

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

v.

LARRY IBARRETA
MILLETE, (DOB
09/24/1981)

Defendant

**DECLARATION IN
SUPPORT OF
ARREST WARRANT**

Case No. CS319857

D.A. No. BCI569

CVPD Case No. 2021 OCT 19 PM 3:00 2100392

I, Jesse Vicente, ID# CV1012, declare I am a peace officer employed by the Chula Vista Police Department (CVPD). I have learned the following information from the official Chula Vista Police Department files, reports, or talked with other CVPD officers, and investigators, who have spoken directly with the named witness(s). All events referred to herein occurred in San Diego County unless otherwise stated.

AFFIANT'S QUALIFICATIONS

I am a Police Detective employed by the City of Chula Vista and have been so for fifteen years. My time at the CVPD has consisted of Patrol, Special Investigations, and currently as a Detective in the Crimes of Violence (COV) Unit. I have held collateral duties that include, Field Training Officer (FTO), Psychological Emergency Response Team (PERT), and Special Weapons and Tactics (SWAT). I have been assigned as a homicide detective since November 2020, where my primary duties consist of investigating crimes of violence to include homicide, kidnapping, robberies, assaults, weapons violations, and missing persons.

I have investigated or assisted with the investigation of numerous crimes in relation to violent assaults, assaults with deadly weapons, robberies, attempt homicides and homicides. I have received training in relation to criminal investigations, criminal methods of operation, crime trends, and the criminal mindset to include an 80-hour Institute of Criminal Investigation Homicide Course. During the course of my duties, I have spoken with and interviewed hundreds of victims, witnesses, and suspects of violent crimes. During these conversations and interviews, I have gained insight and knowledge to how crimes are committed, and the methods employed while doing so.

SUMMARY OF PROBABLE CAUSE

The investigation has revealed that in the days leading up to January 7, 2021, May Millete was taking affirmative steps to divorce her husband, and that Larry Millete was determined to stop her. When Larry's desperate begging and threats failed to stop May from seeking a divorce, the thought of losing his family was unfathomable to him. May was dedicated to her career, loved her family, and she was committed to and cherished her children. There is no evidence to suggest that May left and disappeared of her own accord, or that she had the financial means to do so. Rather, the investigation has revealed that Larry had an overwhelming motive to prevent his wife from divorcing him. On January 7, 2021 May Millete was determined to leave the marriage, and Larry Millete was determined to stop her. Based on the totality of the investigation and circumstantial evidence including surveillance video, phone, text and social media communications, and motive, we have probable cause to believe that Larry Millete unlawfully killed his wife May and disposed of her body on or about January 7-8, 2021.

BRIEF SYNOPSIS OF MAY'S DISAPPEARANCE

On Saturday, January 9, 2021 at approximately 2350 hours, Maricris Drouaillet (hereafter referred to as Maricris) called the Chula Vista Police Department (CVPD) to report her sister, May Millete (DOB 5-1-81), missing. Maricris stated that May and her husband, identified as Larry Millete, had been having marriage problems, including recent fighting. May's family was concerned because they had not heard from May since the evening of Thursday, January 7, 2021.

Maricris stated the family had plans to celebrate May's daughter's 11th birthday (Sunday, January 10th) in Big Bear that weekend and it was uncharacteristic of May not to be in contact with her family. While Maricris was speaking to the officer, she seemed hesitant to speak about Larry and May's argument because she was at Larry and May's house, located at 2413 Paseo Los Gatos, in Chula Vista. Because of the hesitation in her voice, officers conducted a welfare check at the residence and arrived shortly after midnight on Sunday, January 10, 2021.

During the initial investigation, detectives learned that May and Larry had been having marital issues for the past year, and that Larry discovered that May had an affair. Detectives learned that May and Larry had an argument the evening of January 7 and that on January 8, Larry left with his 4-year-old for the day. Larry claimed he heard May in the house the evening of January 8, 2021 but had not seen her since the evening of January 7, 2021. Larry allowed officers to view his cell phone to review the text messages between he and May. Officers noted that all of the messages between Larry and May prior to January 9, 2021 had been deleted. Larry later stated he deleted the messages to conserve space on his cellular phone. All four Millete family vehicles (including a Lexus GX460) were at the house when police were notified of May's disappearance.

During the investigation, detectives located surveillance footage and observed May park her Jeep Rubicon on the street in front of her residence on January 7 at 1642 hours. Investigators have obtained multiple sources of video surveillance from the neighborhood and there is no surveillance footage capturing May leaving her residence after she arrived on January 7, 2021 at 1642 hours. She is last seen at that time walking towards her residence.

Detectives from the CVPD Crimes of Violence Unit were assigned to the case and subsequently conducted an extensive 9-month investigation. During the course of the investigation, 66 search warrants, 87 witnesses interviewed, and detectives followed up on approximately 128 tips. Numerous searches have been conducted and May has not been located. Larry Millete has not participated in any of the searches.

MAY AND LARRY WERE INVOLVED IN ONGOING AND ESCALATING MARITAL DISCORD THROUGHOUT 2020

The investigation has revealed that in 2020, May Millete began taking steps to physically and legally separate from Larry Millete. May communicated to her friends in late December 2020 that her marriage was "definitely over" and she had decided to file for divorce. Google searches on May's electronic devices during 2020 reveal inquiries for different divorce attorneys and searches such as "how to calculate child support payments" and "how much mortgage can I afford" indicating she was conducting research to begin a life separate from her husband.

The investigation has revealed that beginning in September 2020 and through January 7, 2021, Larry became increasingly obsessed with May's activities and communications with other people. Several family and friends described Larry as "controlling" or exhibiting "stalker-like" behavior. In 2020, Larry grew increasingly paranoid that May was going to leave the marriage, and he began to monitor her whereabouts.

Larry would also show up unannounced to May's work to see if she was meeting with another man. Larry's controlling behavior escalated throughout 2020 and into 2021.

On November 24, 2020 May sent an email to Larry after Larry sent her a link to an article entitled "What men want from their wives". May's response was:

"How about maybe you focus on also what women want from their husbands? All these things you send me are just about you. Which further solidifies the whole idea that you really think I'm the problem and that if you could only fix me, everything will be ok. As long as I go back to the "wife" you liked, the one who didn't rock the boat, who didn't assert her feelings, who didn't care about how much she was hurting so long as there's peace and harmony. then things will be OK. Because really, I'm the problem. right?"

There is no evidence to suggest that May Millete voluntarily disappeared of her own accord on or about January 7-8, 2021. Larry Millete is the only known person with a means and motive to hurt or kill her and to dispose of her body during that time.

LARRY'S TELEPHONIC COMMUNICATIONS REVEAL A DESPERATE, FRANTIC, UNBALANCED MINDSET COUPLED WITH HOMICIDAL IDEATIONS

During the investigation, I learned that during the week of January 4, 2021, May and Larry's marital discord was reaching a boiling point. A search of Larry Millete's telephonic communications revealed a frantic, desperate, unbalanced mindset coupled with violent and sometimes homicidal ideation that will be further detailed in this affidavit. (See Attachment A, hereby incorporated by reference in its entirety). May's family went to the desert in Glamis for a New Year's celebration in January 2021. Family members described Larry's behavior was odd and erratic. During the same trip, Larry asked a family member if he knew someone to "get" the other guy. This was interpreted as finding someone to hurt the man with whom May was having an affair. While confiding in a friend about her marital issues, May revealed that at one time in the past, Larry had choked May until she passed out. Larry's controlling behavior escalated throughout 2020 and into 2021.

A review of Larry's internet searches included "plant you take to never wake up" (March 2020) and "water hemlock" (November 2020). As their relationship declined, May was not interested in a physical relationship with Larry. In December of 2020, Larry conducted a search entitled "my wife doesn't want me to touch her" and then searched for "Flunitrazepam, rohypnol, and diphenhydramine." These are central nervous system sedatives and depressants that could be used to incapacitate a person. According to the DEA website, flunitrazepam is the generic name for Rohypnol, commonly referred to as a "date rape" drug.

A review of Larry's cell phone download, financial transactions, and other search warrant returns revealed that Larry sent hundreds of email communications to various companies which appear to sell "spells". The investigation revealed that these companies purport to be psychics, spirit channelers, and or white light practitioners capable of "energy work" who sell spells that can be "cast" to enhance a person's love life, eliminate debt, or make a romantic partner remain faithful. Larry purchased numerous spells to "cast" on May.

Between September 2020 and January 2021, Larry contacted the websites daily, sometimes multiple times a day, purchasing spells and sending messages requesting help so that May would obey him, fall back in love with him, and to incapacitate her or make her sick so that she could not leave the house. Specifically one message from Larry on December 27 states, *"Please Punish May and incapacitate her enough so she can't leave the house. It's time to take the gloves off."* The emails became increasingly panicked.

On December 31, Larry sent an email to a spell caster indicating that they were in the desert dirt biking and off roading for several days and asked, *"Can you hex to have her hurt enough that she will have to depend*

in me and need my help. She's only nice to me when she needs me or sick. Thanks again. Maybe an accident or broken bone."

TIMELINE OF EVENTS THE WEEK OF JANUARY 4 CULMINATE IN MAY'S MURDER ON JAN. 7-8, 2021

A review of May's communications with family and friends leading up to January 7, 2021 show she was preparing for divorce, and that her efforts culminated that week causing escalating tension with Larry. In a text message exchange with a friend on January 6, May stated, *"I told him I'm filing for divorce whether he likes it or not. I'm done trying to make it amicable for the sake of the kids."* May continued by stating that she was *"really hoping to get through this weekend first"* for her daughter's birthday. At 1215 hours on January 7, May spoke with a law firm and set up an appointment with a divorce attorney for Tuesday, January 12. May specifically wanted to wait to initiate the divorce until after her daughter's birthday on January 10, 2021. May's last phone call on January 7 was at 1548 hours with a divorce attorney. May's last known communication with any friend or family member on January 7, 2021 was at 2015 hours when she shared an ad for a Toy Hauler with her family through Facebook messenger.

Meanwhile, on January 7, 2021, with the knowledge that May was serious about proceeding with a divorce, Larry was growing more desperate. He sent countless emails to spell casters begging for help to prevent May from leaving him and filing for divorce. Frantic to reverse May's decision to file for divorce, Larry made statements in emails to spell casters sent the afternoon of January 7 such as, *"I think she wants me to snap"* and *"I'm shaking inside ready to snap."* At 1639 hours, Larry sent an email asking that a spell caster *"make her realize that we are meant to be with each other. Make her miserable without me. Make her want to sleep on the same bed for all eternity (praying hands emoji)"*. At 2121 hours, Larry sent a screenshot of his account balance from one of his cryptocurrency applications to his two daughters (ages 11 and 9).

May's phone activity stopped on January 8, 2021 at 0125 hours. About an hour later, Larry sent one email to a spell caster at 0236 hours on January 8, and then abruptly ends his messaging campaign begging for help to prevent May from leaving the marriage. Larry's desperation for May disappears. Larry doesn't send another email to a spell caster again until January 9, at 0555 hours when he asks that the spell caster *"remove or stop hexing my wife May"*. At this point, Larry's focus shifts and he sends emails through the beginning of February asking to punish the man with whom May had an affair. As of January 9, Larry does not direct any more spells or "hexes" toward May, nor does he make any more requests for assistance with his crumbling marriage.

LARRY WAS UNEXPECTEDLY ABSENT FROM WORK ON JANUARY 7 AND 8, 2021

Larry did not go to work on January 6, 7, or 8, 2021. Larry sent his boss text messages which appear to be screen shots or copies of text messages sent to Larry from May. The messages indicate that May was seeking a divorce and Larry was unraveling. On January 8, 2021, Larry's family and boss were looking for him and could not find him. In fact, Larry's boss sent a message to May the morning of January 8, 2021 saying he was concerned because he hadn't heard from Larry stating, *"This is not like him to miss work. It has been a few days."* Larry's father sent him a text message stating, *"Larry Please turn on your phone because Terry your boss is calling regarding your job!"* Based on the evidence, those closest to Larry cannot account for his whereabouts on January 8, 2021 as provided further in the body of this affidavit.

LARRY'S ALIBI ON JANUARY 8 CANNOT BE CORROBORATED

Larry stated that on January 8, 2021 he left at 0645 hours to take his 4-year-old-son to Solana Beach to give May her space. Larry claims he was with his son at Solana Beach the entire day.

Security video captured Larry on January 8, 2021 at 0558 hours moving his Lexus GX460. The Lexus was already backed into the driveway with the nose facing towards the street, but Larry drove the Lexus into the street, then reversed it back into the driveway into almost the same position. It appears that Larry repositioned the Lexus at an angle as he backed it up to the garage. Due to the angle, detectives were unable to see into the Lexus or into the garage. Based on the way the car was positioned, surveillance video does not capture whether Larry loaded anything into the back of the car. At 0645 hours the Lexus GX460 is seen leaving the residence and it does not return to the residence until 1806 hours.

The evening of January 8, May's brother went to the house around 1830 hours, to check on her. The family had been communicating via group text, and May had stopped responding after January 7. When he arrived at the residence, May's brother met with his 9-year-old niece. May's brother asked about May. His niece told him that May had been up in her room for the past eleven (11) hours. The niece also said she and her sister had not been fed. May's brother went inside the house, knocked on May's door, but never got an answer from her. May's brother never opened the door to look inside to confirm if May was inside. According to May's brother, Larry, who was home, said he had been at work all day and couldn't account for May's whereabouts. However, Larry changed his story half-way through the conversation and told May's brother he had taken his 4-year-old son to the beach. May's brother explained that after he checked on May he went back downstairs and asked Larry to let him know when May comes out. May's brother left the residence, and drove down the street to see if any other lights were on in May's room and he did not notice any.

During the initial stages of the investigation, Larry allowed detectives to speak with his children. The older two children were in virtual school and told detectives May would normally check on them periodically throughout the day while they were learning online. On Friday, January 8, 2021 May did not check on them. The older two children indicated they last saw May on Thursday, January 7, 2021. The children heard noises in the kitchen Friday, January 8, 2021, and assumed it was May but never actually saw her.

When asked to indicate on a map exactly where he was all day on January 8, 2021, Larry pointed to Torrey Pines State Beach, which is approximately 4 miles south of Solana Beach. Larry initially stated he took his phone to the beach, but records show Larry's phone was off from 0645 to 1834 hours. On January 26, 2021, detectives served a search warrant to seize the contents of the Lexus GX460 Infotainment System. The report generated from the download indicates a navigation event on January 8 at 1529 hours for Larry's home address at 2413 Paseo Los Gatos. The system did not capture any additional locations or routes traveled on January 8. Investigators have been unable to confirm Larry's whereabouts on January 8, 2021. Based on a review of Larry's cell phone activity, this extended 11-hour gap in cell phone activity was historically uncharacteristic. Weather reports for Torrey Pines on that day had a high of 63 degrees Fahrenheit and a low of 50 degrees Fahrenheit with fog.

LARRY WAS IN POSSESSION OF AN ILLEGAL ASSAULT WEAPON

A search warrant was served at the residence on January 23, 2021. Detectives located a .223/5.56 rifle. The firearm is non-California complaint configuration and is an unlawful assault rifle in violation of 30605 PC, which is a felony. There were four registered firearms to Larry which are unaccounted for at the time of the search warrant. Larry would not disclose where the firearms were stating only that he gave them to a "friend." Detectives later learned Larry gave them to his uncle to store for him because he knew law enforcement was coming.

Detectives obtained security footage from a neighboring residence and observed the following. On 1/7/21 at approximately 2157 hours, the sound of nine loud bangs (possibly gunshots) were recorded. Nothing visual was captured on the footage. At 2234 hours, kids could be heard playing in the backyard of a the Millete residence. The homeowner identified the voices as the Millete kids because she had heard them playing on prior occasions. The homeowner found it odd the kids were playing outside so late since it was a school night and the past few nights had been very cold. The audio recording of the loud bangs was provided to the

FBI for analysis, who determined the recording "was not of sufficient quality to accurately record and reproduce gunshot impulses" and "could not be scientifically classified as gunshot events".

During the search on January 23, 2021 Detectives searched a gun safe located in the coat closet off the front entryway on the first floor. Among the items seized were 2 Glock handguns, 1 shotgun, 1 rifle, multiple caliber ammunition, numerous firearm parts and add-ons, and 3 Secure Digital (SD) cards.

As of January 23, there were four firearms registered to Larry that were still unaccounted for including a Smith and Wesson automatic .40 caliber handgun (serial #PDH9902).

On 5/7/21, detectives served Larry with a Gun Violence Restraining Order (GVRO). Per the order, Larry was to surrender his firearms to law enforcement in an immediate and safe manner. Larry did not comply with the order and a search warrant was served at Larry's house (2413 Paseo Los Gatos) for the sole purpose of collecting all firearms, firearm parts and ammunition. Detectives seized three of the four registered firearms they were unable to locate on January 23. Detectives also seized two registered Glock handguns Larry acquired after January 23 and an additional unregistered firearm, numerous firearm parts, and thousands of rounds of ammunition. The Smith and Wesson .40 caliber handgun (serial #PDH9902) has not been located and remains outstanding.

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NO PROOF OF LIFE FOR MAY

May was born on May 1, 1981. She has five siblings and her parents are still living. May and Larry Millete married in Honolulu, Hawaii on May 12, 2000. May was 19 years old when they married. Larry Millete was born on September 24, 1981. He was 18 years old when they married.

Larry Millete currently works as an optician in the Optometry Department, Naval Medical Training Center San Diego. As of June 2020, May Millete worked for the Department of Defense (DOD) at Southwest Regional Maintenance Center San Diego (SWRMC) as a Supervisor Contract Specialist. Effective June 21, 2020 May changed jobs within the DOD and began working as an Administrative Specialist at Naval Institution Warfare Center "NIWC" Pacific. May excelled in her job, and she was committed to her career.

Through my investigation, I have learned that May was an avid cell phone user and regularly used her cell phone to communicate with friends, family, and to utilize social media. After January 7, 2021 at 2015 hours, she has not communicated with anyone via text, social media, or phone call.

In September 2021, the investigative team conducted a study to precisely characterize the whereabouts of the victim's phone moments leading to her phone's network termination on 1/8/21 at 0125 hours. Extensive phone record data was acquired and analyzed. The results of the study allowed law enforcement experts to conclude that on January 8, at 0125 hours, May's phone was consistent to being in the San Miguel Ranch neighborhood, to include the Paseo Los Gatos address.

Analysis of May's cell phone records indicate her phone activity stopped on January 8, 2021 at 0125 hours. The location data of May's cell phone indicates her phone did not leave her residential neighborhood (San Miguel Ranch) in Chula Vista while it was powered on. Investigation into May's financial accounts (including credit cards) show no purchases or transactions (other than late fees and/or recurring charges) since her disappearance. All of Larry and May's vehicles are accounted for and May's passport is expired. Searches of the residence indicate May's items of value remain in the house, including jewelry, purses, and clothing.

This case has received international media coverage. Her photograph has been posted by numerous news outlets and on various websites seeking information about her whereabouts. There have been no credible sightings of May Millete since she was last seen on January 7, 2021.

Family and friends confirm that May was not suicidal and would never voluntarily leave her kids. May was in good health, was very active, had a successful career and had plans for the future. Larry and May's marital problems escalated in 2020 and in 2021. As the year progressed May became more determined to file for divorce and Larry became more desperate to keep the marriage intact. Based on statements, text messages, and emails May was taking concrete steps to leave the marriage.

Though May Millete's body has not been found, it is my opinion, supported by the information and evidence set forth in this affidavit, including Attachment A, that the totality of the circumstantial evidence, witness statements, Larry's observed change in behavior, events leading to May's disappearance, and May's abrupt change in pattern of life provides probable cause to believe that Larry is responsible for causing May's death.

WHEREFORE, your declarant prays for the issuance of a warrant for the arrest of the above-named defendant for the following violations:

CHARGE	ISSUE TYPE	CHARGE TITLE
187 (A) PC	Felony	MURDER (F)
30605 (A) PC	Felony	ILLEGALLY POSSESS ANY ASSAULT WEAPON (F)

The description of LARRY IBARRETA MILLETE is as follows:

DOB: 09/24/1981	Eye Color: Brown	Height: 5' 6"
Race: Filipino	Hair Color: Black	Weight: 170
Sex: Male		

Identifying Marks, Scars and Tattoos:

Tattoo back	619
Tattoo chest	Cross
Tattoo left forearm	Millete
Tattoo back	Only God Can Judge Me

Forms of Identification:

SSN
Drivers License Number

Last known address: 2413 Paseo Los Gatos, Chula Vista, CA 91914

I declare, upon information and belief, that the foregoing is true and correct under penalty of perjury.

Executed in the County of San Diego, State of California, on this 18th day of October, 2021.

John Doe #1012
Declarant

Bail recommendation: NO BAIL

Reviewed for legal sufficiency by:

Christy Bowles

Christy Bowles
Deputy District Attorney

Declaration read;
Probable cause to arrest is found;
Warrant to issue.

The defendant is to be admitted to bail in
the sum of No Bail dollars.

Shawn K. Morris
Judge of the Superior Court

10-18-21
Date