

FILED

MAY 20 1988  
KAREN L. SHORT, ACTING  
Clerk of the Municipal Court of California  
County of Marin Central Judicial District  
By P. Monner Deputy Clerk

STATE OF CALIFORNIA       )  
                                  )  
COUNTY OF MARIN       )   ss. AFFIDAVIT FOR SEARCH WARRANT

TED LINDQUIST, affiant, being duly sworn deposes and says, that the affiant has, and there is just and probable cause to believe and he does believe that the property described hereinafter falls within those grounds indicated below by "x"(s) in that it:

\_\_\_\_\_ was stolen or embezzled  
  X   was used as the means of committing a felony  
\_\_\_\_\_ is possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery  
  X   is evidence which tends to show that a felony has been committed or a particular person has committed a felony  
\_\_\_\_\_ is evidence which tends to show the sexual exploitation of a child, in violation of Section 311.3 of the California Penal Code, has occurred, or is occurring;

and that said property is now located at and affiant requests the issuance of a warrant to SEARCH:

The premises and archives of the Pacific Bell Offices located at:

1155 Market Street, Suite 300, San Francisco, California.

for the following:

Telephone records in the name of Richard Alexander Baldwin and telephone records for Mr. Baldwin's place of business, "The Classic Car Shop" at 36 Front Street, San Rafael,

California, which during 1982 subscribed to the Pacific Bell Telephone Number 415-456-5900.

That the following facts establish the existence of grounds for the issuance of a Search Warrant and further establish probable cause for believing that said grounds exist:

My name is Ted Lindquist. I am an Investigator with the Marin County District Attorney's Office and have been so employed since January, 1988. Prior to my employment with the Marin County District Attorney's Office, I was employed as a police officer with the San Rafael Police Department and was so employed for approximately 16 years. During 1982 my assignment in the Investigations Bureau of the San Rafael Police Department was the investigation of crimes against persons. In the course of my experience I have investigated numerous homicide and apparent homicide cases as well as other crimes against persons. I completed the National Homicide Symposium sponsored by the California District Attorney's Association in San Diego in 1979 and have completed the Homicide Investigator's Course given by San Jose State University in 1981.

On July 16, 1982, I was the principal investigating officer and affiant for a search warrant relating to the investigation of the murder of Richard Alexander Baldwin which is attached and incorporated by reference as Exhibit A-1.

From July of 1982 through the spring of 1984, I was responsible for the investigation of the Baldwin Homicide which resulted in the conviction of two defendants during 1984. A Mr. Mark Richards, a long time friend of victim Baldwin, was convicted of First Degree Murder, with special circumstances and has been sentenced to life in prison without possibility of parole. His conviction was affirmed in the California Appellate Courts on April 29, 1988. A Mr. Crossan David Hoover, a juvenile tried as an adult in this matter, was also convicted of First Degree Murder during a separate trial and is currently serving his sentence in prison. Mr. Hoover's conviction has been affirmed by the California Appellate Courts.

During 1983, while investigating the murder of Richard Baldwin, I had an occasion to contact the Security Office of the Pacific Telephone and Telegraph Company in San Francisco. I contacted security personnel of the telephone company for the purposes of obtaining telephone toll records for the month of June and July, 1982. At the time I made contact with the Security Office personnel, I was in possession of written consent to obtain those telephone records from Mr. Baldwin's mother and executrix of his estate, Mrs. Ellen Baldwin. When I made the request of Pacific Telephone to obtain those previously mentioned telephone records, I made my request during the summer of 1983. I was informed by Pacific Telephone security personnel that the telephone records for Mr. Baldwin's telephone at the Classic Car Shop in San Rafael were no longer available. It was explained to me by Pacific Telephone security personnel that the telephone company purges their computer records of toll and long distance calls one year after the call is made.

During 1986, I had an occasion to meet and speak with Mr. Jerry Harrington, who at that time was employed by Pacific Bell as a Chief Special Agent in the Security Department of that company. During the course of that conversation with Mr. Harrington, he informed me that although Pacific Bell purges their computer records of telephone long distance and toll calls one year after they are made, copies of those telephone bills are saved in archives for a period of time ranging from six to eight years after the initial billing period.

During February of 1988, I contacted Mrs. Ellen Baldwin, mother and executrix of the Estate of Richard Baldwin. I informed Mrs. Baldwin that I have information to believe that telephone toll records of her son's business telephone account at the Classic Car Shop in San Rafael may still be in storage in the archives of the Pacific Bell office in San Francisco. I received consent in writing from Mrs. Baldwin to obtain the information from Pacific Bell which Mrs. Baldwin signed on February 18, 1988 at San Rafael, California, which is incorporated herein as Exhibit "B."

I subsequently contacted a Ms. Sally Hughes of the Security Department of the Pacific Bell Company located at 1155 Market Street, Suite 300, San Francisco, phone number 415-542-9420. After I informed Ms. Hughes of the written consent that I have for the business telephone records of Richard Baldwin, she informed me that written consent to obtain these telephone records would be insufficient to permit Pacific Bell to turn over the requested information. I am informed by Ms. Hughes that Pacific Bell regulations, as well as regulations from the California Utilities Commission prevent the release of the requested information without a search warrant or a subpoena duces tecum.

During the course of my investigation of the murder of Richard Baldwin I became very familiar with and learned that defendants Mark Richards and Crossan Hoover and a Mr. Andrew Campbell, who was not charged in this matter, engaged in conduct before, during, and after the commission of Mr. Baldwin's murder which led me to discover many varied and valuable pieces of evidence and other information which established the guilt of Mark Richards and Crossan Hoover for the murder of Richard Baldwin. Those pieces of evidence and information related to fraudulent credit card transactions in the victim's name, forged checks in the victim's name, a fraudulent credit application in the victim's name, theft of property from the victim's business and his residence, and an unsuccessful attempt to cover up the commission of this crime by attempting to destroy evidence.

Specifically, the investigation of the murder of Richard Baldwin has shown that Mr. Baldwin was murdered on or about July 6, 1982. Mr. Baldwin's body was discovered in the San Pablo Bay on July 13, 1982.

After the arrest of defendants Mark Richards and Crossan Hoover on July 16, 1982, I learned that Mr. Richards had been engaging in thefts from Mr. Baldwin's person, his residence at 18 Venetia

Meadows, and his business at 36 Front Street in San Rafael during the week immediately preceding his arrest.

On July 12, 1982, Mark Richards made several purchases using the credit card of Richard Baldwin at Montgomery Ward Department stores in Richmond and Daly City.

On July 12, 1982, Mark Richards made a purchase at "Video Concepts" in San Francisco forging the signature of Richard Baldwin on Mr. Baldwin's personal check.

On July 12, 1982, Mark Richards made a purchase at "Whale Point Marina" in Richmond and forged the signature of Richard Baldwin on Mr. Baldwin's personal check.

During the week following the murder of Richard Baldwin on July 6, 1982, Crossan Hoover drove Mr. Baldwin's Datsun station wagon to the East Bay and abandoned it in the vicinity of the Oakland Train Station.

On July 13, 1982, Mark Richards attempted to make a credit purchase from Mathews T.V. in Daly City in the amount of \$10,035.00. Mr. Richards used the name and California driver's license of Richard Baldwin to identify himself and filled out a credit application which displayed as his business address, the Classic Car Shop, 36 Front Street, San Rafael, California, phone number 415-456-5900. During the week that followed this transaction, I have since determined that an employee from Mathews T.V. made two telephone calls to the Classic Car Shop, 456-5900, in an effort to discuss the transaction just described.

My investigation enabled me to recover and preserve the original business records and cancelled checks from Mr. Baldwin's account documenting these fraudulent transactions.

Among the several telephone messages I discovered on Richard Baldwin's business telephone answering machine during my investigation, were two messages from Mathews T.V. in Daly City.

It is my belief, based on what information I have determined in this investigation of the murder of Richard Baldwin, and the experience I have accumulated during the course of my career as a police officer over the past sixteen years, that it is highly likely that telephone toll charges will appear on the telephone billing record of Richard Baldwin at phone number 415-456-5900 associated with the criminal activity that Mark Richards was engaging in on July 12 and July 13, 1982, and that such activity may prove that Mark Richards was present at Richard Baldwin's Classic Car Shop, during and after Mr. Baldwin's murder. I am seeking this information to corroborate the fact that Mark Richards used the residence and/or place of business of Richard Baldwin to facilitate the theft of his (Baldwin's) property. I would use this information in any future court proceedings that would be necessitated by a reversal of the pending conviction. The telephone record information may well be destroyed shortly.

WHEREFORE, affiant prays that a Search Warrant issue commanding that a search be made of the places, vehicles, persons and things described herein for the articles, items and property above described and that the same be brought before a magistrate and disposed of according to law.

*Lee M. [Signature]*  
Affiant

Subscribed and sworn to before me  
on 5/10, 1988. *[Signature]*

*[Signature]*  
Judge of the *Municipal* Court  
County of Marin  
State of California

STATE OF CALIFORNIA       )  
                                  )  
COUNTY OF MARIN       )   ss. AFFIDAVIT FOR SEARCH WARRANT

TED LINDQUIST affiant, being duly sworn deposes and says, that the affiant has, and there is just and probable cause to believe and he does believe that the property described hereinafter falls within those grounds indicated below by "x"(s) in that it:

- X      was stolen or embezzled
- X      was used as the means of committing a felony
- X      is possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery
- X      is evidence which tends to show that a felony has been committed or a particular person has committed a felony; and that said property is now

located at and affiant requests the issuance of a warrant to SEARCH:

(1) The premises and building known and designated as and commonly called:

(A) 366 Butterfield Road, San Anselmo, California, a yellow stucco and wood constructed, single story, single family dwelling, with garage attached only by a common roof with the numerals "366" on the garage which faces west toward Butterfield Road; a boat is located to the right of the garage and the main portion of the residence is directly behind the garage as one faces the garage. CF5179CG is the number on the said boat. The garage has brown trim on it and the driveway is of gravel composition, including all rooms, attics, basements and other parts therein, other buildings, garages, storage rooms, and outbuildings used in connection with the premises or located thereon and in any receptacle or safe therein.

(B) 1090 Cambridge Street, Novato, California, a single story, single family dwelling of wood and stucco construction, light brown and dark brown in color with the numerals "1090" on the front of the house over the mailbox and on the curb in front of said residence, including all rooms, attics, basements and other parts therein, other buildings, garages, storage rooms, and outbuildings used in connection

with the premises or located thereon and in any receptacle or safe therein.

(C) 32 Los Padres Circle, in the Cross Roads condominium and apartment complex area of Novato, California, said address being located on the ground floor in the northwest corner of a 4-plex building; the numerals "32" are located to the right of the entrance to said dwelling, including all rooms, attics, basements and other parts therein, other buildings, garages, storage rooms, and outbuildings used in connection with the premises or located thereon and in any receptacle or safe therein.

(2) The motor vehicle designated and described as:

(A) A 1979 blue Ford Granada, California license 525 XPP;

(B) A 1976 Porsche, California license 1CDR882, black in color.

(C) An older model blue Ford pick-up truck bearing California license 1Y75915.

(3) The persons of:

(A) MARK RICHARDS described as a white male adult, date of birth 6/28/53, 5'11" in height, 165 pounds, brown hair, blue eyes, presently believed to be located at 366 Butterfield Road.

(B) ANDREW CAMPBELL, a white male, approximately 17 years of age, presently believed to be located at 1090 Cambridge Street, Novato, California.

(C) A white male, approximately 17 years of age, with the nickname of "Crossy" presently believed to be located at 32 Los Padres Circle, Novato, California.

(4) Other:

Boat, bearing the number CF5179CG, presently located in the driveway of 366 Butterfield Road, San Anselmo.

for the following:

1. Coaxial cable described as follows: black plastic cover over silver metal mesh, over a white plastic core which in turn surrounds one strand of copper wire, the total diameter thereof being approximately 5/16ths inches.

2. A hemp-type rope.

3. Knife or knives or other sharp instruments with or without apparent blood stains.

4. Beige or light brown corduroy "slip cover" or portions thereof.

5. Wire cutters.
6. Vehicle registration documents for any vehicles.
7. Documents bearing the name or variations of the name of Richard Alexander Baldwin, date of birth 9/9/45, including but not limited to identification cards, driver's licenses, credit cards, credit card receipts representing credit card transactions and vehicle registration documents.
8. Silver duct tape.
9. Clear plastic cover material.
10. Bamboo-type shades.
11. Personal or business records of Mark Richards tending to identify past or present employees of his including but not limited to payroll ledgers, checkbooks, checkbook stubs, cancelled checks, work rosters, tax or payroll deduction documents.
12. Video cassette or other video player bearing the brand name of "Wards" or "Montgomery Wards."
13. Brown terrycloth towels or portions thereof.
14. Metal or concrete encased safe.
15. Shoes and other clothing that may contain bloodstains; any objects with apparent bloodstains on them.
16. Drills, drill bits, and other tools capable of being used for opening a safe.
17. Indicia of occupancy or ownership; articles of personal property tending to establish the identity of persons in control of the said premises; storage areas or containers where the above items are found consisting in part of and including but not limited to utility company receipts, rent receipts, cancelled mail envelopes, credit card gas receipts, keys and warranties.

That the following facts establish the existence of grounds for the issuance of a Search Warrant and further establish probable cause for believing that said grounds exist:

My name is Ted Lindquist. I am a police officer with the San Rafael Police Department and have been so employed for 10 years and am currently assigned to the investigations division thereof, and more specifically assigned to crimes against persons. In the course of my experience I have investigated numerous homicide and apparent homicide cases as well as other crimes against persons. I completed the National Homicide Symposium sponsored by the California District Attorney's Association in San Diego in 1979 and have completed the Homicide Investigator's Course given by San Jose State University in 1981.

On July 15, 1982, I met Keith Arthur Andrews in the

investigations division of the Marin County Sheriff's Department and spoke to him there regarding what knowledge he might have regarding one Mark Richards and his possible involvement in the disappearance and death of Richard Alexander Baldwin. Mr. Andrews indicated to me that he was willing to assist me and other officers in any way he could in the investigation into the death of Mr. Baldwin. I have examined a teletype "rap sheet" for Mr. Andrews and find that he has no prior arrests nor convictions for any offense and have also examined the printout of his driving record which indicates no convictions or even traffic offenses and indicates his present address to be 30 Prospect in San Anselmo. I have read the statement of Keith Arthur Andrews attached hereto and marked "Exhibit A" and hereby incorporate that statement herein by reference. Mr. Andrews appears to me to be an honest person who desires to assist law enforcement in the solving of this crime and has no other reason for coming forward.

I have been informed by Sgt. R. Keaton that the U.S. Coast Guard found the body of a male individual, later identified as Richard Alexander Baldwin, near islands commonly called "The Two Sisters" which are in the Bay east of McNear's Beach in Marin County. The body was taken by the Coast Guard to Solano County the evening it was found, to wit: July 13, 1982. The body was identified as that of Mr. Baldwin by fingerprints being compared to a real estate application submitted to the California Department of Justice by San Rafael Police Department in 1979. According to Deputy Sheriff Ray Maynard when the body was found it was wrapped in a beige or light brown corduroy-type slip cover and a bamboo shade and covered by a clear plastic cover all of which was bound with silver duct tape, a hemp-type rope, and a black coaxial cable with a plastic cover over a silver metal mesh which in turn covered a white plastic core which also covered a single strand of copper wire, all of which measured approximately 5/16ths inches in diameter. Stuffed in the mouth of the body was a brown terrycloth hand towel.

Deputy Maynard has informed me that he learned from Dr. Harold Brazil, a pathologist employed by the County of Solano, who performed an autopsy on the body, that the cause of death appeared to be from two stab wounds to the heart which were further described as small, narrow puncture wounds. Dr. Brazil also indicated and Deputy Maynard observed that above the left ear there was a large skull fracture which had obviously resulted from a severe blow to the head from a fairly large blunt object which injury Dr. Brazil indicated, in his opinion, occurred near the time of death. Although the body had some clothing on it, no keys to either the home or the business of Mr. Baldwin were located on the body. Also around the body was a black "bungi" cord. Attached to the body was a 9 horsepower Wards Sea King outboard motor with a white cover which appeared to have a blue paint transfer on it; the gear throttle was held down with the "bungi" cord. There was a repair tag on the motor which read "Ready Outboards, 245 Gate 5 Road, Sausalito, 332-5233." Sgt. Keaton informed me that Dr. Brazil estimated that the body had been in the water from 5 to 15 days, probably a week.

Sgt. R. Keaton has informed me that the victim Baldwin was reported missing by Mrs. Baldwin, his mother, during the week of July 5, 1982. Keaton also informed me that on 7/14/82 he spoke with Mrs.

Baldwin who stated that she had tried to contact all of her son's known acquaintances and was able to reach all but two of them, one of those she was unable to reach was Mark Richards. Mrs. Baldwin indicated that she learned from her son that Mark Richards was to be at the victim's residence located at 18 Venetia Meadows in Santa Venetia on Tuesday, July 6, 1982, to do a remodeling job. She became aware that some work was done on that date in that trenches were dug and the work was to continue on July 7, but no one showed up to do it and the work has not yet been done. Mrs. Baldwin, according to Keaton was told by the victim that he was going to get a safe to keep valuables in, but she did not know for a fact whether he had done so or not. She stated that she knew that her son, as a result of his work in repairing automobiles at his shop located at 36 Front Street, San Rafael, and known as "Classic Car Repair" often possessed and carried on his person large sums of cash.

On July 15, 1982, after consent was obtained from Mrs. Baldwin, I entered and assisted in searching for evidence both the residence of the victim at 18 Venetia Meadows and his business located at 36 Front Street in San Rafael. I have been informed that prior to my entry that officers of the Marin County Sheriff's Department and San Rafael officers at the Front Street address, had previously made a forced entry at each location in an effort to determine whether or not Mr. Baldwin was in need of aid within either structure. Those entries were made on July 14, 1982. During the entry at 36 Front Street a personal telephone directory apparently belonging to the victim was located and in the directory is located the name of Mark Richards with two telephone numbers being indicated.

During my examination of the interior of 18 Venetia Meadows it appeared that other than the entry made by the officers there had been no forcible entry from the exterior of the house. However, each interior closet door appeared to have been opened and left ajar and there was one bedroom closet door which had obviously been forcibly opened and a deadbolt locking device had been forcibly broken and there was debris from that activity on the floor. That door had been removed from its hinges. Inside the closet were several 2 x 4 blocks on the floor and there was an empty space approximately 2' to 3' wide on the floor. This space could easily have contained the safe described by Mr. Andrews as having been located in the garage of Mr. Richards'. It is my opinion because of the locked door and its having been forcibly opened, and the placement of the 2 x 4 pieces of wood on the floor and the empty space which I observed that in all likelihood the closet contained a safe.

At 36 Front Street I observed large amounts of apparent blood on the floor with sawdust or wood chips sprinkled on top of the blood. I also observed what appeared to be blood on portions of other objects in the shop including vehicle and a bathroom sink. I also observed near the entry to the shop a baseball bat with a cracked handle which also has some stains upon it, possibly blood. Also inside the entry way I observed small blue paint chips. A "bungie" cord and numerous registration cards for vehicles were observed by me inside the shop. A piece of hemp-type rope was observed by me outside the shop near the front door on the ground.

I have been informed by Sgt. David Miller of the Marin County Sheriff's Department that he has spoken to, on July 15, 1982, with a representative of Montgomery Wards who told him that the victim Baldwin has a credit card account with Wards and that while it had been inactive for approximately 2 years, the account had had activity up to approximately \$968 within a couple of days prior to July 15, 1982.

Sgt. R. Keaton has informed me that Detective Don McQuarrie of the Sausalito Police Department contacted "Ready Outboards" at the address indicated on the motor which had been tied to the deceased. I have been informed via DMV records that the boat above-described, located in Mark Richards' driveway was currently registered to Bernard Healey, 344 Pine Hill Road, Mill Valley. McQuarrie inquired of Ken Ready, the owner of "Ready Outboards" whether or not he had done any work for Mr. Healey. According to McQuarrie Ready indicated that his records showed that on 8/2/80 he did repair work for Healey on a 9 horsepower outboard motor with no model or serial number. He indicated that his records indicate that the manufacturer of the motor was "Chrysler" but that Wards uses Chrysler motors in outboards bearing the Wards brand name. The motor which had been tied to the body of the deceased also had no model or serial number on it. Mr. Ready indicated that that is characteristic and unique for Wards outboard motors.

On July 15, 1982, I spoke with Stephen Murray who resides at 26 Venetia Meadows in Santa Venetia located next door to the victim Baldwin's residence. He informed me that at approximately 4:00 p.m. on July 6, 1982, a vehicle described by him as an early 1970's Chevrolet or Ford pickup "ratty looking," beige in color driven by a white male, aged 17 to 20 years, approximately 5'9", thin build, with brown hair, backed into and damaged Murray's fence and when that individual was first observed by Murray was putting pieces of the fence into the back of the pickup and appeared to be in a hurry. The driver apologized and said he was working for Mr. Baldwin. The young subject then stated to Mr. Baldwin, "I have to fix this fence." The young man then told Mr. Murray he would be back to fix the fence to which Murray agreed and the subject drove away after giving his name. Though Murray cannot be sure, he told me that he believed the person said his name was "Costello" or "Costellos." Mr. Murray observed Mr. Baldwin at that time and has not seen him since. On July 7, 1982, at approximately noon, Mr. Murray knocked on the door of Mr. Baldwin's residence but received no answer. He observed that the blinds on the window in the front were open at that time which was unusual. On July 8, 1982, between 12:00 and 1:00 p.m., Mr. Murray observed that his fence had been repaired.

According to records of the Department of Motor Vehicles the above-described residence to be searched is the residence of Mark Richards and a Porsche vehicle is registered to Mark Richards at that address according to DMV records. The Ford Granada vehicle and the Porsche vehicle described above as items to be searched were seen in the driveway of the residence to be searched at approximately 7:00 p.m. on July 15, 1982, by Sgt. Dave Miller, who informed me of his observations.

I have been informed by fellow officer, Sgt. Walt Kosta, that while he was conducting a search at 36 Front Street on July 15, 1982, at approximately 2:10 p.m., he answered the telephone at that location and spoke with a male individual who at first gave his name as "Mark" and then indicated his full name was "Mark Richards" who stated that he was "trying to get ahold of (victim Baldwin) for one week" and that he, Richards, was trying to do some work for Baldwin. Kosta described the voice of the subject, Mark Richards, as being apprehensive and nervous.

At approximately 11:45 p.m. on July 15, 1982, Keith Andrews identified a photograph in the Novato High School Year Book for 1978 of Gary Ables as being the subject "Gary" referred to in this affidavit and the statement of Mr. Andrews. At approximately 12:15 a.m. on July 16, 1982, I went to 525 Norman Drive, Novato, California, determined to be the home address of Mr. Ables and spoke with his parents who indicated that he had been home during the day but was gone this evening to a swim party at an unknown location. The parents did not know who he was with or when he would be home. They told me that they would call San Rafael Police when he returned.

At approximately 2:00 a.m. in response to a telephone call from Mrs. Ables I responded to 525 Norman Drive, Novato, California, and met with Gary Ables. I spoke with him briefly and then he gave me the information which is set forth in his affidavit attached hereto as Exhibit B and incorporated herein by reference. After our conversation at his home he then directed me to 32 Los Padres Circle, described above as a residence to be searched and told me that that is the residence of the individual referred to above and in his affidavit as "Crossy." Thereafter he directed me to 1090 Cambridge Street in Novato and told me that that is the residence of Andrew Campbell. Mr. Ables also identified the Ford pick-up truck described above as the vehicle currently being driven by "Crossy." I observed that vehicle parked near 32 Los Padres Circle.

While at Mr. Ables' residence he gave to me and fellow investigator Walt Kosta a .44 caliber revolver, Ruger Blackhawk, with the serial number 83-27192. Sgt. Kosta telephoned the San Rafael Police Department and requested that the serial number be run through the law enforcement computer and informed me that he was told by dispatch that that weapon is registered to the deceased victim in this case, Richard Alexander Baldwin.

I have been informed by Detective Kosta that the dispatcher at Novato Police Department indicated that their records indicate that an Andrew Campbell lives at 1090 Cambridge Street. Kosta has also informed me that one of the vehicles in the driveway at 1090 Cambridge Street is registered to Sylvia Campbell at that address.

Your affiant is requesting a nighttime search endorsement to this search warrant based on the facts recited above and on the additional factors as follows: The investigation by both the San Rafael Police Department and the Marin County Sheriff's Department has proceeded uninterrupted from the moment the body was found in the Bay and efforts have been made to identify the subject described in the statements of Mr. Andrews and Mr. Ables as "Crossy," but that

individual has not yet been identified. Because of the phone call received by Sgt. Kosta there is danger that evidence that may be located at the premises to be searched may be in jeopardy of being destroyed if not promptly seized. Also there is danger that items of clothing or other objects which may have blood on them may be laundered or otherwise altered. Additionally, it is now 3:30 a.m. and there is a necessity to promptly seize any evidence which may tend to identify those responsible for the killing of Mr. Baldwin.

WHEREFORE, affiant prays that a Search Warrant issue commanding that a search be made of the places, vehicles, persons and things described herein for the articles, items and property above described and that the same be brought before a magistrate and disposed of according to law.

*Fred Erickson*  
Affiant

Subscribed and sworn to before me  
on July 16, 1982.

*Robert F. Smith*  
Judge of the Superior Court  
County of Marin  
State of California

STATEMENT OF KEITH ARTHUR ANDREWS

I, KEITH ARTHUR ANDREWS, declare under penalty of perjury the following to be true:

My name is Keith Arthur Andrews, my date of birth is September 11, 1961. I am a third year pre-dental student currently enrolled at the University of California at Davis. I have never been arrested nor convicted of any crime. My present address is 30 Prospect, San Anselmo, California.

I have known an individual by the name of Mark Richards for approximately 15 years as we have been neighbors. He was once in a business partnership with my brother, Craig Edward Andrews.

On June 30, 1982, I began working for Mr. Richards as a summer job. When I began working for Mr. Richards there were 3 other employees of his, whose full names I did not learn but whom I knew as "Crossy," "Andrew," and "Gary." On July 13, 1982, "Gary" told me that he had spoken with "Crossy" on July 12, 1982, and learned from "Crossy" that a "rip-off" had occurred and that a theft of money (approximately \$1,400 in cash from a safe), jewelry also from the safe, registration or pink slips to possibly six vehicles, and a theft of a safe itself had taken place. Also stolen were credit card(s) of unknown type and number. "Gary" told me that he was told by "Crossy" that this "rip-off" happened at the victim's "shop" or his home. "Gary" told me that "Crossy" told him that during that theft the owner/victim was either present or showed up unexpectedly and was struck by "Crossy" in the head with a baseball bat. "Crossy" told "Gary" that "they" (referring to Richards, "Crossy" and "Andrew") had been going back to the victim's house and "getting stuff." "Gary" further told me that the other three individuals according to "Crossy" intended to get rid of the man's body by throwing it in the Bay and that Richards had purchased the boat which is presently in his driveway for the purpose of getting rid of the body.

I have personal knowledge that Mr. Richards had had monetary problems in that when I was paid on July 3, 1982, I received from Mr. Richards \$50 in cash and a check in the amount of \$110 which I then endorsed to pay for repairs to a vehicle. I have since been informed by the person to whom I gave that check that it was returned stamped "refer to maker." I returned the check to Mark Richards and he promised to make it good, which he has not done. To my knowledge he still has possession of the check. "Gary" informed me that within the last few days (since July 12) that Richards, "Crossy" and "Andrew" had been on a "credit card spree."

Mr. Richards told me that the boat was acquired by him from an individual who owed Richards \$3,500 for work which Richards had done for that individual and that Richards accepted the boat which that individual had been trying to sell for \$3,000 in

" EXHIBIT A "

payment of that debt.

On July 14, 1982, I was in Richards' home and observed what appeared to be a brand new video cassette or disk player with a "Wards" brand upon it. Richards told me that he got it from someone who owed him money and that it was given to him in lieu of cash. "Gary" told me that he figured that Richards, "Crossy" and "Andrew" had used a credit card to purchase the item. On or about July 13, 1982, Richards' wife, Karen, showed me a necklace and stated, "See what Mark got me." Either Karen or Mark Richards indicated that he (Richards) had bought bracelets for her too, but that they were too small.

On either July 6, or July 7, 1982, as "Crossy" and "Andrew" were leaving my presence and driving a blue late 1960's Ford pickup known to be me to be owned by Richards, "Crossy" told me "We've got business to attend to."

On July 7, 1982, I saw in the garage of Richards' located at 366 Butterfield Road, San Anselmo, a safe with the approximate dimensions of 1-1/2 x 2-1/2 x 1-1/2 feet. I first saw the safe before noon on that date and it was unopened, but had 3 holes drilled in it. It was of apparent green concrete and metal construction on the exterior, the interior being of a dirty metal color. Later the same day I observed what appeared to be holes drilled in the safe and it had been opened. "Gary" told me that "they" had been trying to open the safe that day.

During the week of July 5 and on Tuesday, July 13, "Crossy" told me he had had an accident in Terra Linda at "Bill's" house and had had to fix a fence which he had damaged.

On July 14, 1982, I was in a 1979 blue Ford Granada which I have often seen parked at Mr. Richards' residence. In the vehicle were myself and "Andrew." I observed inside the glove box what appeared to be vehicle registration papers in a stack approximately 3/4" thick. I observed them when "Andrew" opened the glove box, took out those documents, reached inside the glove box, took possession of some bullets, and then replaced the documents inside the glove box, and I am uncertain what he did with the bullets.

I know that "Crossy" drives the blue pick up truck owned by Mark Richards to and from work, frequently but not every day, as well as during the course of a workday.

At approximately 11:45 p.m. on July 15, 1982, I looked through the 1978 Novato High School year book and identified a photograph of a subject by the name of Gary Ables as being one and the same as the person I knew and referred to above as "Gary."

I declare the foregoing to be true under penalty of perjury.

Executed this 16 day of July, 1982, at San Mateo, California.

Keith Arthur Andrews  
KEITH ARTHUR ANDREWS

I have examined Keith Arthur Andrews under oath and find him to be truthful.

July 16, 1982  
Dated

Robert A. Kira, Jr.  
MAGISTRATE

STATEMENT OF GARY FINIS ABLES, JR.

I, GARY FINIS ABLES, JR., declare under penalty of perjury the following to be true:

My name is Gary Finis Ables, Jr., and my date of birth is November 9, 1961. I presently reside at 525 Norman Drive, Novato, California. I have never been convicted of any felony and currently live with my parents at the above-mentioned address.

On or about June 26, 1982, I began working for a person known to me as Mark Richards who resides on Butterfield Road in San Anselmo, as a laborer. In the course of that employment I worked with a person known to me as "Crossy" whose full name I do not know and a person by the name of Andrew Campbell, as well as a person by the name of "Keith" whose last name I do not know.

On or about July 12, 1982, while working with "Crossy" he told me that he, "Crossy," and others had beaten a person over the head several times with a baseball bat and then dumped the body into the Bay. "Crossy" told me that he (Crossy) was the one who hit the individual in the head with a baseball bat and that he had hit him a couple of times. "Crossy" told me that in that same incident they had taken pink slips to various automobiles which automobiles apparently were located near the place where the beating took place. He indicated to me that those pink slips had come out of a safe and that approximately \$1,700 in cash had been taken in the course of the theft. He mentioned both a "shop" and a house of the victim's, but it was unclear to me as to precisely where as between those two places, the beating and theft had taken place. Though he did not say precisely that "the others" were Mark Richards and Andrew Campbell, the tone of the conversation was such that he suggested that they were in fact participants in the incident. "Crossy" told me not to mention this conversation to Mark.

Although he did not specify where they got them, or what kind of cards they were, Andrew Campbell told me that he and "Crossy" had acquired some credit cards and he told me that they were stolen.

Within the past week I have dropped Andrew Campbell off at 1090 Cambridge Street in Novato, and I have dropped "Crossy" off at 32 Los Padres Circle in the Cross Roads complex in Novato. Shortly after 2:00 a.m. on July 16, 1982, I showed Detectives Lindquist and Kosta both of those residences. I also pointed out to them the blue Ford pick-up which "Crossy" has been driving and which Mark Richards told me he had received in payment for some work which he did for a man in Mill Valley.

On July 14, 1982, Mark Richards gave me a weapon in payment of wages. That weapon is described as a .44 caliber Ruger Blackhawk revolver, with the serial #83-27192. When Mark

"EXHIBIT B"

Richards gave me that gun he told me, "Don't try to register it." I have given that weapon to Detectives Kosta and Lindquist and they have taken possession of it.

On or about July 13, 1982, in Mark Richards' garage located on Butterfield Road in San Anselmo, I observed a green safe and "Crossy" told me that the pink slips had come out of that safe. I saw the safe in the company of "Keith" and I saw the safe in an unopened condition and later the same day, approximately 2 hours later, observed that it had apparently been drilled open. I saw 3 or more holes which apparently had been drilled in it and saw a drill and drill bits near the safe.

I declare the foregoing to be true under penalty of perjury.

Dated this 16th day of July, 1982, at Kentfield, California.

Gary Finis Ables, Jr.  
GARY FINIS ABLES, JR.

I have examined GARY FINIS ABLES, JR., under oath, and find him to be truthful.

Dated: July 16, 1982

Robert H. Lindquist  
MAGISTRATE



*EXHIBIT 'B'*  
**OFFICE OF THE DISTRICT ATTORNEY**  
**County of Marin**

JERRY R. HERMAN  
District Attorney

RELEASE

MICHAEL A. GRIDLEY  
Chief Assistant District Attorney

TERRENCE R. BOREN  
Assistant District Attorney-Criminal

MILTON M. FYAMS  
Assistant District Attorney-Services

Pacific Bell  
Security Office  
1155 Market Street, Suite 300  
San Francisco, CA 94103-1566

RE: People v. Mark Richards, Marin DA #5555

To Whom It May Concern:

I, Ellen Baldwin, am the Executrix of the Estate of Richard Baldwin, my son. As the Executrix of my son's estate, I hereby give permission to the Marin County District Attorney's Office to obtain copies of any and all telephone records in the name of my son Richard Baldwin, as well as any and all telephone records for his place of business, The Classic Car Shop at 36 Front Street, San Rafael, California. Specifically, I give permission for the Marin County District Attorney to have copies of any and all records for the telephone number (415) 456-5900 for the month of July 1982.

Signed this 18th day of February, 1988, at San Rafael, California.

*Ellen E. Baldwin*

Ellen Baldwin

FILED

MAY 20 1988  
KAREN L. SHORT, ACTING  
Clerk of the Municipal Court of California  
County of Marin Central Judicial District  
By: P. M. M. M. Deputy Clerk

STATE OF CALIFORNIA       )  
                                  )     ss.   SEARCH WARRANT  
COUNTY OF MARIN         )

THE PEOPLE OF THE STATE OF CALIFORNIA to any sheriff, or peace officer in the County of Marin, State of California.

Proof by affidavit having been this day made before me by TED LINDQUIST that there is probable cause to believe that the property described herein may be found at the locations set forth herein and that it falls within those grounds indicated below by "x"(s) in that it:

|              |  |
|--------------|--|
| _____        | was stolen or embezzled  |
| <u>  X  </u> | was used as the means of committing a felony   |
| _____        | is possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery. |
| <u>  X  </u> | is evidence which tends to show that a felony has been committed or a particular person has committed a felony.  |
| _____        | is evidence which tends to show the sexual exploitation of a child, in violation of Section 311.3 of the California Penal Code, has occurred, or is occurring;   |

you are therefore COMMANDED TO SEARCH

The premises and archives of the Pacific Bell Offices located at:

1155 Market Street, Suite 300, San Francisco, California.

for the following:


Telephone records in the name of Richard Alexander Baldwin and telephone records for Mr. Baldwin's place of business, "The Classic Car Shop" at 36 Front Street, San Rafael, California, which during 1982 subscribed to the Pacific Bell Telephone Number 415-456-5900.

and if you find the same or any part thereof, to retain it in your custody, subject to the order of this Court or of any other Court in which the offense in respect to which the property or things taken is triable.

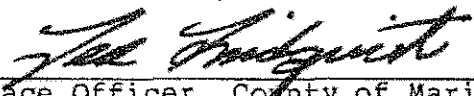
GOOD CAUSE having been shown by affidavit, you may do the following if it bears my initials:

\_\_\_\_\_ You may serve this warrant at any time of the day or night, according to Penal Code Section 1533.

GIVEN under my hand and dated  
this 10 day of May, 1988.

  
Magistrate  
Judge of the Municipal Superior  
Court, County of Marin

-----  
TIME OF EXECUTION 12TH day of MAY,  
1988, at 10:08 A.m. hours.

  
Peace Officer, County of Marin  
State of California

FILED

RETURN ON SEARCH WARRANT

MAY 20 1988

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF MARIN )

WITNESSES: Mr. DEANE  
J. J. DEANE, District Attorney  
County of Marin Central Judicial District  
By: B. Monner Deputy Clerk

I, the undersigned, make this return to the within Search Warrant. I received said warrant on May 10, 1988, and under its authority, I, on May 12, 1988, diligently searched the premises and/or person described as follows, to wit:

PREMISES: Pacific Bell, 1155 Market Street, Suite 300, San Francisco, California.

INVENTORY

To date, I have not recieved any of the material ordered produced under the authority of this warrant. I have been advised by Sally Hughes, a security officer with Pacific Bell that the records that I am seeking are part of their archive files and are in storage. I have been advised that it may take as long as an additional six weeks to locate and produce the records. Therefore, I will supplement this return upon receipt of the records ordered.

I, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant.

All of the property taken by virtue of said warrant will be retained in my custody subject to the order of this court or of any other court in which the offense in respect to which the property or things taken, is triable.

Ted Lindquist  
TED LINDQUIST, INVESTIGATOR

MARIN COUNTY DISTRICT  
ATTORNEY'S OFFICE  
Law Enforcement Agency

Subscribed and sworn to before me  
on this 19th day of May, 1988

Deane B. Deane  
Deputy District Attorney

SUPPLEMENTAL  
RETURN ON SEARCH WARRANT

FILED

JUN 29 1988

JOHN F. MONTGOMERY  
Clerk of the Municipal Court of California  
County of Marin Central Judicial District  
By J. M. M. Deputy Clerk

STATE OF CALIFORNIA     )  
                                  ) ss.  
COUNTY OF MARIN        )

I, the undersigned, make this return to the within Search Warrant. I received said warrant on May 10, 1988 1988, and under its authority, I, on May 12, 1988, diligently searched the premises and/or person described as follows, to wit:

Pacific Bell, 1155 Market Street, Suite 300, San Francisco, California.

and there I discovered the following:

INVENTORY

Attached hereto and incorporated herein as if more fully set forth is the following:

- 1) Marin County District Attorney's Office Receipt for Evidence, case number 5555.
- 2) Bill for July, 1982, telephone number (415) 456-5900, two pages.
- 3) Bill for August, 1982, telephone number (415) 456-5900, two pages.

I, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant.

All of the property taken by virtue of said warrant will be retained in my custody subject to the order of this court or of any other court in which the offense in respect to which the property or things taken, is triable.

Ted Lindquist

TED LINDQUIST, INVESTIGATOR  
MARIN COUNTY DISTRICT  
ATTORNEYS OFFICE  
Law Enforcement Agency

Subscribed and sworn to before me  
on this 28 day of June, 1988

Terrence R. Boren  
Deputy District Attorney

## RECEIPT FOR EVIDENCE

|  |                                    |  |                                 |                                 |
|--|------------------------------------|--|---------------------------------|---------------------------------|
| DATE RECEIVED: <u>6-24-88</u>  |                                    | DA CASE NO: <u>5555</u>  |                                 |                                 |
| NAME OF PERSON FROM WHOM PROPERTY IS OBTAINED:<br>OWNER <u>PACIFIC BELL</u><br>OTHER |                                    | DEFENDANT(S) NAME:<br><u>RICHARDS</u>  |                                 |                                 |
| ITEM NO.   | QUANTITY                           | DESCRIPTION OF ARTICLES<br>(Include model, serial no., identifying marks, and value, when appropriate) |                                 |                                 |
| <u>101</u>   | <u>200</u>                         | <u>BILL FOR JULY 1982, PH# 415-456-5900.</u>   |                                 |                                 |
| <u>102</u>   | <u>200</u>                         | <u>BILL FOR AUG. 1982, PH# 415-456-5900.</u>   |                                 |                                 |
| I CERTIFY THAT I RECEIVED THE ARTICLES LISTED ABOVE.                                 |                                    |  |                                 |                                 |
| DATE<br><u>6-24-88</u>   | PRINT NAME<br><u>TED LINDQUIST</u> |  | SIGNATURE<br><u>[Signature]</u> |                                 |
| CHAIN OF CUSTODY   |                                    |  |                                 |                                 |
| ITEM NO.   | DATE                               | RELINQUISHED BY<br>PRINT NAME  | RECEIVED BY<br>PRINT NAME       | PURPOSE OF CHANGE<br>OF CUSTODY |
|  |                                    | SIGNATURE  | SIGNATURE                       |                                 |
|  |                                    | PRINT NAME   | PRINT NAME                      |                                 |
|  |                                    | SIGNATURE  | SIGNATURE                       |                                 |
|  |                                    | PRINT NAME   | PRINT NAME                      |                                 |
|  |                                    | SIGNATURE  | SIGNATURE                       |                                 |
| VOUCHER NO.  |                                    | BIN NO:  |                                 | SUB-VOUCHER NO.                 |

Security

1155 Market Street, Suite 300  
San Francisco, California 94103-1509  
(415) 542-2464

PACIFIC BELL  
A Pacific Telesis Company

RETAIN THIS SHEET WITH RECORDS

Date June 29, 1988

Attention:

Ed Ludquist

Agency:

Marina DP

Pacific Bell Case No.: BP32-3082SC

Search Warrant/Subpoena No.:                     

Records: 415-456-5900

This case was processed by Staff Associate Linda Carroll

Should you have any questions or need additional information on this case, please telephone the above Staff Associate on (415) 542-2464.

Be sure to refer to the Pacific Bell Case Number.

PACIFIC BELL - SECURITY

EBBA PAGE 1 OF 2 JUL 4 1982 180 415 456-5900

DETAIL OF ITEMIZED CALLS

| DATE | TIME  | MIN | *  | PLACE CALLED  | NUMBER CALLED | CHARGE | SO   | SERIAL |
|------|-------|-----|----|---------------|---------------|--------|------|--------|
| 6/ 4 | 748P  | 3   | DE | OAKLAND CA    | - 547 0819    | .32    | 32VB |        |
| 6/ 5 | 1002P | 4   | DN | SANTA ROSA CA | 707 523 1879  | .37    | 32VB |        |
| 6/ 8 | 915P  | 100 | DE | SACRAMENTO CA | 916 452 2266  | 23.16  | 32VB |        |
| 6/15 | 936P  | 25  | DE | OAKLAND CA    | - 655 0163    | 2.33   | 32VB |        |
| 6/15 | 1001P | 100 | DE | SACRAMENTO CA | 916 452 2266  | 23.16  | 32VB |        |
| 6/16 | 853P  | 40  | DE | SACRAMENTO CA | 916 452 2266  | 9.30   | 32VB |        |
| 6/21 | 133P  | 2   | DD | SACRAMENTO CA | 916 322 7007  | .75    | 32VB |        |
| 6/21 | 151P  | 6   | DD | LONG BEACH CA | 213 435 4483  | 2.87   | 32VB |        |
| 6/27 | 302P  | 37  | DN | BELFAST ME    | 207 338 4603  | 7.35   | 12VB |        |
| 6/29 | 239P  | 4   | DD | SAN FRAN CA   | - 469 6200    | .60    | 32VB |        |

TOTAL \$70.21

\* KEY DE-DIAL EVENING  
DD-DIAL DAY

DN-DIAL NIGHT

DETAIL OF ZONE 2 AND 3 CALLS

| DATE | TIME | MIN | ZONE | *  | PLACE AND | NUMBER CALLED | CHARGE               | SO     | SERIAL |
|------|------|-----|------|----|-----------|---------------|----------------------|--------|--------|
| 7/ 2 | 234P | 1   | 2    | DD | SAUSALITO | - 332 4852    | .06                  | 32VB   |        |
|      |      |     |      |    |           |               | ZONE 2 AND 3 CHARGES | \$0.06 |        |

D13 EBBA 239245 3 JUL 4 82 180 415 456-5900 167

|                             |         |               |     |
|-----------------------------|---------|---------------|-----|
| TOTAL AMOUNT OF LAST BILL   | 44.43   |               |     |
| PAYMENTS APPLIED THRU JUL 7 | 44.43CR | CLS SVC 1MB   | ADV |
| ADJUSTMENT(S) APPLIED       | .00     | PRIOR TOLL/MU |     |
| 06/23 44.43P                |         | 3RD MONTH     | 27  |

|                                      |      |                    |    |
|--------------------------------------|------|--------------------|----|
| ZERO BALANCE                         | .00  | 2ND MONTH          | 17 |
|                                      |      | 1ST MONTH          | 32 |
| CURRENT CHARGES AND CREDITS          |      | COMMUNITY CODE 999 |    |
| MONTHLY SRVC AND EQPMT 07/04 - 08/03 | 8.00 | MESSAGE UNITS      |    |

|                                 |       |
|---------------------------------|-------|
| ITEMIZED CALLS (PAGE 1) ( 8D13) | 70.21 |
| ZONE CALLS                      | 3.31  |

|                                      |     |      |     |      |      |
|--------------------------------------|-----|------|-----|------|------|
| TAXES                                | FED | CITY | 911 | HCAP |      |
|                                      | .82 | .00  | .37 | .05  | 1.24 |
| SURCHARGE -PER PUC DECISION NO.93728 |     |      |     |      | .65  |

TOTAL CURRENT CHARGES 83.41

TOTAL AMOUNT DUE BY JUL 29 83.41

DICK BALDWIN  
36B FRONT  
SAN RAFAEL CA 94901  
NEW CLASSIC CAR ANTQE RES 4573247 RNT

RTA  
ESTAB 5/75 CR CL B

A I C 415 545-7447 D S C 415 499-5000

TREAT 000000000000

EBBA PAGE 2 OF 2 JUL 4 1982 180 415 456-5900  
KEY DD-DIAL DAY

| TIME PERIOD          | CALLS | INIT | MINS | ADDL | MINS | CHARGE |
|----------------------|-------|------|------|------|------|--------|
| DIAL DAY             | 41    | 41   | 80   |      |      | 2.03   |
| DIAL EVENING         | 23    | 23   | 65   |      |      | .94    |
| DIAL NIGHT           | 12    | 12   | 34   |      |      | .28    |
| ZONE 1 CHARGES       |       |      |      |      |      | \$3.25 |
| CHARGES FOR ZONE 1,2 |       |      |      |      |      | \$3.31 |
| LESS ZONE ALLOWANCE  |       |      |      |      |      | .00    |
| TOTAL ZONE CHARGE    |       |      |      |      |      | \$3.31 |

B EBBA PG 1 DATE 07 07 82 BR 4 CUS CD 180 415 456 5900 167  
TE AC QTY USOC LN/ST/KS OP RC LISTING AND EXPLANATIONS TOTAL  
PACIFIC TELEPHONE \*\*

1675 A1 MNL CLASSIC CAR SHOP---  
LAD 36B//FRONT/SR

\*PN 415-456-5900-180

1675 1 1MB 4565900  
2579 1 SETXC

SEC 5517116314 MMC 242

PT 7.00  
H 1.00

SUBTOTAL 8.00  
DICK BALDWIN  
36B FRONT

SAN RAFAEL CA 94901

CITY-LIC 999  
SIC 7699  
VSS 0675

1.00 H

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B EBBA PG 1 DATE 08 06 82 BR 4 CUS CD 180 415 456 5900 167  
 TE AC QTY USOC LN/ST/KS OP RC LISTING AND EXPLANATIONS TOTAL  
 PACIFIC TELEPHONE \*\*

1675 A1 MNL CLASSIC CAR SHOP---  
 LAD 36B//FRONT/SR

\*PN 415-456-5900-180

SEC 5517116314 MMC 242

1675 1 1MB 4565900 PT 7.00  
 2579 1 SETXC H 1.00

SUBTOTAL 8.00  
 DICK BALDWIN  
 36B FRONT

SAN RAFAEL CA 94901

CITY-LIC 999  
 SIC 7699  
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