

*MAG*

# United States District Court

EASTERN

CALIFORNIA

DISTRICT OF

UNITED STATES OF AMERICA  
V.  
GURVINDER SINGH BADHESA

## CRIMINAL COMPLAINT

CASE NUMBER: **MAG 96-014 GGH**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 9/13/1995 in Solano county, in the Eastern District of California defendant(s) did, (Track Statutory Language of Offense)

knowingly and unlawfully move and travel in interstate commerce and flee the State of California to avoid prosecution for violation of Section(s) 187(a) Murder; 182(a)(1) Conspiracy; and 12022(a)(1) Committing or Attempting Felony with a Firearm, Assault Weapon, Machine Gun, or Deadly Weapon, which are in violation of the California Penal Code and are also Felonies,

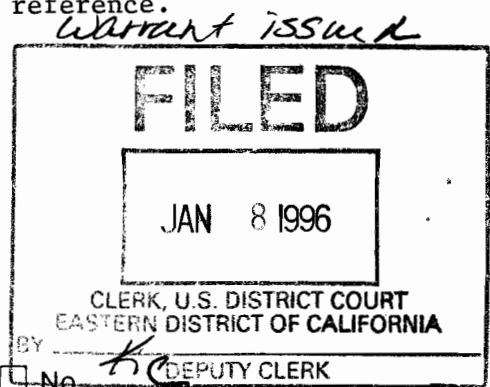
in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) SPECIAL AGENT, FBI and that this complaint is based on the following

Official Title

facts:

See attached facts which are incorporated herein by reference.



Continued on the attached sheet and made a part hereof:  Yes  No

*Kimton Nui Zane*  
Signature of Complainant  
KIMTON NUI ZANE, SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me and subscribed in my presence,

January 08, 1996  
Date

Sacramento, California  
City and State

*GREGORY G. Hollows U.S. MAG. JUDGE*  
Name & Title of Judicial Officer

*Gregory G. Hollows*  
Signature of Judicial Officer

AFFIDAVIT - FACTS

I, Kimton Nui Zane, Special Agent, Federal Bureau of Investigation (FBI), having been duly sworn, do depose and state that:

1. I have been employed as a Special Agent with the FBI for approximately 6 1/2 years and prior to my appointment with the FBI I had been employed as a police officer with the Honolulu Police Department, Honolulu, Hawaii, for approximately 8 1/2 years.

2. On December 29, 1995, I was informed by Detective Patrick Grate, Solano County Sheriff's Department, Fairfield, California, that on September 13, 1995, an arrest warrant was issued by Solano County Municipal Court Judge Luis Villarreal of the Municipal Court of California, County of Solano, Northern Solano Judicial District, State of California, for Gurvinder Singh Badhesa. Judge Villarreal issued the arrest warrant (Ramey) for the arrest of Gurvinder Singh Badhesa, alias "Gopi" for violations of California Penal Code Sections 187(a) Penal Code (PC) (Murder); Section 182(a)(1) PC (Conspiracy); and Section 12022(a)(1) PC (Committing or Attempting Felony with a Firearm, Assault Weapon, Machine Gun or Deadly Weapon). Judge Villarreal issued a No Bail warrant for Badhesa's arrest.

3. The arrest warrant which was issued on September 13, 1995, remains outstanding as Badhesa is still at large.

4. I was informed by Detective Grate that on September 4, 1995, a body was found on Lynch Road intersecting McGarry

Road, which is part of Solano County, California. The body was subsequently identified as Trinidad Mercado, date of birth February 5, 1958. The ensuing investigation by Detective Grate and members of the Solano County Sheriff's Department (SCSD) determined that Gurbinder Singh Badhesa and Badhesa's friend, Sal Moreno, were responsible for the murder of Trinidad Mercado. The SCSD has already arrested Sal Moreno, but as of this date Badhesa is still a fugitive.

5. I was advised by Detective Grate that on September 8, 1995, he had contacted Badhesa's mother, Charan Kaur-Badhesa, at a Cupertino, California address. According to Kaur-Badhesa they had not seen Badhesa for approximately a week and a half prior to the September 8, 1995 date. Detective Grate also advised that he had spoken to Badhesa's girlfriend, Toni Bayoneta, who advised that Badhesa was intending to leave for India on September 5, 1995 for an extended stay. Bayoneta advised that she believed Badhesa was going to be in India for at least three months.

I was advised by Detective Grate that on September 4, 1995, he had contacted Badhesa's father, Jagdev Badhesa, concerning his son. Jagdev Badhesa said Gurbinder Badhesa had planned a trip to India, but it had been postponed for a week or two.

Detective Grate advised that during their investigation they had spoken to a good friend and associate of Badhesa, Jericho Davis. Davis was questioned concerning Badhesa's whereabouts by Detective Grate. Davis had advised Detective

Grate that between September 23 to September 28, 1995 he had received approximately five pages on his pager in Fairfield, California. Davis said that his pager number is (707) 436-5241. Davis advised Detective Grate that the number which was displayed on his pager had area code "604", but Davis could not remember the telephone number after the area code. Davis said that he had called the telephone number and a female with an Indian accent had answered. Davis told Detective Grate that while he was talking to the female his friend, Badhesa, then picked up another telephone on the same line and started talking to him. Badhesa told Davis that he was at an aunt's address, but did not provide the location of the address.

Detective Grate advised that they had received reliable information early on in their investigation that Badhesa had relatives in British Columbia, Canada, and may have fled to British Columbia from the United States. Grate had contacted the Royal Canadian Mounted Police (RCMP) and had spoken to a Detective Rick Larson. Detective Grate advised that Larson works at the Surrey Serious Crimes Unit in Newton, British Columbia, which is a suburb of Vancouver. Detective Grate advised that he had provided Detective Larson with information concerning Badhesa. Detective Grate advised that he had also provided Larson with the pager number of Badhesa's friend Jericho Davis in an attempt to identify if someone had paged Davis at Davis' pager number through the British Columbia telephone system. Detective Grate advised that Detective Larson had checked with the British Columbia telephone company and had confirmed numerous telephone

calls from 604-856-4089, to pager number 707-436-5241. Detective Larson had advised Detective Grate that the telephone number 604-856-4089 is listed under the name of Gurbux Sapra in the city of Alder Grove, British Columbia.

Detective Grate advised that Detective Larson had told him that he had conducted surveillances at the Alder Grove address and approximately between December 10 through December 24, 1995, he had observed a vehicle with California license plates in front of the Alder Grove address. Detective Larson had advised Detective Grate that the license plate for the vehicle was registered to Jagdev Badhesa (which is Gurvinder Badhesa's father's name).

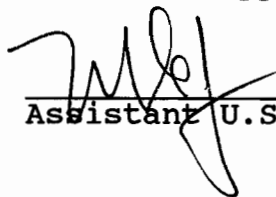
Detective Grate also advised me that he had confirmed that on November 21, 1995, Jagdev Badhesa and his wife, Charan Kaur-Badhesa, had flown from the Oakland International Airport to Vancouver airport enroute to India.

Detective Grate also advised that Badhesa had originally been living in Willenhall, West Midlands, England prior to coming to the United States of America. Detective Grate advised that he had also confirmed through the Immigration and Naturalization Service (INS) that Gurvinder Badhesa would more than likely have in his possession a British passport.


6. I was advised by Deputy District Attorney Laurie S. Lindenbaum that the Office of the District Attorney, Solano County, would be willing to extradite Gurvinder Singh Badhesa from wherever he is located and will prosecute Badhesa.

  
Special Agent, FBI

Approved as the content form:

  
Assistant U.S. Attorney

Sworn to before me and subscribed  
in my presence this 8th day of,  
January 1996, by:

  
United States Magistrate Judge,  
Eastern District of California