sacramento County District Attorney
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