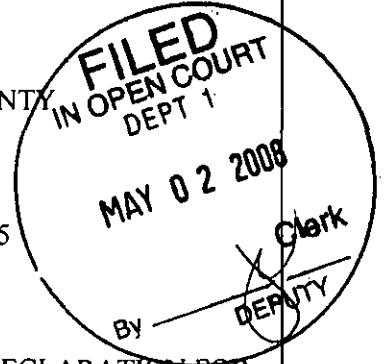




06-1-00354-5 29694343 ADPCSP 05-05-08

WASHINGTON FOR PIERCE COUNTY



STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 06-1-00354-5

vs.

OMAR RAYMOND CALHOUN

SUPPLEMENTAL DECLARATION FOR DETERMINATION OF PROBABLE CAUSE

Defendant.

BERTHA BARANKO FITZER, declares under penalty of perjury:

That the Declaration for Determination of Probable Cause dated the 23<sup>rd</sup> day of January, 2006 and the Supplemental Declaration dated the 1<sup>st</sup> day of September, 2006, is by reference incorporated herein;

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the UNIVERSITY PLACE POLICE DEPT, incident number 060200285;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the period the 26<sup>th</sup> day of August 2003 to the 5<sup>th</sup> day of July 2007, the defendant, OMAR RAYMOND CALHOUN, did commit the crimes of Leading Organized Crime, Identity Theft First and Second, Forgery, Money Laundering, Theft in the First Degree and Unlawful Possession of Firearms and defendant Marita Wilson did commit the same crimes during the period January 1, 2004 to January 20, 2006.

This supplemental declaration is being filed to clarify information contained in the original and supplemental declaration and to provide further information regarding the additional charges.

Review of the investigation files obtained by Detective Nissen and provided to defense counsel in both matters, reveal that defendant Omar Calhoun's first documented fraudulent activity occurred on August 26, 2003 when he was captured on video compromising the account of Tulia Lubin. Eight transactions, totaling in excess of \$16,000 occurred regarding this account from August 26, 2003 to September 5, 2003.

Defendant Wilson's first documented activity also occurred in 2003 and was prosecuted in Pierce County Cause Number 04-1-00534-7.

Defendant Wilson moved for a Bill of Particulars regarding Count 23. Count 23 alleged forgeries associated with the account of Michael and Jeanne Gardner. The prior declarations described the Gardner checkbook seized pursuant to the search warrant. Review of that evidence indicates that ten checks corresponding to ten of the missing checks from the Gardner checkbook, were deposited into compromised accounts for total deposits of \$31,934.29. Only the first three checks in the check book have not been located either in the checkbook or compromised



1 accounts. The Second Amended Information sets forth each Gardner check as a separate count of  
2 forgery.

3 According to information obtained pursuant to the search warrant referred to in prior  
4 declarations, Defendant Wilson cashed money orders on May 27, 28, and 31<sup>st</sup>, 2005 using her  
5 Money Tree Cash Card. According to receipts found at the residence, Defendant Calhoun  
6 purchased gold jewelry at Zales on September 3, 2005 and September 11, 2005. On December 5,  
7 2005 Marita Wilson paid \$1975.00 in rent on the house that she and defendant Calhoun shared.  
8 Similar receipts were found for previous rental periods. A receipt dated November 28, 2005,  
9 establishes that the defendants purchased in excess of \$500 of food and merchandise from  
10 Safeway on that one day. During this period of time, defendant Calhoun was unemployed.  
11 Defendant Wilson had nominal wages working at Arby's.

12 Located in the house pursuant to the search warrant were blank checks for Enchanted  
13 Parks, Inc. and Norwest Hospital & Medical Center.

14 Detective Nissen received reliable information regarding Defendant Calhoun conducting  
15 his criminal enterprise from the Pierce County Jail. During subsequent interviews provided to the  
16 defendant, the individual admitted to assisting Calhoun while he was in jail. She admitted that  
17 Calhoun would call, ask her to pick up cards, go pick up money from friends and put it on his  
18 books. Calhoun arranged for her to pick up and deliver personal checks to an individual who has  
19 been previously identified as part of the ATM scam. This individual stated that Calhoun "gets a  
20 lot of cards from the jail." He would direct her to meet up with the girls and "just get her card."  
21 The witness indicated that at Calhoun's request, she would do three way calling for him and  
22 identified calls to individuals associated with this criminal enterprise. Calhoun arranged for  
23 telephones to be installed at her house and provided her with names and social security numbers  
24 to set up the accounts.

25 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF  
26 WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

27 DATED: May 2, 2008  
28 PLACE: TACOMA, WA

29   
BERTHA BARANKO FITZER, WSB# 12184