

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE OF THE STATE OF CALIFORNIA

NO.

v.

COMPLAINT

MARVEL SALVANT

PFN: BMD440

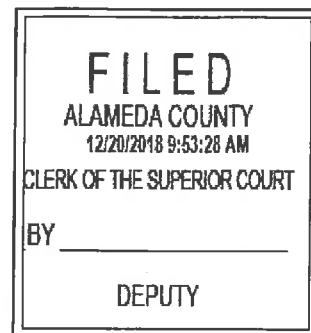
CEN: 8418631

MARIA MOORE

PFN: BMD439

CEN: 8418630

Defendant(s)



The undersigned, being sworn says, on information and belief, that MARVEL SALVANT and MARIA MOORE did, in the County of Alameda, State of California, on or about October 8, 2018, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder DOMINIC SARKAR, a human being.

"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)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**SPECIAL CIRCUMSTANCE - MURDER FOR FINANCIAL GAIN AS TO DEFENDANT**

**MARVEL SALVANT AND MARIA MOORE**

It is further alleged that the murder of DOMINIC SARKAR was intentional and was carried out by MARVEL SALVANT and MARIA MOORE for financial gain, within the meaning of Penal Code Section 190.2(a)(1).

**SPECIAL CIRCUMSTANCE - MURDER BY LYING IN WAIT AS TO DEFENDANT**

**MARVEL SALVANT AND MARIA MOORE**

It is further alleged that the murder of DOMINIC SARKAR was committed and aided and abetted by MARVEL SALVANT and MARIA MOORE and that the defendant(s) intentionally killed the victim by means of lying in wait, within the meaning of Penal Code Section 190.2(a)(15).

**SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO  
DEFENDANT MARVEL SALVANT**

It is further alleged as to the above count that said MARVEL SALVANT personally and intentionally discharged a firearm, and caused great bodily injury and death to DOMINIC SARKAR within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022.7. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said defendant personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO  
DEFENDANT MARVEL SALVANT AND MARIA MOORE**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**SECOND COUNT**

The undersigned further deposes and says on information and belief, that said MARVEL SALVANT did, in the County of Alameda, State of California, on or about October 8, 2018, commit a FELONY, to wit: POSSESSION OF FIREARM BY A FELON - PRIOR(S), a violation of section 29800(a)(1) of the PENAL CODE of California, in that said defendant(s) did unlawfully own, purchase, receive, possess and have custody and control of a firearm, the said defendant having theretofore been duly and legally convicted of a felony or felonies, to wit:

Case Number	Offense	Conviction Date	County/District	State/Country
2:95-CR-20005-SHM-2	21 U.S.C. 841(a)(1)	6/20/1995	WESTERN DISTRICT OF TENNESSEE	U.S.
MCR8390	11351.5 HS	8/18/1992	MONTEREY	CA

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY AS TO DEFENDANT  
MARVEL SALVANT**

The defendant is hereby notified that the above felony offense is not governed by Penal Code section 1170(h) and that an executed sentence for the offenses herein charged shall be served in the state prison pursuant to Penal Code section 1170.1(a).

**FIRST PRIOR CONVICTION AS TO DEFENDANT MARVEL SALVANT**

The undersigned further alleges that before the commission of the offense specified above, said defendant MARVEL SALVANT, on or about August 18, 1992, was convicted in the Court of the State of California, in and for the County of MONTEREY, of the crime of a Felony, to wit: POSSESSION FOR SALE OF COCAINE BASE, a violation of section 11351.5 of the HEALTH AND SAFETY of California, and received a Prison term therefor.

**SPECIAL ALLEGATION-PRIOR SEPARATE PRISON TERM (PC 667.5(B)) AS TO DEFENDANT  
MARVEL SALVANT**

It is further alleged that the above prior conviction is within the purview of Penal Code section 667.5(b) and that a separate term of imprisonment was served therefor as described in Penal Code section 667.5 for said offense, and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

**SECOND PRIOR CONVICTION AS TO DEFENDANT MARVEL SALVANT**

The undersigned further alleges that before the commission of the offense specified above, said defendant MARVEL SALVANT, on or about June 20, 1995, was convicted in the U.S. District Court, in and for the WESTERN DISTRICT OF TENNESSEE, of the crime of a Felony, to wit: POSSESSION OF CONTROLLED SUBSTANCE WITH INTENT TO DISTRIBUTE, a violation of section 21 U.S.C. 841(a)(1) of the UNITED STATES CODE, and received a Prison term therefor.

**SPECIAL ALLEGATION-PRIOR SEPARATE PRISON TERM (PC 667.5(B)) AS TO DEFENDANT  
MARVEL SALVANT**

It is further alleged that the above prior conviction is within the purview of Penal Code section 667.5(b) and that a separate term of imprisonment was served therefor as described in Penal Code section 667.5 for said offense, and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

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

Subscribed and sworn to before me,  
Wednesday, December 19, 2018



PAUL HORA  
Assistant District Attorney  
State Bar #166036  
Alameda County, California

This document was filed electronically in  
compliance with Penal Code section 959.1

FPD 181008002 / jr



**County of Alameda**  
**DAILY**  
**DECLARATION AND DETERMINATION**  
**Probable Cause for Warrantless Arrest**



Arrestee/Suspect <b>MARVEL SALVANT</b>		DOB <b>10/06/1972</b>	Sex <b>M</b>	PFN <b>BMD440</b>
Race <b>BLACK</b>		CDL		Agency Report # <b>181008002</b>
Arresting Agency <b>FREMONT PD (CA0010500)</b>		Declarant <b>Brent Butcher</b>		Agency Phone <b>(510) 790-6800</b> Agency Fax
Arrest Date <b>12/18/2018</b>	Arrest Time <b>17:45:00</b>	Arrest Location <b>(9475 MADISON AVE FOLSOM, CA)</b>		
Holds		Arrestee Home Address <b>3800 BURNSIDE CT CITRUS HEIGHTS CA</b>		
Charges/Violations <b>PC 187(A) F(1 Counts)</b>				

Your affiant is Fremont Police Detective Brent Butcher. I have been a Police Officer with the Fremont Police Department, since December of 2008.

On October 8, 2018, at approximately 12:30 a.m., Dominic Sarkar was shot to death while he was sleeping in his bedroom inside his residence located on Charleston Way in Fremont, California. I am the lead investigator on the case. The police investigation established that Marvel Salvant shot and killed Mr. Sarkar. The investigation also established that Maria Moore arranged the murder in order to collect \$800,000 in life insurance benefits. The summary of the investigation below is based upon numerous sources, including, but not limited to, police reports, witness interviews, suspect interviews, video surveillance recordings, cell phone records, and the results of numerous search warrants.

Police responded to the scene and found Mr. Sarkar in bed, shot multiple times. It did not appear that any valuables were taken from the residence. Mr. Sarkar's roommates, in other bedrooms, were not assaulted. It appeared from the investigation that Mr. Sarkar was specifically targeted. After the shooting, a neighbor saw a male run from Mr. Sarkar's residence, and flee on a bicycle. The male was wearing a lighted headlamp.

Police collected video surveillance footage from various locations, around the time of the murder. The video footage showed a Subaru Outback circling the area near Mr. Sarkar's residence, prior to the murder, as if casing the location. The vehicle eventually parked two blocks away from Mr. Sarkar's residence. The video showed a male ride a bicycle towards Mr. Sarkar's residence. After the time of the murder, the video showed the male return to the Subaru Outback on a bicycle. The vehicle then left the area.

On 10-09-18, Maria Moore came to the Fremont Police Department and spoke with investigators. Moore told investigators that she had an occasional sexual relationship with Mr. Sarkar. She said that she visited Mr. Sarkar at his residence during the early evening before the murder. She said that she was the beneficiary on a life insurance policy insuring Mr. Sarkar. She denied giving money to anyone recently. She consented to a search of her cell phone. She said that she had not deleted anything recently from her phone.

The police investigation revealed that, in April 2016, Mr. Sarkar and Moore purchased a \$500,000 life insurance policy, insuring Mr. Sarkar's life. When the policy was initiated, Moore was listed on the life insurance policy as Sarkar's domestic partner, co-owner of the policy, and the primary beneficiary. Two of Mr. Sarkar's daughters were listed as the contingent beneficiaries.

In September 2016, a beneficiary change form was submitted to the life insurance company for the \$500,000 policy, signed by Moore alone, removing Mr. Sarkar's daughters as the contingent beneficiaries. The form added Moore's son as the lone contingent beneficiary.

In 2017, Mr. Sarkar purchased an additional \$300,000 life insurance policy, insuring his life. When the policy was initiated, one of Mr. Sarkar's daughter's was listed as the primary beneficiary, and two other daughters were listed as contingent beneficiaries. The policy was later modified, under suspicious circumstances, to add Moore

as the primary beneficiary and remove Mr. Sarkar's daughters as beneficiaries.

As a result, Moore is presently the primary beneficiary on two life insurance policies insuring Mr. Sarkar's life, totaling \$800,000. The benefits have not yet been paid by the insurance companies.

On 09-19-18, Moore wired \$500 to Salvant via Western Union. Police identified Salvant and determined that he resides in Citrus Heights (near Sacramento). Police obtained extensive cell phone records, including location information and text messages, relating to the cell phones used by Moore and Salvant.

Analysis of this information established that Salvant was casing the victim's residence in the early morning hours of October 1st and 2nd. After casing the second time, Salvant sent a text message to Moore stating, "It's just a waiting game." On the morning before the murder, Salvant sent Moore a text message stating, "I am set to do everything tonight." Later in the day, Moore visited with the victim. After she left, Moore called Salvant. Records showed that Salvant then travelled to Fremont from the Sacramento area. Salvant's cell phone was in the area of the victim's residence before, during, and immediately after the victim's murder. Five minutes after the murder, Salvant sent a text to Moore asking, "Can you talk?" Salvant and Moore spoke by phone later that morning. The investigation revealed that Moore deleted her text messages and call log with Salvant before meeting with police the first time.

The police investigation revealed that Salvant drove a Subaru Outback. Video surveillance footage from the Benicia Bridge toll plaza showed Salvant's Subaru Outback passing through the toll plaza after the murder, as Salvant travelled from Fremont back to the Sacramento area.

On 10-21-18, Salvant stopped using the cell phone he had been using before and after the murder. That cell phone was subscribed in Salvant's true name. On the same date, Salvant began using a new cell phone, not subscribed in his name. Cell phone records show that, also on 10-21-18, Moore's cell phone connected with Salvant's new cell phone for a fifteen minute conversation. This was the last time that Moore's cell phone connected with Salvant's cell phone, despite the fact that Moore and Salvant were in frequent communication by cell phone before, during, and for several days after the murder. The investigation later revealed that Moore and Salvant began communicating through encrypted messaging apps.

On 10-25-18, surveillance officers observed Moore and Salvant meet in person at Moore's residence in Sunnyvale. Thereafter, on several occasions, Salvant told others that he would soon be coming into a large sum of money. On 11-17-18, Salvant told one person that he was about to get some money. Salvant also said, "I'm an evil person . . . I committed a cardinal sin . . . I already did it. So, ain't no turning back from here."

On 11-15-18, Moore and Salvant met clandestinely at a parking lot in Redwood City. Surveillance officers videotaped the meeting. The investigation revealed that Salvant met with Moore in the hopes of receiving his share of the insurance benefits, but he was frustrated to learn that the benefits would not be paid before Thanksgiving. At the end of the meeting, Moore handed something to Salvant.

On 11-22-18, Moore submitted forms to both life insurance companies, requesting payment to her of the life insurance benefits.

On 12-05-18, investigators learned that Moore and Salvant had been communicating via an encrypted messaging app. In a message string, Moore told Salvant that everything should be wrapped up soon. Salvant inquired if it would be wrapped up before Christmas. Moore replied "yes." Salvant replied, "I will be so happy."

On 12-09-18, Moore went to her boyfriend's residence and used the landline there to call Salvant on his cell phone, rather than calling Salvant from her cell phone. The telephone conversation lasted for approximately 44 minutes.

On 12-18-18, Moore and Salvant were arrested and interviewed by the police. Both lied repeatedly to investigators.

Salvant is a two time convicted felon. In 1992, Salvant was convicted of felony possession of cocaine base for sale and sentenced to four years in state prison. In 1995, Salvant was convicted of felony possession of a controlled substance for sale and sentenced to 151 months in federal prison. Based upon these felony convictions, it was unlawful for Salvant to possess a firearm.

Based upon the foregoing, I believe the following: Moore conspired with Salvant to murder Mr. Sarkar for financial gain, and by means of lying in wait. Salvant agreed to commit the murder. Moore agreed to provide Salvant with money from the expected life insurance benefits. Moore provided \$500 to Salvant in advance. Salvant cased the victim's residence on October 1 and 2, 2018, to determine the best time and method for

committing the murder. On October 8, 2018, Salvant again cased the victim's residence. Salvant waited and watched for the victim to go to bed. Salvant then entered the residence and shot the victim to death. After the murder, Moore attempted to obtain the life insurance benefits and Salvant attempted to get his "share" of the benefits from Moore.

Accordingly, I believe that Moore and Salvant committed murder, in violation of Penal Code Section 187(a). I also believe that the murder was intentional and carried out for financial gain (PC 190.2(a)(1), and that the murder was committed by means of lying in wait (PC 190.2(a)(5)). I also believe that Salvant, as a twice convicted felon, unlawfully possessed a firearm in violation of Penal Code Section 29800.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 12/19/2018 16:26:07

Declarant: Brent Butcher

Badge: 13364

Reviewed and approved.

Date: 12/19/2018 16:33:22

Supervisor: Paul McCormick

Badge: 2794



**County of Alameda**  
**DAILY**  
**DECLARATION AND DETERMINATION**  
**Probable Cause for Warrantless Arrest**



Arrestee/Suspect <b>MARIA MOORE</b>		DOB <b>07/18/1968</b>	Sex <b>F</b>	PFN <b>BMD439</b>
Race <b>ASIAN INDIAN</b>		CDL		Agency Report # <b>181008002</b>
Arresting Agency <b>FREMONT PD (CA0010500)</b>		Declarant <b>Brent Butcher</b>		Agency Phone <b>(510) 790-6800</b>
Agency Fax				
Arrest Date <b>12/18/2018</b>	Arrest Time <b>22:30:00</b>	Arrest Location <b>(1405 MARSHALL ST REDWOOD CITY, CA)</b>		
Holds		Arrestee Home Address <b>515 S BERNARDO AV SUNNYVALE CA</b>		
Charges/Violations <b>PC 187(A) F(1 Counts)</b>				

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committing the murder. On October 8, 2018, Salvant again cased the victim's residence. Salvant waited and watched for the victim to go to bed. Salvant then entered the residence and shot the victim to death. After the murder, Moore attempted to obtain the life insurance benefits and Salvant attempted to get his "share" of the benefits from Moore.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 12/19/2018 16:30:03

Declarant: Brent Butcher

Badge: 13364

Reviewed and approved.

Date: 12/19/2018 16:33:36

Supervisor: Paul McCormick

Badge: 2794