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2 DISTRICT ATTORNEY
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4 SACRAMENTO, CA 95814
5 (916) 874-6218
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SPD-10-352728
A. HOLLIDAY, DDA
TEAM: (ASAP)
XRef: 1743192

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10 **SUPERIOR COURT OF CALIFORNIA**
11 **COUNTY OF SACRAMENTO**

12 THE PEOPLE OF THE STATE OF CALIFORNIA,

13 vs.

14 GARY DALE BAKER,

15
16 Defendant(s).

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

22 On or about November 24, 2010, at and in the County of Sacramento, State of California,
23 defendant(s) GARY DALE BAKER did commit a felony namely: a violation of Section
24 261(a)(2) of the Penal Code of the State of California, in that said defendant did unlawfully have
25 and accomplish an act of sexual intercourse with a person, to wit, JANE DOE, not his spouse,
26 against said person's will, by means of force, violence, duress, menace and fear of immediate
27 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)."
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35 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
36 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
37 Syndrome (AIDS). Penal Code Section 1202.1."
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4 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
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6 290. Willful failure to register is a crime."
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9 **COUNT TWO**

10 For a further and separate cause of action, being a different offense of the same class of crimes
11 and offenses as the charges set forth in Count One hereof: On or about November 24, 2010, at
12 and in the County of Sacramento, State of California, defendant(s) GARY DALE BAKER did
13 commit a felony namely: a violation of Section 288a(c)(2) of the Penal Code of the State of
14 California, in that said defendant did unlawfully participate in an act of oral copulation with
15 JANE DOE, and did accomplish said act against said victim's will by force, violence, duress,
16 menace, and fear of immediate and unlawful bodily injury to said victim.
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20 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21 1192.7(c).
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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."
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30 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
31 290. Willful failure to register is a crime."
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COUNT THREE

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in Counts One and Two hereof: On or about November 24, 2010, at and in the County of Sacramento, State of California, defendant(s) GARY DALE BAKER did commit a felony namely: a violation of Section 243.4(a) of the Penal Code of the State of California, in that said defendant did willfully and unlawfully touch an intimate part of JANE DOE, to wit, touched breast with mouth, while said person was unlawfully restrained by said defendant(s) and an accomplice, against the will of said person and for the purpose of sexual arousal, sexual gratification, and sexual abuse.

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

COUNT FOUR

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in Counts One through Three hereof: On or about September 20, 2012, at and in the County of Sacramento, State of California, defendant(s) GARY DALE BAKER did commit a felony namely: a violation of Section 288a(c)(2) of the Penal Code of the State of California, in that said defendant did unlawfully participate in an act of oral copulation with JANE DOE, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim.

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

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4 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
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6 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
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8 Syndrome (AIDS). Penal Code Section 1202.1."
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10 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
11
12 290. Willful failure to register is a crime."
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14 **COUNT FIVE**

15 For a further and separate cause of action, being a different offense of the same class of crimes
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17 and offenses as the charges set forth in Counts One through Four hereof: On or about September
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19 20, 2012, at and in the County of Sacramento, State of California, defendant(s) GARY DALE
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21 BAKER did commit a felony namely: a violation of Section 220 of the Penal Code of the State
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23 of California, in that said defendant did willfully and unlawfully assault JANE DOE, with the
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25 intent to commit rape in violation of Penal Code Section 261(a)(2).
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28 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
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30 1192.7(c)(10)."
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32 "NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section
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34 290. Willful failure to register is a crime."
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4 **COUNT SIX**

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6 For a further and separate cause of action, being a different offense of the same class of crimes
7 and offenses as the charges set forth in Counts One through Five hereof: On or about December
8 11, 2012, at and in the County of Sacramento, State of California, defendant(s) GARY DALE
9 BAKER did commit a felony namely: a violation of Section 664/ 288a(c)(2) of the Penal Code of
10 the State of California, in that said defendant did unlawfully attempt to participate in an act of
11 oral copulation with JANE DOE, and did accomplish said act against said victim's will by force,
12 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim.
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16 "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
17 1192.7(c).
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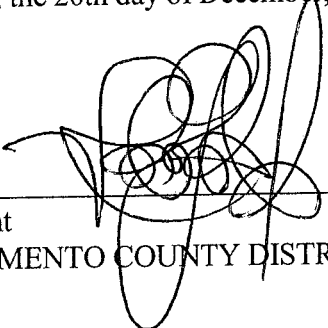
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20 "NOTICE: Conviction of this offense will require the court to order you to submit to a blood test
21 for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency
22 Syndrome (AIDS). Penal Code Section 1202.1."
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25
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."
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30 That attached hereto and by this reference incorporated herein is a declaration setting forth facts in
31 support of probable cause for the issuance of a warrant of arrest herein.
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4 I declare upon information and belief and under penalty of perjury that the foregoing is true and
5 correct.
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7 Executed at Sacramento County, California, the 20th day of December, 2012.
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13 Declarant
14 SACRAMENTO COUNTY DISTRICT ATTORNEY

15 (916) 874-6218
16 Telephone Number
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19 BRG
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21 **HOLDING ORDER**

22 _____ It appearing to me that the offense(s) in the within complaint has/have been committed,
23 and that there is sufficient cause to believe that the defendant, GARY DALE BAKER, is guilty
24 thereof,

25 _____ The defendant, GARY DALE BAKER, having waived preliminary hearing to the
26 offense(s) set forth in this complaint,
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29 Exceptions/Additions/Conditions: _____
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32 I order that the defendant be held to answer to same. In my capacity as Judge of the Superior
33 Court, I deem the within complaint to be an Information and order it filed in the Superior
34 Court.
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37 Date: _____ Dept. _____
38 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
9 of Sacramento, State of California.

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

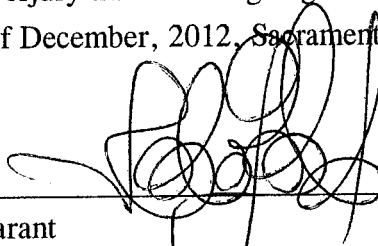
13 That pursuant to said assignment, your declarant has contacted person(s) having
14 knowledge of said offense(s) and who has/have prepared written reports and/or statements,
15 and/or has received and read written reports and/or statements prepared by others known by
16 your declarant to be law enforcement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

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

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

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

24 Executed on the 20th day of December, 2012, Sacramento, California.

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29 Declarant

30 901 G Street,

31 Sacramento, California 95814

32 Sacramento County District Attorney