

June 04 2009 1:30 PM

KEVIN STOCK
COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 09-1-02783-0

vs.

CALVIN FINLEY,

DECLARATION FOR DETERMINATION OF
PROBABLE CAUSE

Defendant.

MARK E. LINDQUIST, declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the LAKEWOOD POLICE DEPARTMENT, incident number 091530704, and have been briefed by Lakewood Police Detectives Lawler, Johnson, and Bunton, and Lakewood Police Officer Martin;

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

That in Pierce County, Washington, on or about the 2nd day of June, 2009, the defendants, CALVIN FINLEY and MARSHAWN ALEX TURPIN did commit the crimes of Aggravated Murder in the First Degree, Murder in the First Degree, Assault in the First Degree and Robbery in the First Degree. Defendants ODIES DELANDUS WALKER and TONIE MARIE WILLIAMS-IRBY did commit the crimes of Murder in the First Degree and Robbery in the First Degree, and defendant FINLEY did commit the crime of Unlawful Possession of a Firearm in the First Degree.

Approximately one month prior to the robbery, Tonie Marie Williams-Irby, her boyfriend Odies Walker, and Calvin Finley began forming a scheme to rob an armored car at the Lakewood Walmart where Williams-Irby worked.

As a Walmart employee Williams-Irby was briefed at company meetings about the weekly and monthly income of the store. She reportedly told co-defendants Walker and Finley that "hundreds of thousands of dollars" could be had from the armored car.

Williams-Irby and Walker lived together and Finley was a friend. The three of them had a conversation at their residence where they attempted to recruit Jesse Lewis as the "triggerman" for the planned robbery. Lewis declined. While he was there, though, Lewis saw three handguns: two 9mm guns and a .45. He also saw the white Buick that was eventually used as the getaway car. When Lewis leaned up against the car, Walker told him to get away and not get prints on it because it was going to be used in the robbery.

In the three days leading up to the robbery Finley stayed at the residence of Williams-Irby and Walker. During this period Finley and Walker went to the Walmart and timed the movements of the armored car and the guard carrying the money bags. They also recruited Alex Turpin for his assistance.

On the day of the robbery, Williams-Irby was working in the Walmart. The armored car arrived in the parking lot near the front door of Walmart and a Loomis guard, Kurt Husted, proceeded into the store.

Shortly thereafter, Walker drove a white Buick up to the front door of the Walmart, approximately one hundred feet behind where the armored car was parked. Finley and Turpin got out from the passenger side of the car and walked quickly into the store.

This was recorded on video from the Walmart store.

DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

1 Less than a minute later, the Loomis guard, now carrying a cart with bags of cash and checks,
2 walks from the accounting office of Walmart and past the customer service section near the front door. As
3 he is about to turn toward the exit, Turpin and Finley approach the guard with Finley slightly ahead. This
4 is a crowded area of the store and dozens of shoppers are nearby.

5 Finley pulls out a handgun and within two seconds of pulling out the gun he points it at the
6 guard's face and fires. The guard, wearing a bullet-proof vest, collapses after being shot in the face
7 between his nose and upper lip. Finley then calmly turns and exits the store.

8 Turpin, who is also armed, swoops down and grabs the money bags from the guard's cart on the
9 floor and begins running out of the store behind Finley. From the video it appears that Finley focused on
10 disabling the guard while Turpin focused on the money. Turpin later confessed to police that "whatever
11 happens" it was his job to get the money.

12 The bullet that killed the Loomis guard passed out of the back of his neck and into the shoulder of
13 a nearby shopper, Wilbert Pena, who was standing in a line with his fifteen-month-old child in a shopping
14 cart. Blood spatter hit other shoppers.

15 Walker's car is already moving when Finley and Turpin hustle out of the Walmart and jump into
16 the vehicle. They flee the scene and split up.

17 After the robbery and murder, defendants Irby-Williams and Walker went on a shopping spree
18 and ate out at the Red Lobster, where they spent approximately \$175.00. Defendant Finley went to a
19 motel in Fife. Defendant Turpin went to his girlfriend's house.

20 Lakewood Police lead a multi-agency investigation that resulted in the arrest of the four
21 defendants. When Finley was arrested police found over \$20,000 in a safe in the trunk of his car. When
22 Irby-Williams and Walker were arrested, officers found over \$20,000 cash in a safe at their residence.

23 Finley told police that Irby-Williams and Walker received the larger cut because Irby-Walker
24 worked at the Walmart. He was calm in the interview and admitted that he walked up to the guard and
shot him in the face, but said the shooting wasn't intentional.

Finley has two prior felony convictions, Assault in the Second Degree and Residential Burglary.

Turpin initially denied any involvement, even claiming it wasn't him on the video. Eventually
Turpin admitted he was involved and it was him on the video. A detective asked if there was anything he
would like to say to the family of the dead guard if he had the opportunity.

He hung his head and said softly, "Sorry, I guess."

The detective said, "You guess you're sorry? A man was shot dead for money."

"I wouldn't apologize. What would that do. He's already gone."

"If you would have gotten away with this," the detective asked, "how would you have felt?"

"Bad, but, but I would have gotten over it because of the money."

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

DATED: June 4, 2009

PLACE: TACOMA, WA

/s/ EDMUND M. MURPHY
MARK E. LINDQUIST, WSB# 25076