

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
VICTORVILLE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)	
)	
Plaintiff)	
)	
vs.)	
)	
Robert Elvis Sparks)	FELONY COMPLAINT
)	
)	
Defendant)	DA CASE NO 2021-00-0014106

The undersigned is informed and believes that:

COUNT 1

On or about March 23, 2021, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL, DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Robert Elvis Sparks, who did unlawfully attempt to murder Dustin Whitson , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 1 that in the commission of the above offense the said defendant(s) Robert Elvis Sparks, personally inflicted great bodily injury upon Dustin Whitson , not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8) and a violent felony within the meaning of Penal Code Section 667.5(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged as to count(s) 1 that said defendant(s) Robert Elvis Sparks personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and death to Dustin Whitson within the meaning of Penal Code section 12022.53(d).

COUNT 2

On or about March 23, 2021, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL, DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Robert Elvis Sparks, who did unlawfully attempt to murder Jason Rosenbaum , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 2, 3, 4, 5 that said defendant(s) Robert Elvis Sparks personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

COUNT 3

On or about March 23, 2021, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL,

DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Robert Elvis Sparks, who did unlawfully attempt to murder Ty James , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 2, 3, 4, 5 that said defendant(s) Robert Elvis Sparks personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

COUNT 4

On or about March 23, 2021, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL, DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Robert Elvis Sparks, who did unlawfully attempt to murder Felix Arreola , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 2, 3, 4, 5 that said defendant(s) Robert Elvis Sparks personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

COUNT 5

On or about March 23, 2021, in the above named judicial district, the crime of ATTEMPTED MURDER OF A PEACE OFFICER/FIREFIGHTER/CUSTODIAL OFFICER-WILLFUL, DELIBERATE, PREMEDITATED, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Robert Elvis Sparks, who did unlawfully attempt to murder Gerard Ciani , who was a peace officer engaged in the performance of duty and this was known, and reasonably should have been known, by the defendant(s).

It is further alleged, within the meaning of Penal Code Section 664(e) and (f), that the above offense was willful, deliberate and premeditated.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 2, 3, 4, 5 that said defendant(s) Robert Elvis Sparks personally and intentionally discharged a firearm, a handgun, within the meaning of Penal Code section 12022.53(c).

COUNT 6

On or about March 23, 2021, in the above named judicial district, the crime of GRAND THEFT OF A FIREARM, in violation of PENAL CODE SECTION 487(d)(2), a felony, was committed by Robert Elvis Sparks, who did unlawfully take a certain firearm, exceeding nine hundred fifty dollars (\$950) in value, then and there the personal property of Dustin Whitson .

COUNT 7

On or about March 23, 2021, in the above named judicial district, the crime of POSSESSION OF FIREARM BY A FELON, in violation of PENAL CODE SECTION 29800(a)(1), a felony, was committed by Robert Elvis Sparks, who did unlawfully own, purchase, receive, possess, and have custody and control of a firearm, to wit, Handgun, the said defendant(s) having been convicted of a felony under the laws of the United States, the state of California and any other state, government and county:

Court Case	Code/Statute	Conv Date	County	State	Court Type
FVI015111	VC10851	07/25/2002	San Bernardino	CA	Superior
FVI016579	PC459	08/18/2003	San Bernardino	CA	Superior
FVI021581	PC496d	03/02/2006	San Bernardino	CA	Superior
FVI024657	PC496d	07/10/2006	San Bernardino	CA	Superior
FVI800238	PC12316	04/11/2008	San Bernardino	CA	Superior

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NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 7 COUNT(S).

Executed at Victorville, California, on March 25, 2021.

Britt P. Imes
Britt P. Imes
DECLARANT AND COMPLAINANT

Agency: Hesperia Police Department

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Robert Elvis Sparks	02/12/1981	2103341927	A11863408	