

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

FEB 26 2010

ALAN CARLSON, Clerk of the Court

BY M. Johnson DEPUTY
MJ

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER
3
4
5

6 THE PEOPLE OF THE STATE OF CALIFORNIA,) FELONY COMPLAINT
7) WARRANT
8 Plaintiff,) AMENDMENT 1
9)
10 vs.)
11 JAMES ROBERTS III 05/27/76) No. 09CF2191
12 B3350168) OCSO 08-250088
13) DOMESTIC VIOLENCE
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
Defendant(s))

14 The Orange County District Attorney charges that in Orange
15 County, California, the law was violated as follows:

16 COUNT 1: On or about July 03, 2007, in violation of Section
17 273.5(a) of the Penal Code (DOMESTIC BATTERY WITH CORPORAL
18 INJURY), a FELONY, JAMES ROBERTS III did willfully and
19 unlawfully inflict corporal injury resulting in a traumatic
condition upon JANE DOE #1, who was the spouse of the defendant.

20 COUNT 2: On or about July 22, 2007, in violation of Section 594
21 (a)/(b)(1) of the Penal Code (VANDALISM - DAMAGE \$400 OR MORE),
22 a FELONY, JAMES ROBERTS III did maliciously and unlawfully
23 deface with graffiti and other inscribed material, damage, and
24 destroy FURNITURE AND FURNISHINGS, real and personal property
belonging to JANE DOE #1, in the amount of four hundred dollars
(\$400) and more.

25 /
26 /
27 /
28 /
/

JAMES ROBERTS III OCSO 08-250088 PAGE 2

1 COUNT 3: On or about July 22, 2007, in violation of Section 422
2 of the Penal Code (CRIMINAL THREATS), a FELONY, JAMES ROBERTS
3 III did willfully and unlawfully threaten JANE DOE #1 to commit
4 a crime which would result in death and great bodily injury to
5 JANE DOE #1, with the specific intent that the statement be
6 taken as a threat, and the statement was so unequivocal,
7 unconditional, immediate, and specific as to convey to the
8 person threatened a gravity of purpose and an immediate prospect
9 of execution of the threat, causing JANE DOE #1 to reasonably be
10 in sustained fear for his/her safety and the safety of his/her
11 immediate family.
12

9 COUNT 4: On or about July 22, 2007, in violation of Section
10 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
11 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
12 personal liberty of JANE DOE #2 by violence, menace, fraud, and
13 deceit.
14

13 COUNT 5: On or about and between March 01, 2007 and July 22,
14 2007, in violation of Section 236/237(a) of the Penal Code
15 (FALSE IMPRISONMENT BY VIOLENCE / DECEIT), a FELONY, JAMES
16 ROBERTS III did unlawfully violate the personal liberty of JANE
17 DOE #2 by violence, menace, fraud, and deceit.
18

17 COUNT 6: On or about October 31, 2007, in violation of Section
18 273.5(a) of the Penal Code (DOMESTIC BATTERY WITH CORPORAL
19 INJURY), a FELONY, JAMES ROBERTS III did willfully and
20 unlawfully inflict corporal injury resulting in a traumatic
21 condition upon JANE DOE #1, who was the spouse of the defendant.
22

21 COUNT 7: On or about October 31, 2007, in violation of Section
22 245(a)(1) of the Penal Code (AGGRAVATED ASSAULT), a FELONY,
23 JAMES ROBERTS III did willfully and unlawfully commit an
24 assault upon the person of JANE DOE #1 by means of force likely
25 to produce great bodily INJURY.
26

25 COUNT 8: On or about October 31, 2007, in violation of Section
26 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
27 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
28 personal liberty of JANE DOE #1 by violence, menace, fraud, and
deceit.
29
/

1 COUNT 9: On or about November 22, 2007, in violation of Section
2 422 of the Penal Code (CRIMINAL THREATS), a FELONY, JAMES
3 ROBERTS III did willfully and unlawfully threaten JANE DOE #1
4 to commit a crime which would result in death and great bodily
5 injury to JANE DOE #1, with the specific intent that the
6 statement be taken as a threat, and the statement was so
7 unequivocal, unconditional, immediate, and specific as to convey
8 to the person threatened a gravity of purpose and an immediate
9 prospect of execution of the threat, causing JANE DOE #1 to
10 reasonably be in sustained fear for his/her safety and the
11 safety of his/her immediate family.
12
13 COUNT 10: On or about November 22, 2007, in violation of Section
14 136.1(c)(1) of the Penal Code (DISSUADE WITNESS BY FORCE OR
15 THREAT), a FELONY, JAMES ROBERTS III did knowingly, maliciously,
16 and unlawfully prevent and dissuade and attempt to prevent and
17 dissuade JANE DOE #1, a victim and a witness, from arresting,
18 causing, and seeking an arrest in connection with that
19 victimization, by force and by an express and implied threat of
20 force and violence upon the person and property of JANE DOE #1.
21
22 COUNT 11: On or about November 22, 2007, in violation of Section
23 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
24 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
25 personal liberty of JANE DOE #1 by violence, menace, fraud, and
26 deceit.
27
28 COUNT 12: On or about March 22, 2008, in violation of Section
29 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
30 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
31 personal liberty of JANE DOE #1 by violence, menace, fraud, and
32 deceit.
33
34 COUNT 13: On or about and between May 01, 2008 and May 31,
35 2008, in violation of Section 245(a)(1) of the Penal Code
36 (AGGRAVATED ASSAULT), a FELONY, JAMES ROBERTS III did willfully
37 and unlawfully commit an assault upon the person of JANE DOE #2
38 by means of force likely to produce great bodily INJURY.
39
40 COUNT 14: On or about and between May 01, 2008 and May 31,
41 2008, in violation of Section 236/237(a) of the Penal Code
42 (FALSE IMPRISONMENT BY VIOLENCE / DECEIT), a FELONY, JAMES
43 ROBERTS III did unlawfully violate the personal liberty of JANE
44 DOE #2 by violence, menace, fraud, and deceit.

JAMES ROBERTS III OCSO 08-250088 PAGE 4

1 COUNT 15: On or about May 11, 2008, in violation of Section
2 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
3 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
personal liberty of JANE DOE #1 by violence, menace, fraud, and
deceit.

4

5 COUNT 16: On or about May 11, 2008, in violation of Section
6 236/237(a) of the Penal Code (FALSE IMPRISONMENT BY VIOLENCE /
7 DECEIT), a FELONY, JAMES ROBERTS III did unlawfully violate the
personal liberty of CHILD DOE by violence, menace, fraud, and
deceit.

8

9 COUNT 17: On or about December 10, 2008, in violation of Section
10 422 of the Penal Code (CRIMINAL THREATS), a FELONY, JAMES
11 ROBERTS III did willfully and unlawfully threaten BRAD DRUDE to
12 commit a crime which would result in death and great bodily
13 injury to BRAD DRUDE, with the specific intent that the
14 statement be taken as a threat, and the statement was so
15 unequivocal, unconditional, immediate, and specific as to convey
to the person threatened a gravity of purpose and an immediate
prospect of execution of the threat, causing BRAD DRUDE to
reasonably be in sustained fear for his/her safety and the
safety of his/her immediate family.

16

17 COUNT 18: On or about October 31, 2007, in violation of Section
18 262(a)(1) of the Penal Code (SPOUSAL RAPE BY FORCE), a FELONY,
19 JAMES ROBERTS III did unlawfully commit an act of sexual
intercourse with JANE DOE #1, who was the spouse of the
defendant, accomplished against the will of JANE DOE #1 by means
20 of force, violence, duress, menace, and fear of immediate and
21 unlawful bodily injury to JANE DOE #1.

22 COUNT 19: On or about July 22, 2007, in violation of Section 286
23 (c)(2) of the Penal Code (SODOMY BY FORCE), a FELONY, JAMES
24 ROBERTS III did unlawfully commit an act of sodomy upon JANE
25 DOE #2, accomplished against the will of JANE DOE #2 by means of
force, violence, duress, menace, and threat of immediate and
unlawful bodily injury to JANE DOE #2.

26

27 /

28 /

/

/

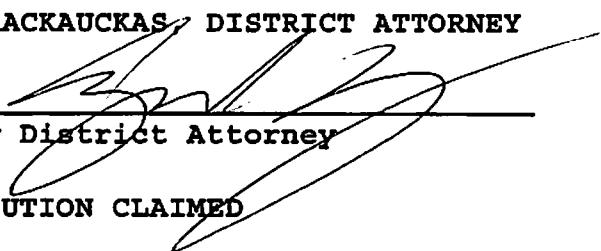
JAMES ROBERTS III OCSO 08-250088 PAGE 5

1 COUNT 20: On or about and between May 01, 2008 and May 31,
2 2008, in violation of Section 261(a)(2) of the Penal Code
3 (FORCIBLE RAPE), a FELONY, JAMES ROBERTS III did unlawfully
4 commit an act of sexual intercourse with JANE DOE #2, who was
5 not the spouse of the defendant, accomplished against the will
6 of JANE DOE #2 by means of force, violence, duress, menace, and
7 fear of immediate and unlawful bodily injury to JANE DOE #2.

8 I declare under penalty of perjury, on information and belief,
9 that the foregoing is true and correct.

10
11 Dated 02-25-2010 at Orange County, California.
12 CY/IM 09F15072

13
14 TONY RACKAUCKAS, DISTRICT ATTORNEY

15 by: 
16 Deputy District Attorney

17 RESTITUTION CLAIMED

18 [] None
19 [] \$ _____
20 [X] To be determined

21 NOTICES:

22 The People request that defendant and counsel disclose, within
23 15 days, all of the materials and information described in Penal
24 Code section 1054.3, and continue to provide any later-acquired
25 materials and information subject to disclosure, and without
further request or order.

26 Pursuant to Penal Code Section 296.1, defendant, JAMES ROBERTS
27 III, is required to provide DNA samples and thumb and palm
prints.

28 The People intend to proceed pursuant to Evidence Code sections
1101(b), 1107, 1109, and 1370.

Next Document

**SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE
DOCKET REPORT**

Case : 09CF2191 FA

Name : Roberts, James III

Date of Action	Seq Nbr	Code	Text
----------------	---------	------	------

02/26/10	1	FLACT	First Amended Complaint filed by Orange County District Attorney on 02/26/2010.
	2	FLCNT	FELONY charge of 273.5(a) PC filed as count 1. Date of violation: 07/03/2007.
	3	FLCNT	FELONY charge of 594(a)/(b)(1) PC filed as count 2. Date of violation: 07/22/2007.
	4	FLCNT	FELONY charge of 422 PC filed as count 3. Date of violation: 07/22/2007.
	5	FLCNT	FELONY charge of 236-237(a) PC filed as count 4. Date of violation: 07/22/2007.
	6	FLCNT	FELONY charge of 236-237(a) PC filed as count 5. Date of violation: 03/01/2007.
	7	FLCNT	FELONY charge of 273.5(a) PC filed as count 6. Date of violation: 10/31/2007.
	8	FLCNT	FELONY charge of 245(a)(1) PC filed as count 7. Date of violation: 10/31/2007.
	9	FLCNT	FELONY charge of 236-237(a) PC filed as count 8. Date of violation: 10/31/2007.
	10	FLCNT	FELONY charge of 422 PC filed as count 9. Date of violation: 11/22/2007.
	11	FLCNT	FELONY charge of 136.1(c)(1) PC filed as count 10. Date of violation: 11/22/2007.
	12	FLCNT	FELONY charge of 236-237(a) PC filed as count 11. Date of violation: 11/22/2007.
	13	FLCNT	FELONY charge of 236-237(a) PC filed as count 12. Date of violation: 03/22/2008.
	14	FLCNT	FELONY charge of 245(a)(1) PC filed as count 13. Date of violation: 05/01/2008.
	15	FLCNT	FELONY charge of 236-237(a) PC filed as count 14. Date of violation: 05/01/2008.
	16	FLCNT	FELONY charge of 236-237(a) PC filed as count 15. Date of violation: 05/11/2008.
	17	FLCNT	FELONY charge of 236-237(a) PC filed as count 16. Date of violation: 05/11/2008.
	18	FLCNT	FELONY charge of 422 PC filed as count 17. Date of violation: 12/10/2008.
	19	FLCNT	FELONY charge of 262(a)(1) PC filed as count 18. Date of violation: 10/31/2007.
	20	FLCNT	FELONY charge of 286(c)(2) PC filed as count 19. Date of violation: 07/22/2007.
	21	FLCNT	FELONY charge of 261(a)(2) PC filed as count 20. Date of violation: 05/01/2008.
	22	HHELD	Hearing held on 02/26/2010 at 08:30:00 AM in Department C55 for Pre Trial.
	23	OFJUD	Officiating Judge: Vickie Hix, Commissioner
	24	OFJA	Clerk: C. Simoni
	25	OFBAL	Bailiff: Present

**SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE
DOCKET REPORT**

Case : 09CF2191 F A

Name : Roberts, James III

Date of Action	Seq Nbr	Code	Text
----------------	---------	------	------

02/26/10 26 OFREP Court Reporter: Monica Ramirez
27 APDDA People represented by Cyril Yu, Deputy District Attorney, present.
28 APDWRA Defendant present in Court with counsel Barnett, John D., Retained Attorney.
29 CPCDD Copy of First Amended Complaint given to defendant.
30 WVRAA Defendant waives reading and advisement of the First Amended Complaint.
31 PLNGA To the First Amended Complaint defendant pleads NOT GUILTY to all counts.
32 PLCJN Counsel joins in waivers and plea.
33 ADLCR Defendant advised of legal and constitutional rights.
34 WVTPH Court finds the defendant understandingly, knowingly, and voluntarily waives the right to a Preliminary Hearing within 10 court days/60 calendar days of arraignment.
35 PLCJN Counsel joins in waivers.
36 CLCON Pre Trial continued to 04/22/2010 at 08:30 AM in Department C55 at request of Defense.
37 CLSET Preliminary Hearing set on 04/28/2010 at 08:30 AM in Department C55.
38 DFOTR Defendant ordered to appear.
39 FIDVO Protective Order signed, served on the defendant, and filed.
40 DOCTO Comply with all terms of Protective Order.
41 DOPOS Court orders the protective order sealed pursuant to Penal Code section 293.
42 FXRLST Release status of defendant entered in error. Correct release status should reflect: Released on Bond.
43 BLPBS Present bail deemed sufficient and continued.
44 OFMEC Minutes entered by M. Johnson.
45 DOPOF Protective Order faxed to Protective Order Registry.
46 DOORG Protective Order modified in the Protective Order Registry.