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Respondent.

Docket 84724 Document 2023-04810

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**MARIO BLADIMIR TREJO**  
**Case No. 84724**

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analysis (cartridge cases), distance determination, suppressors/silencers (commercial and homemade) examination, serial number restoration, and firearms modification or homemade firearms examination).

**GROVEMAN, LEAH – LVMPD P#15822** (or designee): will testify as an expert in the science and technology underlying DNA testing, the processes and procedures performed in DNA testing, the examinations done on any and all evidence in this case, the results of such testing, and reports prepared in this regard.

**JONES, BARRY – LVMPD P#9679** (or designee): Is a Digital Investigator with the Las Vegas Metropolitan Police Department Digital Forensics Lab and is an expert in the field of digital forensic analysis, which includes the collection of electronic and digital devices, the download of information, it's interpretation, and preservation from all forms of electronic devices, including but not limited to computers and cellular phones, and is expected to testify thereto.

**WHITTLE, CHRISTINE – LVMPD P#15383** (or designee): Expert in the field of DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

These witnesses are in addition to those witnesses endorsed on the Information or Indictment and any other witnesses for which a separate Notice of Witnesses and/or Expert Witnesses has been filed

The substance of each expert witness' testimony and a copy of all reports made by or at the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

**\*INDICATES ADDITION OR REVISION**

STEVEN B. WOLFSON  
DISTRICT ATTORNEY  
Nevada Bar #001565

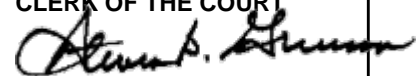
BY /s/ MICHAEL J. SCHWARTZER  
MICHAEL J. SCHWARTZER  
Chief Deputy District Attorney  
Nevada Bar #010747

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MARIO TREJO, #2717641  
CCDC  
330 CASINO CENTER BLVD.  
LAS VEGAS, NV

/s/ Deana Daniels  
Secretary for the District Attorney's Office

dd-MVU for GU



1 **ROC**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MICHAEL J. SCHWARTZER  
6 Chief Deputy District Attorney  
7 Nevada Bar #10747  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10  
11 Plaintiff,

11 -vs-

CASE NO: C-18-335315-1

12 MARIO TREJO,  
13 #2717641

DEPT NO: XXIV

14 Defendant.


15 **RECEIPT OF COPY**

16 RECEIPT OF COPY of the following is hereby acknowledged this 12<sup>th</sup> day of  
17 October, 2021.

- 18 1. 271 PAGES OF DOCUMENTS FROM A CELLEBRITE REPORT  
19 2. ONE (1) FLASH DRIVE CONTAINING ONE (1) PHONE DOWNLOAD

20 MARIO TREJO #2717641  
21 PRO PER DEFENDANT

22 BY

  
23 CDC (INMATE)  
24 330 S. CASINO CENTER DR.  
25 LAS VEGAS, Nevada 89101

26  
27 18F16522X/dd/MVU-Gang  
28

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARIO BLADIMIR TREJO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

Supreme Court No. 83091  
District Court Case No. C335315

**FILED**

OCT 21 2021

*Elizabeth A. Brown*  
CLERK OF COURT

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"ORDER this appeal DISMISSED."

Judgment, as quoted above, entered this 30th day of July, 2021.

IN WITNESS WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court at my Office in Carson City, Nevada this August 24, 2021.

Elizabeth A. Brown, Supreme Court Clerk

By: Sandy Young  
Deputy Clerk

C-18-335315-1  
CCJD  
NV Supreme Court Clerks Certificate/Judgn  
4971332



IN THE SUPREME COURT OF THE STATE OF NEVADA

MARIO BLADIMIR TREJO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 83091

FILED

JUL 30 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This appeal was initiated by the filing of a pro se notice of appeal. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

Appellant filed a notice of appeal on June 17, 2021. The notice of appeal fails to identify any judgments of the district court. Further, it does not appear from the district court docket and minute entries that the district court entered any appealable order. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

  
Parraguirre

  
Stiglich, J.

  
Silver, J.

cc: Hon. Erika D. Ballou, District Judge  
Mario Bladimir Trejo  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk



**IN THE SUPREME COURT OF THE STATE OF NEVADA**

MARIO BLADIMIR TREJO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 83091**  
District Court Case No. C335315

**REMITTITUR**

TO: Steven D. Grierson, Eighth District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified Copy of Opinion/Order  
Receipt for Remittitur

DATE: August 24, 2021

Elizabeth A. Brown, Clerk of Court

By: Sandy Young  
Deputy Clerk

cc (without enclosures):

Hon. Erika D. Ballou, District Judge  
Mario Bladimir Trejo  
Clark County District Attorney \ Alexander G. Chen, Chief Deputy District  
Attorney

**RECEIPT FOR REMITTITUR**

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the  
REMITTITUR issued in the above-entitled cause, on OCT 21 2021.

HEATHER UNGERMANN

Deputy District Court Clerk

RECEIVED  
APPEALS

OCT 21 2021

CLERK OF THE COURT

FILED

NOV 19 2021

CLERK OF COURT

Eight Judicial District Court  
Clark County

The state of Nevada  
 Plaintiff,

Case No: C-18-3353-13-1

Dept No: 24

-VS-

Motion to Suppress witness

Mario Trejo #2717641

Testimony/Impeachment of

Defendant, Pro se witnesses.

Comes Now, Mario B. Trejo, Defendant in prose,  
 hereby moving this court to suppress witness statements  
 and impeachment of witnesses, including the testimony made  
 during this cases Grand Jury indictment. The specific wit-  
 nesses in question are:

December 13, 2021

8:30 AM

Adriane Serrano-Bojarcquez

Melani Lynn Howard

Jonathan Rivera-Sandoval

Malcolm Gale

Emily Lingo

Carla Beck

Juliana Saldana

Natacha Montoban

Ivan Jaquez

Hugo Gallego

Giovanni Andino

Dwayne Melvin

The grounds for this motion are as follow.

Argument: Fact and Proof of claim

On sept. 3<sup>rd</sup> of 2018, the defendant was arrested  
 for allegations pertaining to this case. After the arrest  
 police removed 12 witnesses to the alleged crime  
 and placed them in the back room of a neighboring busi-  
 ness (AutoZone), in which they were left together and  
 unsupervised for about 3 hours, from about 1:20 PM to  
 at least 3:55 PM, an action which undoubtedly broke  
 proper police procedure by failing to separate all eye-



1 witnesses prior to interviews. This failure of police  
2 procedure allowed the free exchange of information and  
3 collusion between these 12 individuals, it also gave ample  
4 time frame and conditions so that any witness testimony  
5 and view could be altered, coerced or otherwise  
6 tainted by outside info or influence as will be reviewed  
7 shortly, the fact that this lack of proper procedure  
8 occurred is proven and reinforced by the recorded statements  
9 themselves which are of record and due to this fact  
10 all involved witness statements, opinions and testimonies should  
11 be suppressed and the individuals in question impeached  
12 as witnesses. It is also on record that because of  
13 these witness testimonies, a grand jury indictment was  
14 held against the defendant, an indictment which not only  
15 wasn't challenged by an ineffective counsel whom had  
16 just cause, but also resulted in 14 Felonies and an  
17 Over-zealous bail of 500,000.

18 The defense will now present excerpts from the statements  
19 in question, which prove just cause and grounds  
20 for this motion and comes to show that all the witnesses in  
21 question along with their testimonies are inadmissible in  
22 a proper and honorable court.

23  
24 •During Recorded witness statements, det. T. Pandullo  
25 P# 7884, Carla Reck and Juliana Saldana state  
26 and admit that all witnesses were moved to Autozone  
27 and left there for a while after the alleged events of  
28 Sept. 3<sup>rd</sup> of 2018.

1 • In their statements, both Adriane Serrano-Bajonquez and  
2 Jonathan Rivera-Sandoval claim to have seen "Knives"  
3 allegedly worn by suspect in back. Not only is the same  
4 key word "Knives" used in error by both witnesses but  
5 according to the alleged order of events and the al-  
6 leged position of persons involved, Mr. Rivera-Sandoval was  
7 never in a position to view suspects back. Hence mak-  
8 ing his statement false or not his own and therefore  
9 inadmissible in court.

10  
11 • During alleged events, Adriane Serrano-Bajonquez claims  
12 the suspect "Gave me zip ties while... Everyone was lay-  
13 ing down" allegedly out of sight with their heads down  
14 However while adriane admits to being the only wit-  
15 ness to this ~~allegation~~ allegation, Ivan Jaquez and  
16 malcolm Gale also make this claim in their statements.  
17 additionally ~~the~~ Dwayne Melvin states "When i asked  
18 the girl, she said they put zip ties on the door."

19 -Note- Dwayne Melvin refers to adriane Serrano-Bor-  
20 jonquez as "the girl" throughout his statement, proving  
21 that his witness statement was also influenced by another

22  
23 • Allegedly, Adriane Serrano-Bajonquez and Jonathan Riv-  
24 era-Sandoval were the only witnesses close enough to  
25 suspect, to have identified his alleged weapon by  
26 brand, however while Jonathan admitted he could not identify  
27 the alleged weapon, witnesses Melani Lynn Howard and  
28 Juliana Saldana stated And identified the ~~weapon~~

1 alleged weapon as a "Glock" even though neither witness  
2 was in a favorable position according to their statements  
3 to have seen alleged weapon. Furthermore, Melani  
4 Howard used the descriptive key words "9mm. Glock"  
5 to identify the alleged weapon which happen to  
6 be the exact same key words used by Adriane  
7 Serrano-Bojorquez.

8 • In their statements Adriane Serrano-Bojorquez, Jonathan  
9 Rivera-Sandoval, Ivan Jaquez and Giovanni Andino all  
10 claim that other workers hit panic buttons during the  
11 alleged incident, however most people mentioned were on  
12 opposite ends of the location in accordance with their statements.  
13 Hence proving that they couldn't have possibly  
14 witnessed each others alleged actions. Additionally Mr.  
15 Jaquez admits on his statement that Melani Lynn Howard  
16 told him that during the alleged event, she  
17 hid and called police, further proving collusion of the  
18 witnesses.

19  
20 • In their statements Adriane Serrano-Bojorquez, Emily  
21 Lingo and Malcolm Gale state that alleged suspect wore  
22 "Kevlar" or a "protection vest" over his clothing, a claim  
23 that does not coincide with alleged facts of case  
24 and is error obvious enough that it could only have  
25 been made through the propagation of ideas among the  
26 witnesses while at Autzone awaiting interviews.

27 • In their statements Jonathan Rivera-Sandoval and Giovanni  
28 Andino both state that alleged suspect wore

1 "wore padding", the exact same description from  
2 both witnesses even though there is <sup>nothing</sup> in alleged facts  
3 of case that would compell both witnesses to make  
4 the exact Error in perspective, while using the exact  
5 same Key words.

6 • In their statements Both Adriane Serrano-Bajonquez  
7 and Juliana Saldana use the exact same key words  
8 to describe the alleged suspects voice by stating  
9 that he had a "Gypsy Accent". Not only do they  
10 use the same words but they also use the same  
11 term "Gypsy" which is an exact and very uncommon  
12 type of ~~tribe~~ denomination / tribe of people, made  
13 up of many european, American, asian and middle-eastern  
14 races, there is no one exact Gypsy accent and it is  
15 obvious these witnesses shared info and colluded.

16 • Allegedly only Adriane Serrano-Bajonquez and the  
17 suspect were present and involved during the alleged  
18 incident in the business parking lot, however Jonathan  
19 Rivera-Sandoval, Juliana Saldana and Malcolm Gale all  
20 admit to knowing the alleged details, with Malcolm  
21 Gale even admitting adriane told him what allegedly  
22 occurred out in the parking lot.

23 • Ivan Jaquez, Malcolm Gale, Giovanni Andino and  
24 Dwayne Melvin admit in their statements that info  
25 was exchanged about the alleged incident while await-  
26 ing to be interviewed. Dwayne Melvin admits ~~admits~~  
27 having knowledge of alleged details said to have  
28 occurred prior to his arrival to location, while Giovanni

1 Andino admits to having knowledge of Dwayne Melv-  
2 in's alleged experience at door during a point in  
3 which-according to witness statements- Giovanni Andino  
4 was physically unable to witness such event, with  
5 him going as far as stating that "When the cus-  
6 tomer (Dwayne Melvin) tried to come in... it felt  
7 like it (The door) was restraining." This statement  
8 shows obvious collusion in between the witnesses.

9 -As a final Note- The states celled brite report  
10 brings up the possibility of an alleged "inside" person  
11 involved in these allegations, taking this into consideration  
12 if there is an inside person allegedly involved and this  
13 person was left alone with the witnesses to collude  
14 , coerce or otherwise taint the witnesses with outside  
15 information, then the court must seriously consider  
16 throwing out all witness statements, testimony and  
17 impeach the individuals in question, the info brought  
18 forth in this motion proves there has been collusion  
19 and that witnesses and their statements are  
20 inadmissible in court.

### 21 Conclusion

22 The defense request that in this matter, all witness-  
23 es and their testimonies be duly suppressed, includi-  
24 ng those heard in the Grand jury indictment because  
25 the witnesses in question have been heretofore proven  
26 unreliable. Furthermore, through out these statements  
27 witnesses make errors, quotes and use descriptions/  
28 Key words identical to each others, in some instances

1 they use identical language, word for word as if  
2 colluding on a single, perfectly practiced Narrative.  
3 While witnesses are allowed errors in perception and  
4 in views of events, when cross-referencing the  
5 witness statements, however we come across too  
6 many coincidences that raise red flags and prove  
7 that a serious procedural oversight or lack there  
8 of has allowed tainted and inadmissible testima  
9 ny make it before a judge, the court and a  
10 Grand jury. Respectfully this miscarriage of  
11 justice must be swiftly halted and ~~by~~ by granting  
12 this motion, the courts may yet stop further dama-  
13 ge to the defendants constitutional rights.

14  
15 I thank you for your time, patience and careful  
16 consideration in this matter Honorable Judge Ballou  
17 and i pray that you uphold the rights and  
18 protections afforded to me by this Great Nation.

19  
20 Dated this Sept. 25<sup>th</sup> of 2021

21  
22  
23 Signed: Mario B. Trejo  
24 Defendant, pro-se.  
25  
26  
27  
28

## Legal points and Authorities

In the case Napue V. Illinois, it states that under the due process clause of the 14th amendment, the Government "May not knowingly use false evidence, including false testimony, to obtain a tainted conviction" or "allow it to go uncorrected when it appears" 360 U.S. 264, 269, 79 S.Ct. 1173, 34 Ed. 2d 1217 (1959) (explaining also that this rule "does not cease to apply {2020 U.S. Dist. Lexis 63} merely because the false testimony goes only to the credibility of the witness.")

In this matter, not only did the witnesses collude in their testimony by sharing views and information but it is also obvious that someone in this group coerced and tainted these witnesses prior to being interviewed on Sept 3rd, 2018.

Furthermore, this is an obvious fact that appears if one thoroughly reads these statements, a fact that should've been and likely was noticed by the D.A.'s office, yet in violation of the defend. due process rights, the state presented these false testimonies and perjurious witnesses before the courts and a grand jury, when it was their responsibility to impeach these witnesses and throw out their testimonies.

Eight Judicial District Court  
Clark County

The State of Nevada  
Plaintiff,

Case No: C-18-3353-151

-VS-

Mario Trejo #2717641  
Defendant pro-se,

Time chart to show  
How long witnesses were  
Left alone at "Autozone"

Exhibit A



Time of alleged incident : 1315 Hours - 1:15 PM  
Witnesses moved to "AutoZone" : In between 1315 and 1335  
1:15 PM 1:35 PM  
Interview times in order.

Jonathan Rivera-Sandoval : 1555 - 3:55 PM

Emily Lingo 1557 - 3:57 PM

Juliana Saldana 1559 - 3:59 PM

Ivan Jaquez 1600 - 4 PM

Adriane Serrano-Bejarquez 1605 - 4:05 PM

Giovanni Andino 1605 - 4:05 PM

Melani Lynn Howard 1610 - 4:10 PM

Malcolm Gale 1613 - 4:13 PM

Carla Reck 1620 - 4:20 PM

Natacha Montoban 1635 - 4:35 PM

Hugo Gallego 1700 - 5 PM

Dwayne Melvin 1712 - 5:12 PM

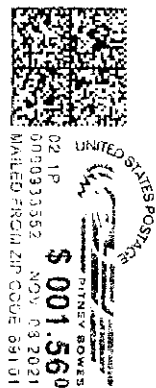
This time table of events was produced  
by cross-referencing witness statements along with  
the time logs noted by detectives, all info  
is accurate and produced to the best of  
my abilities under penalty of perjury.  
Dated: OCT. 5<sup>th</sup> of 2021

Signed: Mario B. Trejo  
Defendant, Pro-se

Manio Thejo #2717641  
Case No: C-18-3353-15-1  
330 S. Casino Center Blvd.  
Las Vegas, N.V. 89101  
\$1.56

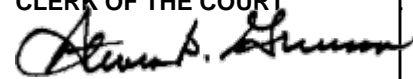
RECEIVED  
NOV 15 2021  
CLERK OF THE COURT

Regional Justice Center  
ATTN: Clerk of the Court  
200 Lewis Ave. 3rd floor  
Las Vegas, N.V. 89155



177377

SENT FROM THE  
CLARK COUNTY DETENTION CENTER  
LAS VEGAS, NEVADA



1 **RESP**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 RONALD EVANS  
6 Deputy District Attorney  
7 Nevada Bar #015218  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10  
11 Plaintiff,

11 -vs-

12 MARIO BLADIMIR TREJO,  
13 #2717641

14 Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

15 **STATE'S RESPONSE TO DEFENDANT'S MOTION TO SUPPRESS WITNESS**  
16 **TESTIMONY/IMPEACHMENT OF WITNESSES**

17 DATE OF HEARING: DECEMBER 13, 2021  
18 TIME OF HEARING: 8:30 AM

19 COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County  
20 District Attorney, through RON EVANS, Deputy District Attorney, and hereby submits the  
21 attached Points and Authorities in Response to Defendant's Motion To Suppress Witness  
22 Testimony/Impeachment Of Witnesses.

23 This Response is made and based upon all the papers and pleadings on file herein, the  
24 attached points and authorities in support hereof, and oral argument at the time of hearing, if  
25 deemed necessary by this Honorable Court.

26 //

27 //

28 //

//

1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On October 4, 2018, an Indictment was filed charging Mario Trejo (hereinafter  
4 “Defendant”) with one (1) count of Burglary While in Possession of a Firearm (Category B  
5 Felony – NRS 205.060 – NOC 50426); seven (7) counts of Robbery With Use of a Deadly  
6 Weapon (Category B Felony – NRS 200.380, 193.165 – NOC 50138); one (1) count of First  
7 Degree Kidnapping With Use of a Deadly Weapon (Category A Felony – NRS 200.310,  
8 200.320, 193.165 – NOC 50055); two (2) counts of Assault on a Protected Person With Use  
9 of a Deadly Weapon (Category B Felony – NRS 200.471 – NOC 50205); one (1) count of  
10 Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480), and one (1)  
11 count of Attempt Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380,  
12 193.330, 193.165 – NOC 50145).

13 On October 15, 2018, Defendant was arraigned in District Court, entered a not guilty  
14 plea, and waived his right to a speedy trial within sixty (60) days. On November 28, 2018,  
15 Defendant filed a Motion for Setting of Reasonable Bail. On December 18, 2018, the Court  
16 denied the Motion. On January 14, 2019, Defendant filed a Motion for Setting Reasonable  
17 Bail With Electronic Monitoring. On January 23, 2019, the Court granted the Motion and set  
18 Defendant’s bail at \$75,000 with a condition of house arrest.

19 On March 2, 2021, Defendant filed a Motion to Dismiss Counsel. On March 15, 2021,  
20 Defendant’s counsel filed a Motion to Withdraw as Attorney of Record. On March 31, 2021  
21 Defendant appeared at a special setting without the State present. The Court conducted a  
22 Faretta canvas and granted Defendant’s Motion. Based on Defendant’s representations and  
23 arguments, he was not appointed standby counsel.

24 On May 6, 2021, Defendant filed a Motion to Suppress Digital Evidence. On May 11,  
25 2021, Defendant filed a Motion to Dismiss State’s Motion of Opposition. On June 2, 2021,  
26 the Court denied Defendant’s Motion to Dismiss States Motion of Opposition. On September  
27 23, 2021, Defendant filed a Motion to Dismiss Standby Counsel. On October 11, 2021, the  
28 Court denied Defendant’s Motion.

1 On November 19, 2021, Defendant filed a Motion Suppress Witness  
2 Testimony/Impeachment. The State's Response follows herein.

3 **STATEMENT OF FACTS**

4 On August 4, 2018, Defendant Mario Trejo attempted to rob the Super Pawn at 1150  
5 South Rainbow Boulevard in Clark County, Nevada. Grand Jury Transcript ("GJT"), October  
6 3, 2018, page 8. Jennifer Incera, a manager at Super Pawn, arrived at work around 8 AM with  
7 two other employees and was about to unlock the store when Defendant wearing a black  
8 motorcycle helmet, a leather jacket, gloves, and boots ran toward her. GJT, p. 8-12. Defendant  
9 was armed with a shotgun and pumped it while going toward Jennifer. GJT, p. 12-13. Jennifer  
10 yelled at her employees to run. GJT, p. 12-14. Eventually, Jennifer and her employees made  
11 it to one of their vehicles and all three of them escaped in that vehicle. GJT, p. 14-15. While  
12 driving away, Jennifer noticed Defendant started to follow the vehicle. GJT, p. 16. Eventually,  
13 after some maneuvering, Defendant stopped following Jennifer and the other employees. GJT,  
14 p. 18. Defendant later confessed to the attempt robbery. GJT, p. 89.

15 On September 3, 2018, Defendant robbed the same Super Pawn during business hours.  
16 At about 1:30 PM, Defendant dressed in the same outfit, returned to the Super Pawn armed  
17 with a handgun and a rifle and entered the business. GJT, p. 43-46. Using the handgun,  
18 Defendant ordered all the employees at gun point to move behind the counters and to sit on  
19 the floor. GJT, p. 46-47. Defendant ordered an employee named Adriane Serrano-Bojoglez to  
20 open two safes while taking money and placing it inside a backpack that he was carrying. GJT,  
21 p. 47-50. Defendant then ordered Ms. Serrano-Bojoglez at gunpoint to open each of the cash  
22 registers. GJT, p. 50.

23 After taking jewelry in the same fashion, Defendant became upset that one of the safes  
24 was on a time delay. GJT, p. 52-53. Defendant ordered Ms. Serrano-Bojoglez to open the back  
25 door to allow him to exit and she informed Defendant that she did not have the proper keys to  
26 do this. Id. As police arrive, Defendant exited the business through the front door with the  
27 handgun placed to Ms. Serrano-Bojoglez' head. Id. With Ms. Serrano-Bojoglez as a hostage,  
28 Defendant began to make his way to a vehicle parked outside the business. GJT, p. 54-57.

1 Police issued commands for Defendant to drop the firearm. Id. At some point,  
2 Defendant moved the handgun from Ms. Serrano-Bojoglez' head and aim it at uniformed  
3 police officers. GJT, p. 57-60. At this time, Ms. Serrano-Bojoglez seized the moment to grab  
4 Defendant's arm and pull it toward the ground as the handgun fired. Id. Ms. Serrano-Bojoglez  
5 was able to successfully wrestle the handgun from Defendant however, he began to reach for  
6 his second gun—a rifle. Id. As officers observed Defendant reaching for the rifle, they fired  
7 striking Defendant and causing him to fall to the ground. Id. Ultimately, Defendant was taken  
8 into custody. Id.

### 9 ARGUMENT

10 Defendant's Motion seeks to suppress twelve (12) witnesses from testifying. Motion to  
11 Suppress (hereinafter "Motion"), at 1, 6. Defendant also seeks to have any prior testimony by  
12 these witnesses be suppressed. Id. at 6. Defendant requests the exclusion of these witnesses  
13 based on his perception that the witnesses conferred with one another to develop a narrative  
14 implicating him in the crime; and that these witnesses are thereby unreliable. Id.

15 Evidence that is illegally seized may be suppressed at trial. See NRS 179.085, see also  
16 State v. Shade, 110 Nev. 57, 63, 867 P.2d 393, 396 (1994)). However, a Motion to Suppress  
17 is limited to items of evidence that were illegally seized pursuant to the Fourth, Fifth, or Sixth  
18 Amendment of the United States Constitution. Shade, 110 Nev. at 63, 867 P.2d at 396; see  
19 also Gathrite v. Eighth Jud. Dist. Ct. In & For Cty. of Clark, 135 Nev. 405, 411, 451 P.3d 891,  
20 896 (fn. 7) (2019). In the instant case, there was no fourth, fifth, or sixth amendment violation.  
21 In fact, Defendant does not even allege that such a violation occurred. None of the witnesses  
22 interviewed were under investigation for the crime, nor were they in custody. There is nothing  
23 in any of the transcripts or the Motion to suggest that the statements were not made voluntarily.  
24 See Exhibit 1. As such, there is simply no basis to suppress these statements.

25 The Court may alternatively view this Motion as a Motion in Limine seeking to exclude  
26 certain testimony and/or witnesses from testifying; as what Defendant's Motion argues is that  
27 he does not believe the witnesses have been truthful thus far, nor will they be truthful at trial.  
28 However, credibility of a witness is a question for the fact finder. See Ward v. State, 95 Nev.

1 431, 432, 596 P.2d 219, 220 (1979). As such, this is not a basis to exclude witnesses from  
2 testifying. To the extent Defendant has concerns regarding the veracity of the witnesses that  
3 will be presented against him, he is entitled to impeach them. See NRS 50.075; see also  
4 Collman v. State, 116 Nev. 687, 709, 7 P.3d 426, 440 (2000) (stating that a party may attack  
5 a witness's credibility in regard to their perception, memory, communication, sincerity, or  
6 bias).

7 Defendant has identified no other basis to exclude these witnesses from testifying. Nor  
8 does there seem to be one. What witnesses can be called in a trial is governed by NRS Chapter  
9 50. To be called as a witness, a witness must be competent; take an oath prior to testifying;  
10 and have either personalized knowledge of the matter they testify about or be an expert  
11 witness. NRS 50.015, NRS 50.025. Each of the witnesses Defendant seeks to exclude were  
12 present at the scene when the crime was committed. See generally Exhibit 1 As such, they  
13 each have personalized knowledge of at least some portion of the crime and are thus capable  
14 of testifying as to those facts of which they have personal knowledge.

15 Regarding whether the witness's prior statements and any grand jury testimony should  
16 be excluded, said statements/testimony are only admissible under certain conditions at trial.  
17 See e.g. NRS 51.035 (generally excluding hearsay but allowing the admission of prior grand  
18 jury testimony under certain circumstances); NRS 50.135 (allowing for the use of prior  
19 statements when impeaching a witness under certain conditions). The State has no intention  
20 of using the statements or grand jury testimony outside the scope of the applicable rules of  
21 evidence. The statements, like any potential witness's testimony are clearly relevant, and thus  
22 are admissible absent some other identified legal cause. See NRS 48.025. Further, the veracity  
23 of said statements (if they in fact are admitted for a lawful purpose at trial) is a question for  
24 the fact finder. As such, Defendant has not identified any legal cause or reason why these  
25 statements should be categorically excluded from trial.

26 //

27 //

28 //



1 CONCLUSION

2 Based on the pleading above the State respectfully requests that this Court Deny  
3 Defendant's Motion To Suppress Witness Testimony/Impeachment Of Witnesses.

4 DATED this 2nd day of December, 2021.

5 Respectfully submitted,

6 STEVEN B. WOLFSON  
7 Clark County District Attorney  
8 Nevada Bar #001565

9 BY 

10 RONALD EVANS  
11 Deputy District Attorney  
12 Nevada Bar #015218

13 CERTIFICATE OF MAILING

14 I hereby certify that service of the above and foregoing was made this 2nd day of  
15 December, 2021, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

16 MARIO BLADIMIR TREJO, #2717641  
17 CCDC  
18 330 S. CASINO CENTER BLVD.  
19 LAS VEGAS, NV, 89101

20 BY 

21 Secretary for the District Attorney's Office  
22  
23  
24  
25  
26  
27

28 18F16522X/RE/ckb/L4

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 1**

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER INVOLVED SHOOTING (NON-FATAL)DATE OCCURRED: 09-03-18TIME OCCURRED: 1315 HOURS

LOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: ADRIANE SERRANO-BOJORQUEZ (AS)DOB: [REDACTED]SOCIAL SECURITY #: [REDACTED]RACE: [REDACTED]SEX: [REDACTED]HEIGHT: [REDACTED]WEIGHT: [REDACTED]HAIR: [REDACTED]EYES: [REDACTED]HOME ADDRESS: [REDACTED]PHONE 1: [REDACTED]PHONE 2: [REDACTED]

WORK ADDRESS: SuperPawn  
1150 S. Rainbow Blvd.  
Las Vegas, NV 89146

The following is the transcription of a tape-recorded interview conducted by DETECTIVE P. QUINTEROS (PQ), P# 9055, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1605 hours.

PQ: Operator, this is Detective P. Quinteros P# 9055, with the Force Investigation Team, conducting a victim citizen interview reference an ongoing investigation under LVMPD Event# 180903-1848. The incident occurred on September 3, 2018 at approximately 1310 hours at 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146. The interview is being conducted in my unmarked vehicle on the property of 1240 South Rainbow Boulevard, Las Vegas, Nevada 89146. Victim is Adriane Serrano-Bojorquez, that's Adam, David, Robert, Ida, Adam, Nora, Easy. Last name, Sam, Easy, Robert, Robert, Adam, Nora, Ocean-Baker, Ocean, John, Ocean, Robert, Queen, Union, Easy,

***EXHIBIT "1"***

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENT  
PAGE 2**

**EVENT#: 180903-1848**

**STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

Zebra. Date of birth [REDACTED] Social [REDACTED] Her Nevada OLN is [REDACTED],  
her current address [REDACTED] Las Vegas, Nevada.  
89108. Her phone number [REDACTED]. She's currently employed with Super Pawn  
as an assistant manager and has, ah, shift hours and days off that vary. Today's date  
is September 3, 2018, and the time is 1605 hours.

AS: That's a lot to remember.

PQ: Um, do you know the interview's being recorded?

AS: Yes.

PQ: Okay and can I, is it okay if I call you Adriane?

AS: Yeah, that's fine.

PQ: Um, So we're here conducting an investigation of the incident that happened at Super  
Pawn, but before we start with the details, can you tell us, what, um, if you were on  
shift tonight, I'm sorry, today and what were your duties?

AS: So I was on shift from 9:00 am to 5:00 pm for the Labor Day our hours were varied.  
Usually it's 8:00 am to 6:00 pm and typically my duties involve running the store on a  
day to day basis. Whether it's approving things for associates to conduct pawns or  
making sales, um, as well as batching, boxing, and shipping jewelry which was what I  
was doing at the time that everything started to happen.

PQ: And as far as your duties are you - are you in one section of the store, or all over?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 3

EVENT#: 180903-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: We're all over, we're never just on one section. Some people will be on the sales floor helping customers, directing traffic, um, others will be behind the counter assisting customer with loans or sales or extensions. Some people will be behind the jewelry counter, um, I was in the office with a different associate verifying some paperwork to jewelry.

PQ: Okay, so do you know how many employees were inside the Super Pawn today?

AS: Altogether we had seven employees...

PQ: Seven employees.

AS: ...including myself.

PQ: Okay, so let's go ahead and start with, um, how the incident unfolded, um, your actions, um, what you remember and then, ah, we'll go from there.

AS: Okay. So when it all started happening I was in the office with Giovanni and Dino, ah, checking all the jewelry to the paperwork verifying that everything was there so that we could properly ship it out and everything was accounted for. Um, suddenly Juliana Zaldonia came into the office and started screaming, "210 - 210 - 210". A code that we have to alert a manager that something's wrong. When I looked up at her face I noticed that she was frantic, she was scared, so I knew something had to be wrong. Immediately Gio and I stood up and I looked out of the office and saw the, ah, I don't know what to call him besides asshole. I'm sorry.

PQ: That's okay, ah, suspect.

## LAS VEGAS METROPOLITAN POLICE DEPARTMENT

## VOLUNTARY STATEMENT

PAGE 4

EVENT#: 180903-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: The suspect...

PQ: Mm-hm.

AS: ...was, um, in the sales floor, pointing the gun at my associates, pointing the gun at the customers, telling everyone to get out of the office, to get on the floor, to get up front, in front of him so that we could do what he needed done and I grabbed the pendant that I wear, ah, panic button. I usually keep it in my pocket so I hit the button repeatedly over and over to alert the police that something was happening at the shop. And then I proceeded to put it back into my pocket and I exited the office with Giovanni and everyone started to get onto the floor to move towards him as he continued to point the gun at us. He started saying, "Get down - get down. Get on the floor, where I can see you. Is there anyone else in the shop?" And I told him, "No, this is everyone - this is everyone, we don't have anyone else in the back." He was like, "Who's the manager - who is the manager?" At that point I identified myself as the manager, with my keys and hands, arms up, everyone else was told to go onto the sales floor in front of the loan counter and to lay down. And he told me to go and set the safe, while he watched them so I grabbed some of the jewelry that I had on the counter and threw it underneath the desk, because I didn't want him to get it. You know, the least he took the better for us as a shop. And so I set the bottom of the safe, grabbed my phone, put it in my pocket and so he ordered me back out. He was like, "Give me the money from the tills." So I started opening up some of the tills and handing him all the money and he stopped me before I put it in the backpack. He said, "No, I don't want any of your track pack shit." Which is essentially a tracker that we hide in the money in order to track

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 5

EVENT#: 180903-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

them once they leave the shop. He asked us, "Did you push any pendants? Did you push any panic codes, I don't want a hostage situation." And I told him, "No, no one's pressed anything, we haven't done anything, what do you want?" So he continued to collect the money that I was grabbing from the tills. And he asked me, "Is that everything?" And I told him, "Yes, it's everything." He said, "How long for the safe?" And I'm like, "The safe takes five minutes I can't do anything until it beeps." So he ushered me over to the case 10, which is our jewelry back wall, I tried to open the jewelry cases that have the trackers and the silent police alarms. He said, "No, I don't want anything from your cases, I want it all from the wall." So I don't often go into that case, I fumbled with the keys, I dropped a lot of them, I didn't know which one it was, and I told him that. He's like, "No, you're stalling. I know you know which key it is, get it open, you're taking too fucking long." So I finally figured out which key it was, 'cause I really didn't know which one and I opened it up. He's like, "Hurry up - hurry up." While pointing the gun at me. So I took all of the jewelry that I could and I stuffed it in the bag, backpack that he had. Um, along with all of the money that he had. So after he was content that we had enough money, he's like, "How long has it been?" And I told him, "I don't know, I have no idea how long it's been." So he put me back into the office and he told him, ah, he told everyone, "I'm still watching you, don't you fucking move. Ah, none of you better move, I don't wanna shoot you, I don't wanna kill you, I just need to get this and go." So I go back into the office, he's like, "Is it open yet?" And I said, "No, it's not time yet, it hasn't been five minutes, like I can't force it open." So he's like, "Fuck this is taking too long. He said, you're letting me out of the back."

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 6

EVENT#: 180903-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

Because we have back doors in the warehouse. I told him, "I don't have the key for that." And so he's like, "Who has the key?" And I told him, "My store manager has it, she's not here today." He's like, "You better not be fucking lying to me." And I told him, "I don't have that key, there's nothing I can do." So at this point, I'm still in the office, he runs to the front door, while aiming the gun at the rest of the people who are on the floor, he looks, by lifting his visor on the helmet that he was wearing, it was a motorcycle helmet, black. And he notices that the cops are there. He curses, aims the gun at me and says, "Come here now." So I walk over to where he is and he starts to grab me by my shirt, pulls my hair, pulls my shirt, pushes me outta the door."

PQ: Okay, let's - let's stop right there so we can clarify a couple things. Um, so when Julianne came in, ah, she said, "210 - 210." Is there a specific definition for a 210 or is it just trouble?

AS: 210 it can be either, there's two eyes on ten fingers, someone's trying to steal something from you.

PQ: Mm-hm.

AS: Or 210, there's someone in the store that you need to watch or we're in danger.

PQ: Okay.

AS: But the way that she said it, told me something really bad was happening.

PQ: So her demeanor was panic, or?

AS: She was petrified, she was so scared. And I just, I didn't know what to do.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 7

EVENT#: 180903-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: Did she say that how many people, or what was going on, or if the person had a gun or not?

AS: Ah, there she just said, "There's a guy with a gun."

PQ: Okay.

AS: So then I looked up and then I saw him and he was there by himself.

PQ: Okay and when you said, um, where'd you, so you were in the office. How'd you see him into the, did you see him through surveillance or?

AS: No, I stood up and I looked through the doorway.

PQ: Mm-hm.

AS: And I forgot to add also that he gave me zip ties while everyone else was laying down and he told me to zip tie the door.

PQ: Okay.

AS: But, the zip ties sucked really bad and he yelled at me for having the zip ties come off.

PQ: Okay, um, so when you look through a doorway then you can see him?

AS: Yes.

PQ: And he was by himself?

AS: Yes.

PQ: Did you know if it was a he or a she?



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENT  
PAGE 8**

**EVENT# 180903-1848  
STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

AS: It was a male.

PQ: It was a male.

AS: You could tell by the build. About 5' 7", maybe 150 to 160 pounds.

PQ: Okay. Um, ah, and is that when you hit the panic button or was it?

AS: Once I saw him...

PQ: Mm-hm.

AS: ...ah, with the gun...

PQ: Mm-hm.

AS: ...I immediately started pressing the panic button, but also Johnathan hit his panic button.

PQ: And what did - what did you see when you looked down, you - you saw him with a gun, did he have it down, was it tucked in, or was he pointing it?

AS: He had it, he already had it out and he had it pointed at all of us, he would go from person to person, instructing what to do.

PQ: And how, can you estimate how many customers were in there?

AS: There were three customers.

PQ: Three customers.

AS: Seven employees.

PQ: So three customers, so he, did he point the gun at everybody?

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: Everyone.

PQ: Everyone and was he threatening?

AS: Yes, he said, "Get down. Get, well, he - he said, I don't wanna shoot you."

PQ: Okay. And then everybody got down?

AS: Then everyone complied - everyone complied.

PQ: Okay.

AS: I was the only one that didn't get down.

PQ: Okay and, um.

AS: Immediately I identified myself as the manager, I didn't want them to get hurt.

PQ: Okay. So ah, can you describe him for me, ah - ah, the clothing, I know you - you gave me his physical features, but his clothing.

AS: Yes. So he had a black helmet on.

PQ: Mm-hm.

AS: A motorcycle helmet with a tinted visor.

PQ: Okay.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: He had a long sleeve black shirt, and what - what looked like to be Kevlar or some type of protection over his chest.

PQ: Okay.

AS: On the pants, I don't remember what color they were, but he did have pants on, um, I know that sounds really dumb.

PQ: Mm-hm, no worries.

AS: But, he also had knives in the back of his oh, and his back, like on a belt of some sort they looked like either throwing knives or something of that nature.

PQ: And you can see this inside the store?

AS: Yes.

PQ: Okay.

AS: As soon he turned around I started taking mental notes of everything that I could.

PQ: Okay and then, um, do you remember how many knives?

AS: Ah, about four.

PQ: Did he ever pull 'em out?

AS: No.

PQ: Okay. Um, ah, did he speak English, Spanish?

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EVENT#: 180903-1848  
STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: English.

PQ: Okay, um, was it, ah, proficient in English?

AS: He was, but he sounded like he had a bit of an accent.

PQ: Okay.

AS: Almost like the Gypsy accent.

PQ: A Gypsy accent, okay.

AS: Mm-hm. And at one point he opened up his visor to look out of the door.

PQ: Mm-hm.

AS: And he had a paleish complexion with blue green eyes.

PQ: Okay, so when you identified yourself as the manager, is that when he directed his attention towards you?

AS: Yes.

PQ: Okay, so now at this point everybody's on the floor, and you're the one that...

AS: That's when yeah, and that's when he gave me the zip ties and told me to lock the door.

PQ: Okay and then when you, you used the zip ties, did they work or?

AS: No, they didn't zip like you would expect a zip tie to.

PQ: Mm-hm.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: Um, I did them as tight as I could, ah, but was hoping that no one would come in, unfortunately two people did try to come in.

PQ: Mm-hm.

AS: While we were still on the sales floor. So when they pulled on the door, they pulled relatively hard and the zip ties came off, they opened in and he started to come in but looked at me, looked at the, um, what did you call him again, the...

PQ: Suspect.

AS: ...suspect.

PQ: Mm-hm.

AS: He looked at the suspect and the suspects like, "Come here - come here, come inside."

PQ: Mm-hm.

AS: And I told him, "No, please leave."

PQ: Mm-hm.

AS: So they left they ran.

PQ: And that was a couple?

AS: It was a couple.

PQ: Okay.

AS: Ah, taller 6' 5" gentleman and a - a shorter black female.

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EVENT#: 180303-1848

STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: Okay. Um, so - So the dynamics in the store stayed the same. Seven employees, one suspect, three citizens?

AS: Yes.

PQ: Okay. Or customers, um, So when you said he dir- he directed you to the safe or to the office?

AS: He directed me into the office where we have a time delay safe.

PQ: Did he, how did he do that, did he grab you, did he have the gun on you, what?

AS: He just trained the gun on me...

PQ: Okay.

AS: ...and said, "Go open the safe, set the timer." Um, and at that point, I complied, I kept my hands up, I had my keys in my hands, to show him that I wasn't a threat. That I was willing to comply to get him out.

PQ: Described what trained the gun on you, ah, can you be specific?

AS: Trained the gun, is he aimed the gun at me.

PQ: Mm-hm.

AS: Specifically, in the chest area.

PQ: Okay. And then, um, so the safe, um, did you get were you ever able to get it open?

AS: The safe I entered in the code and it took five minutes to open.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: Mm-hm.

AS: We were gone before...

PQ: Okay.

AS: ...the safe even opened. By the time I came back inside to lock the doors, the safe was going off.

PQ: So when he said, "I don't want any of your track packs." I mean what - what do you think, I mean did he have knowledge of what.

AS: Typically, customers aren't aware that we have track packs...

PQ: Mm-hm.

AS: ...in our money.

PQ: Mm-hm.

AS: But, he - he examined the money in my hands...

PQ: Mm-hm.

AS: ...before I even put it in his backpack.

PQ: Mm-hm.

AS: He knew which jewelry cases had the silent alarms.

PQ: Mm-hm.

AS: He knew which tills would have had the money, ah, track packs, which track them.

PQ: Mm-hm.

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**STATEMENT OF: ADRIANE SERRANO-BOJDRQUEZ (AS)**

**AS:** Or stain the most, um, color sometimes. Um, before he left, so he was fully aware of how we worked. Where he parked, also there's no cameras there that would have seen that.

**PQ:** Okay. So now with him having knowledge of having you walk him to the back door, I mean.

**AS:** He had to have a way of knowing there was a back door.

**PQ:** Okay.

**AS:** But, you can see the doors from the outside also.

**PQ:** Maybe an employee or someone that's been just did their homework?

**AS:** It's plausible at this point.

**PQ:** Okay.

**AS:** We have been scoped out by different people, where they come to look at the placement...

**PQ:** Mm-hm.

**AS:** ...of the cameras, they'll drive around the building to see where the exits and entrances are.

**PQ:** Okay. And then, um, you actually put, do you know how much money, or?

**AS:** Ah, roughly about \$4,000 give or take. Um, that was in money for jewelry it might have been closer to \$10,000. So altogether roughly anywhere from \$14,000 to \$15,000.



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PQ: Approximately?

AS: All together.

PQ: Okay.

AS: Because we only keep about a \$1,000 to \$1200...

PQ: Mm-hm.

AS: ...in the tills. Someone calling me, I'm sorry. So I'm gonna put it on silent.

PQ: Thank you. Okay, so now and you - you stuffed that into his, um, backpack?

AS: To the backpack he had it open. He also made me close it before we left.

PQ: Okay and then the backpack, what color was it?

AS: It was a black backpack.

PQ: Okay.

AS: It had a ton of pockets on it.

PQ: Now when he went to leave. He was gonna go through the front doors. Um, ah, you said he cursed, do - do you remember what exactly he said, ah, that made you think that or made you aware that he knew the cops were outside?

AS: The fact that he grabbed me.

PQ: Mm-hm.

AS: Um, and he said, "Come here we're leaving."

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**STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

PQ: Mm-hm.

AS: I panicked, I realized I'm leaving the store and...

PQ: Mm-hm.

AS: ...I didn't want that to happen, a lot of the time once you go with them either you get hurt or they kill you, they don't want witnesses and I don't know if he understood that I had vision of his eyes or...

PQ: Mm-hm.

AS: I just, I panicked I didn't wanna leave the store. I had my phone on me, 'cause there's no way I'm going to leave the shop without some form of communication, a way to call you guys or...

PQ: Mm-hm.

AS: ...there's no way I was leaving without letting someone know I have to be helped.

PQ: Okay.

AS: So.

PQ: So now can you describe how he held you, ah, where he had the gun and how did you exit the - the business?

AS: So he grabbed me with his left hand...

PQ: Mm-hm.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: ...onto my left shoulder pulling my hair, scarring or just grazing my chest area and he pushed me with my shirt forward and then I realized that he had the gun on me. And he's like, "I have..."

PQ: Could - could you feel it?

AS: Yes.

PQ: Mm-hm.

AS: I could feel it on shoulder.

PQ: Okay.

AS: And he was ushering me forward.

PQ: Mm-hm.

AS: Pushing me with the gun, pulling me from my shirt. And I started to hyperventilate.

PQ: Mm-hm.

AS: And just kind of panic, I was scared. And So I - I saw that there were cops everywhere...

PQ: Mm-hm.

AS: ...and I knew that they had their guns trained on him, but wouldn't shoot while I was there.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: So let's go with that. So once he takes you as a hostage and you guys walk out of the store, when, how long do you, um, does it take you to realize that there are police officers out there?

AS: About a half a second.

PQ: A half, okay, so...

AS: I recognized the cars, I saw the lights, I heard...

PQ: Mm-hm.

AS: ...ah, just everything going on. And I heard the cocking of the guns.

PQ: Mm-hm.

AS: Saying they were ready to shoot.

PQ: Mm-hm.

AS: So then he started moving me towards the left or the south side of...

PQ: Okay.

AS: ...the parking lot.

PQ: Mm-hm.

AS: Where there was a white car...

PQ: Mm-hm.

AS: ...with Arizona plates. The only letter I got was E, which was the first one.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: Okay, um, can you be, ah, can you be a little more descriptive on the, um, the, um, the vehicle, was it a sedan, was it a SUV?

AS: It was a four-door sedan. Um, ah, I - I don't know if it was a Hyundai or a Honda, but it was - it was white and I just remember seeing Arizona plates.. I tried my hardest to remember the license plate number, but I just couldn't.

PQ: Was there anybody inside the - the - the car?

AS: The windows were tinted I couldn't see anything inside. I just knew that if I got to that car, it was game over.

PQ: Okay, So now as you got closer to this car, what happened then?

AS: Well, he started to train the gun on the policeman after we passed the pillar, that's in front of the store.

PQ: And then just to clarify, um, did he point the gun at the officers?

AS: Once we passed the pillars, he aimed the gun towards the officers that were in front of us.

PQ: And how many officers do you recall, um, being there?

AS: I don't remember looking at the officers...

PQ: Mm-hm.

AS: ...to count how many, I just know that they were there.

PQ: Okay. And then, um, So ah, where is he, where are you in relations to, um, the suspect, you and the officers?

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**STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

AS: So it was the suspect that was behind me.

PQ: Mm-hm.

AS: The gun was to the left of my face, I could see it...

PQ: Mm-hm.

AS: ...and his hand.

PQ: Mm-hm.

AS: And he was aiming over my shoulder at this point, using me as a shield.

PQ: Okay.

AS: And the cops were in front of me.

PQ: Mm-hm.

AS: And they were behind their truck door...

PQ: Okay.

AS: ...almost using it as a shield in case they had to, um, and he was walking me towards the car.

PQ: Okay and then, um, were the officers yelling commands, were they telling him to stop, or drop the gun or anything like that?

AS: I honestly don't remember beforehand.

PQ: Mm-hm.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: I just remember thinking, I can take this gun. I can take it away from him and if I can get away they can shoot him.

PQ: Was that the position when he was pointing the gun?

AS: It was when he had the gun to the left of my face where his arm was over my shoulder.

PQ: Mm-hm.

AS: And the gun and his hand were clearly visible.

PQ: Okay. Now, can you describe the gun? Was it the same gun he had inside the store?

AS: It is the same gun that he had inside the store, it looked like it was a Glock, which I am familiar with. I have a...

PQ: Okay.

AS: ...Glock 23, gen four that I usually go shooting.

PQ: Mm-hm.

AS: So I was familiar with where the release was, the slide, everything about the gun.

PQ: Okay.

AS: It looked like it was a 9-millimeter.

PQ: Okay. And then So now he's pointing it at the officers, he's using you as a shield and he's walking towards the - towards the white car?

AS: Yes.

PQ: Ah, what happens then?

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: So at that point I start to panic, I'm afraid that if I get into that car that no one will see me again. I'm afraid that he's gonna shoot me or that he's gonna hurt me and I just wanted everyone to be safe. I was petrified. Ah.

PQ: Take your time.

AS: So I knew I had to get the gun away. Ah. I told myself if I get shot, I get shot, but at least they'll shoot him. So I pushed away from him abruptly and with both hands I grabbed the gun and aimed it down, so he wouldn't shoot the officers. 'cause I was scared for them. Ah, I was trying to get to the magazine release so that I could release the - the mag so he wouldn't have any more bullets. 'Cause usually they have about 15 per magazine. And so he started hitting me with his shoulder so I hit him back and he's like, "Let go - let go." And I'm like, "No, stop. Get away, go." And he's like, "No, you don't understand my daughters gonna die." So I managed to get the gun from him, I released the magazine, and I throw it on the ground and I look back at him and he's starting to grab the other gun and I don't know if he was gonna point it at me or the officers, but I ran - I ran back into the store. Ah.

PQ: We'll - we'll stop there right now give you a little break. Um, I appreciate your bravery - your bravery. Um, So but.

AS: Ah. Go ahead. Ah.

PQ: So when you decided to grab onto that gun, 'cause it's over your shoulder and you can see the gun.

AS: Yes.



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**STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

**PQ:** You grab it, did you grab his arms or the - or the gun with both hands?

**AS:** I went under his hand.

**PQ:** Mm-hm.

**AS:** In between him and the gun trying to force it in.

**PQ:** Mm-hm.

**AS:** Or force it down.

**PQ:** Mm-hm.

**AS:** So that I could try to get to that release. And I pointed it downwards with my right hand over the slide of the gun and he fired once into the floor.

**PQ:** Okay, now and then at that point, is when there was the struggle for the gun?

**AS:** Yes.

**PQ:** Okay, and eventually you were able to strip the gun from him?

**AS:** Yes, I took the gun, stripped the magazine from the gun.

**PQ:** Mm-hm.

**AS:** I was not able to clear the chamber, but I threw it...

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

PQ: Mm-hm.

AS: ...onto the floor.

PQ: Okay and then that's when you ran?

AS: And that's when I ran back into the shop.

PQ: But, ah, you know, let's - let's go back, um, we did miss that part. Um.

AS: Go ahead.

PQ: So the, when you stripped the gun, then you see him going for another gun?

AS: Yes, he had one slung over his shoulder, it looked like a rifle.

PQ: Did he, did you notice that gun inside the store?

AS: Yes.

PQ: Okay, so he had that the, mm-hm.

AS: The Glock, the rifle, the knives.

PQ: Okay. And then that rifle or what you describe as a rifle, can you just can you describe it for me, or what you know or?

AS: From the closest thing I could see it had a very harsh body almost like an AK.

PQ: Mm-hm.

AS: Um, assault rifle. Ah, it had like the holes that are bored over where...

PQ: Mm-hm.

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: ...the barrel would be. And it was really short, um, so I didn't even know at first if it had a barrel but he went to reach for that and it looked like he got stuck. At one point, after I took the gun from him and threw it onto the floor.

PQ: Okay, so now you strip the gun away from him, and he, you can see that he's going for his rifle.

AS: Another gun. Mm-hm.

PQ: And somewhere between you throwing the gun on the floor, and running, his gun got stuck on his clothing, or do you know whether...

AS: I think it might have been the belt that had the - the knives.

PQ: Okay.

AS: And it was for a split second.

PQ: Mm-hm.

AS: But, once I saw he was going for the other gun, I freaked out and just started running and then I heard the gunshots, just pop, pop, pop in sequential order, just I didn't wanna look back after that, I figured if I can get out of here as long as I don't get shot, I can secure the door.

PQ: Mm-hm.

AS: And make sure that everyone inside the store is safe.

PQ: Okay and then so now, you're free, you run and you get in the store. You -you lock the door?

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

AS: Once I get into the store, the doors have hydraulics that sometimes take awhile to close, I pulled it with all my might to...

PQ: Mm-hm.

AS: ...try to get it closed so that I could lock it.

PQ: Mm-hm.

AS: Once I locked the door, one of the someone from inside, I can't recall who was like, "Get away from the windows."

PQ: Mm-hm.

AS: "Get behind the counter, just get - get away from there." So I started hyperventilating and panicking and then my anxiety kicked in and I just started freaking out and crying and I couldn't breathe and everyone was safe and I was just happy that, you know, everyone was okay. I just, I didn't know if they had gotten him or not, so when I saw them release the dogs, I freaked out 'cause I thought they don't release the dogs unless they can't find them or I was worried he would get back into the shop to hurt me, 'cause he saw my face.

PQ: Um, did you get hurt?

AS: I couldn't tell at first.

PQ: Mm-hm.

AS: Um, but once the adrenaline started wearing off my left foot, ah, at this moment and then started hurting really bad. I have a bit of a limp, but I didn't want any medical

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STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)

attention, I just wanted it to be over. So I declined the medics and just kind of put up with it.

PQ: Okay, now when he had the visor and just and going back, I'm sorry.

AS: Mm-hm.

PQ: When he had the visor up, did you recognize him or ever see him as a maybe as a customer or an emp- or former employee or?

AS: His eyes looked familiar.

PQ: Mm-hm.

AS: But since I didn't get to see the rest of his face, I - I couldn't tell. Um, but they - they did look familiar.

PQ: So when you were wrestling, um, with him for the gun, ah, and with the top of the slide where it moves forward and back, did your hands get any small injuries or did it get caught on the gun, or?

AS: No, I knew not to grab it from directly over...

PQ: Mm-hm.

AS: ...where the bullet ejects.

PQ: Okay.

AS: Because if not it could have damaged my hand.

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**STATEMENT OF: ADRIANE SERRANO-BOJORQUEZ (AS)**

**PQ: Mm-hm.**

**AS: Um, I've pinched myself before during my shootings with my husband.**

**PQ: Mm-hm.**

**AS: Or my fiancée, um, and so I knew to keep my hand away from there, but I had to grip the top of the gun to aim it down.**

**PQ: Okay. You have anything else, um, that I may have forgotten, or any details that can help with the investigation?**

**AS: Not at this moment, aside from, you know, everything we've talked about. That's pretty much as much as I can remember. In as much detail as possible.**

**PQ: Did he and I know it was going fast, when he said, "You don't understand my daughters gonna die." Did he say anything else?**

**AS: No. He just said, "Let go--let go, you don't understand my daughter's gonna die." And I felt bad, but I just I had to get out of there. It - it was either him or me and I have too much to fight for.**

**PQ: Okay. All right. Operator, that's the end of the interview. Same date, the time is 1631 hours. Thank you.**

**THIS VOLUNTARY STATEMENT WAS COMPLETED INSIDE AN UNMARKED LVMPD VEHICLE PARKED IN AREA OF 1240 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1631 HOURS.**

**PQ: (NET TRANSCRIPTS)  
FIT2018-036  
J5814L Reviewed**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENT  
PAGE 1**

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER-INVOLVED SHOOTING (NON-FATAL)DATE OCCURRED: 09-03-18TIME OCCURRED: 1315 HOURS

LOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: JONATHAN RIVERA-SANDOVAL (JRS)

DOB: [REDACTED]

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

PHONE 2:

WORK ADDRESS: SuperPawn  
 1150 S. Rainbow Blvd.  
 Las Vegas, NV 89146

The following is the transcription of a tape-recorded interview conducted by DETECTIVE A. UBBENS (AU), P# 13119, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1555 hours.

AU: This is Detective Ubbens, P# 13119 with the Force Investigation Team, conducting an interview under Event# 180903-1848, today is September 3, 2018, at 1555 hours. Currently at 1150 South Rambo Boulevard, Las Vegas, Nevada 89146, conducting an interview with Jonathan Rivera-Sandoval. Last name Robert, Ida, Victor, easy, Robert, Adam, hyphen, Sam, Adam, Nora, David; ocean, Victor, Adam, Lincoln, first John, ocean, Nora, Adam, Tom, Henry, Adam, Nora. Date of birth [REDACTED], social [REDACTED], address 1 [REDACTED], Las Vegas, Nevada 89108. Phone number [REDACTED]

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EVENT#: 180903-1848

STATEMENT OF: JONATHAN RIVERA-SANDOVAL (JRS)

, currently works at SuperPawn as a pawn broker with varied hours and varied day off. Hey, Jonathan, can you tell me what happened today?

JRS: Um, started off on the floor, luckily for me I was close by the door, uh, instantly I saw what happened to be a helmet and, uh, what I thought was like, a satchel, a black satchel which turned out to be a - a weapon, uh, soon as I saw the weapon I pressed our, um, our, uh, our panic button - so to speak - uh, which called the co- uh, police. Um, but as - pretty sure he saw me I - I felt him lookin' at me, uh, as soon as I pressed it I let go, I just - he, uh, pulled the - or, uh, cocked his gun and pointed it directly at me as he opened the door. Um, I don't remember too much, I remember, uh, him just sayin' to put our hands up, to everybody get together, with three customers in. um, told us to get on the floor, told us to be in one spot next to the jewelry, and then he changed his mind and told us to go by the - by the counter. Um, and told us to get face down, hands up, asked various times if anybody pulled any, uh, alarms or, uh, contacted the police, um, you know, obviously which we all said no to. Um, I pressed it a few more times, I think I pressed it like, two more times or so, um, just to make sure, you know, that it was - that it was pressed. Um, I remember a black helmet, um, I remember padding, one gun in his right hand, uh, automatic on his - carrying it on his body. Uh, I wasn't sure if I saw knives in his back pocket or if it was somethin' else, I'm pretty sure it was knives. Um, and I just remember him sayin', "I don't wanna hurt anybody, I just want the money," um, and he just grabbed my manager instantly, told her to open the safe, um, which she replied that it takes five minutes and which he started goin' for the money in the tills. Um, asked her to open the jewelry, uh, the



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STATEMENT OF: JONATHAN RIVERA-SANDOVAL (JRS)

jewelry doors and - to which she couldn't find a key and he was getting a bit frustrated. Um, and I think she - I think - I'm pretty sure I saw her open the - the jewelry case, which he got a few items, and then he just kept askin' about the safe, um, which still wasn't off at that time, and, uh, and that's when he s- proceeded to grab all the money from the tills. And from then I - I saw him, um, I'm pretty sure I - I heard the police sirens and he grabbed my manager, uh, as hostage and they went outside and from there I just heard a couple gunshots, um, in which I started hearing, uh, uh, running comin' towards the door, which was my manager, and uh, just came in, started hyperventilating, she broke down, um, and then you know, br- from there it was just tryin' to comfort, um, but yeah, that's what I remember from that.

AU: Okay. So where were you inside the store when he was walkin' in?

JRS: Uh, I was, um, close to the laptops, I was to a angle enough where I saw him coming towards, and as soon as I saw, um...

AU: So you saw him while he was still outside?

JRS: Yeah, so like, as soon as I saw him, instantly is when I pressed my - the - the pendant, because I - I - I knew that wasn't a satchel at that point, as soon as I saw it and realized what it was I pressed it immediately.

AU: What made you want to hit the button, when you saw him walkin' up?

JRS: Nobody ar- nobody wears - comes in with a helmet on.

AU: Okay.

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EVENT#: 180803-1848  
STATEMENT OF: JONATHAN RIVERA-SANDOVAL (JRS)

JRS: Nobody does that and that's instantly triggered me, and he already - I don't know, if I - I just felt something lookin' in, I just felt that - that glare that - that stare or somethin', and I just - it - it weirded me out, I had that feeling and it weirded me out, so I already had my hand on the pendant...

AU: Uh-huh.

JRS: ...and as soon as I saw a helmet, immediately I pressed it, I still felt him lookin' at me, in which he then, uh, cocked his gun and - as soon as he opened the door he pointed it directly at me and I just followed what he said at that point.

AU: How'd you feel when he pointed it at you?

JRS: Uh, definitely more - more angry - more angry than scared, more - I don't know, I don't really know how to describe it, but I just thought about my sisters and my mom.

AU: What made you feel angry?

JRS: The fact that I couldn't really do anything at the time. Uh, I mean, I did all I could, which was you know, press the pen- the pendant, but just the fact that I know I- you know, just stood there and couldn't really do anything and just - you know, hearing and seeing everything, my coworkers which, you know, I love to death, I know I've only worked here a few amount of months, but I - I don't know, I was just angry at the f- like I said, the fact that I couldn't really do anything, but did what I - did the little that I could.

AU: Did he say anything when he pointed the gun at you?

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**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: JONATHAN RIVERA-SANDOVAL (JRS)

JRS: Uh, he just said to - to get down, to - to put our hands up and to get down. Um, like I said, which he directed us towards the jewelry counter, and then he changed his mind and told us to move toward the, um, where the - where the registers would be the - the computers.

AU: Okay. And then, um, when the manager came back in, did she tell you anything about what happened outside?

JRS: No, she was, uh, she was v- uh, definitely out of breath, she came in, um, I kind of heard her close the door and try to barricade the door.

AU: Uh-huh.

JRS: And she just ran towards, um, where we would have our - our Blu-rays - our Blu-ray players, she ran over there and she was just hyperventilating and broke down, um, to which you know, we were just concerned, um, but I - if I'm not mistaken I'm pretty sure the - I heard some ou- something along the lines of, "Man down," um, which you know I proceeded to get up and, uh, went towards my manager to make sure she was okay.

AU: Did he point the gun at anyone else inside?

JRS: Um, to be 1000% honest, I don't really remember. Uh, I know he had it pointed towards my manager.

AU: What gun did he point at you?

JRS: Uh, the - the handgun, I'm not - I couldn't really decipher what kinda gun it was, but you know, everything happened so fast, but it was - if I'm not mistaken it was in his

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
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**EVENT#: 180903-1848**

**STATEMENT OF: JONATHAN RIVERA-SANDOVAL (JRS)**

right hand, he - he - he - he had it be- um, when he o- when he held the door open -  
 when he opened the door he already had it in hand. Um, like I said, I'm pretty s- I - I -  
 I saw him cock it and then point it directly at me as soon as he opened the door. Since  
 I was the closest to the door.

**AU:** Okay. All right. Is there anything else that you want to add?

**JRS:** Uh, no, I'm - eve- everything's - like I said, it was pretty straight forward, uh, you know,  
 I definitely - if you guys have any more questions I'll definitely be glad to answer them,  
 but I'm pretty sure I covered everything.

**AU:** Okay. Well I appreciate it.

**JRS:** I appreciate you, my man.

**AU:** Time is 1602.

**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW  
 BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1602  
 HOURS.**

**AU: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 1

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER INVOLVED SHOOTING (NON-FATAL)DATE OCCURRED: 09-03-18TIME OCCURRED: 1315 HOURSLOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: EMILY LINGO (EL)

DOB: [REDACTED]

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. CLARK (JC) P# 13952, THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1557 hours.

JC: Good afternoon, Operator, Detective Jeff Clark, P# 13952 with the Las Vegas Metropolitan Police Department, Commercial Robbery Section, conducting a taped interview with Emily...

EL: (Unintelligible)...

JC: ...spelled easy, Mary, Ida, Lincoln, yellow, last name is Lingo, Lincoln, Ida, Nora, George, ocean, her date of birth is...

EL: [REDACTED]

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 2**

**EVENT#: 180903-1848**  
**STATEMENT OF: EMILY LINGO (EL)**

JC: Her address, Las Vegas, Nevada 89107. Good contact phone number

Um, this interview is being conducted at 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146, the date is Monday, September 3, 2018, and the time is 1557 hours. This interview is being conducted as part of a continuing investigation involving the crimes of robbery with deadly weapon, burglary with deadly weapon, and kidnapping, which occurred today's date, Monday, September 3, 2018, at approximately...

EL: I believe it's around...

JC: ...thir...

EL: ...2:00:

JC: ...13 - 1310 hours, under LVMPD Event# 180903-1848. You und- the event took place at the SuperPawn, 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146. Emily, you understand that this conversation is being recorded?

EL: Yes, I do.

JC: Okay. So, um, you heard everything that I just said about what took place and where it took place, you happened to be a patron at the store at the time, correct?

EL: Correct.

JC: Okay. So tell me from the time you walked in the store what happened?

EL: From the very beginning before he even showed up?

JC: Yes.

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EVENT#: 180903-1848  
STATEMENT OF: EMILY LINGO (EL)

EL: I went in to check on some gold that I had bought, and I needed them to check it and see if it was real or not, they checked it and then I decided to go re- around and look at the jewelry department, so I was lookin' around the jewelry, and as I was leaving to go outta the store, out comes this gentleman wearing all black and a motorcycle helmet on, um, face mask down, had a gun on his sl- side, it was some kind of a semiautomatic, it looked like to me, and it was a smaller one, it wasn't like a full-sized rifle, and he had a handgun in his hands and he just said, "This is a robbery, everybody get down over in the corner. Get down on your bellies and put your hands on the floor." And then th- then he just started, you know, he went for the manager, to get the money, to get the money outta the safe, and the w- manager said its gonna take five minutes to get that, and he asked if anybody had pulled the alarm and everybody said no, um, you know, just - the - the employees said no. And, we waited, it seemed forever, but supposedly the five minutes, the gentleman - the robber, took the manager, went back with her to get the money, and went out the front door with her and after that we heard just some gunshots.

JC: Okay. So you said the gentleman, can you explain, how tall was he, how much did he weigh approximately?

EL: You know, I- best I could tell he mighta been 6' maybe.

JC: Okay.

EL: Five - say, 5'8" to fi- 6'. He was slim, he was a slim built, um, but he looked like he had a- body armor on under his motorcycle jacket, to me.

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EVENT#: 180803-1848  
STATEMENT OF: EMILY LINGO (EL)

JC: Okay.

EL: And - and he was wearin' all black, I remember you couldn't see any of his skin at all, so he had to have gloves on, but he was wearin' all black and, uh, he - he told us a few times that he wasn't here to hurt us, that he was just here to get the money. And he t- he told that us - us a couple times, and where he put us, he took - pushed us away from the windows and the doors so nobody could see where we were layi- laying at.

JC: Okay. Now you said, it appeared that he had body armor on?

EL: Uh-huh.

JC: Um, you're familiar with body armor?

EL: A little bit.

JC: Okay. And, what's your familiarity with that?

EL: Um, like, the vests.

JC: Okay.

EL: And like, sometimes, like, through the legs and you know...

JC: And where have you seen that before?

EL: Uh, well I've seen it s- the bo- the cops carry - you know, have the vests.

JC: Okay.

EL: And, just on TV and...

JC: Okay.



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**VOLUNTARY STATEMENT**  
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EVENT# 180903-1848  
STATEMENT OF: EMILY LINGO (EL)

EL: ...I don't know, I- I'm just...

JC: All right

EL: ...I just know.

JC: I - I just - just..

EL: It's funny, I...

JC: I just want to make sure that we're talkin' about the same body armor if it was, like, motorcycle...

EL: No - no - no, I know motorcycle gear and stuff...

JC: Okay.

EL: ...that - I- that looks like sort of b- it could be body armor, but no, he looked like he might have had body armor on.

JC: Okay. Um...

EL: 'Cause he was a little bulky and he - this person just didn't look like he would - would've been that bulky.

JC: Okay. Did - when he was talking to you, did he have an accent, did he curse...

EL: No.

JC: ...did he yell, did he...

EL: No, he was very calm, he didn't seem like he was on drugs, he wasn't hyped up or excited or anything, he was just, "This is a robbery, get down on the ground, put your."

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**VOLUNTARY STATEMENT**  
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EVENT# 180903-1848  
STATEMENT OF: EMILY LINGO (EL)

you know, "put your stomach on the ground, and he ha- your - your hands on the floor," and he's just real calm, and he said a- like I said, a couple times, "I'm not here to hurt anyone, I'm just here for the money."

JC: Okay.

EL: I didn't even hear him say jewelry, I just heard money. And I'm thinkin' in my head, just take the jewelry, get outta here faster, but that's what I was thinkin'.

JC: Okay. Um, and then, you didn't get up when he left?

EL: Oh, we waited - we waited a little bit, you know, a- after the gun f- shots we heard we waited a little bit and then we all got up.

JC: Okay. All right. Anything else, um, that stood out, did you see anyone else with this person, or was he by himself, or...

EL: No, when he came through the door he was by himself.

JC: Okay.

EL: I didn't see if there was like, a - somebody out in the parking lot, I have no idea because I was so far in the store.

JC: Okay.

EL: But I couldn't see that far out.

JC: Did - was he talking on the telephone, was he...

EL: No.

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
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**EVENT# 180303-1848**  
**STATEMENT OF: EMILY LINGO (EL)**

JC: No, okay.

EL: I didn't see that.

JC: All right. And you couldn't tell - he had - he kept the helmet on the whole time?

EL: Yes, never saw any o- and - I couldn't tell you if he was Hispanic, black, or white, couldn't tell you.

JC: Okay. All right. Um...

EL: 'Cause he was completely covered.

JC: All right. Operator...

EL: I don't know if that (unintelligible) too much.

JC: I believe it's gonna be the end of the interview, Operator, same people present, same location. Uh, time is now gonna be 1603 hours. Again, today is Monday, September 3, 2018.

**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1603 HOURS.**

**JC: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 1**

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER-INVOLVED SHOOTING (NON-FATAL)DATE OCCURRED: 09-03-18TIME OCCURRED: 1315 HOURS
 LOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: JULIANA SALDANA (JS)

DOB: [REDACTED]

SOCIAL SECURITY #: [REDACTED]

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

PHONE 2:

 WORK ADDRESS: SuperPawn  
 1150 S. Rainbow Blvd.  
 Las Vegas, NV 89146

The following is the transcription of a tape-recorded interview conducted by DETECTIVE T. PANDULLO (TP), P# 7884 THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1559 hours.

TP: Operator, this is Detective T. Pandullo P# 7884 with the Las Vegas Metropolitan Police Department, Robbery Section. Conducting a witness taped interview with the last of Saldana, S-A-L-D-A-N-A, Juliana, J-U-L-I-A-N-A date of birth of [REDACTED], soc [REDACTED]. Home address of [REDACTED], Las Vegas, Nevada 89104. A cell phone number of [REDACTED]. Her work address is 1150 South Rainbow Boulevard, Las Vegas, Nevada the Super Pawn. Hours vary, days off are Tuesday and Thursday. She has a Nevada driver's license unknown, OLN. Best place to

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EVENT#: 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)

contact her is phone and best time is any. Also present is none. This interview is being conducted at 1216 South Rainbow Boulevard, Las Vegas, Nevada in the parking lot in an unmarked car. The date is 09-03-18 and the time is 1559 hours. The interview is being conducted as part of a continuing investigation involving the crimes of robbery with a deadly weapon, kidnapping and also involving an officer involved shooting, which occurred on 09-03-18 at approximately 1310 hours, at the location of 1150 South Rainbow, Las Vegas, Nevada under LVMPD event 180903-1848. Juliana, you understand this is being recorded?

JS: Okay.

TP: You do?

JS: Yes.

TP: All right and I have your permission to do that?

JS: Yes.

TP: Okay, um, so what we're gonna do is we're gonna talk about first, ah, the robbery - the robbery that occurred, um, inside, ah, the Super Pawn. Are you employed at the Super Pawn?

JS: Yes, I am.

TP: Ah, what do you do there?

JS: I'm a pawn broker.

TP: Okay and what hours did you work today?

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EVENT# 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)

JS: Ah, it should have been 10:00 to 5:00.

TP: Okay, you gotta speak up a little bit, okay.

JS: I'm sorry.

TP: Okay, so 10:00 to 5:00, um, so when you were working today, ah, did an incident happen, ah, in the Super Pawn?

JS: Yes.

TP: And were you present for that?

JS: Yes.

TP: Okay. Can you describe in detail what happened during that incident, um, anything the suspect might have said, done, what he was wearing, what they were wearing, um, be descriptive, and, ah, use your own words. Go ahead.

JS: Okay, um, he was wearing the same thing he was wearing August 4th when he attempted to rob us. And, ah...

TP: Okay, so what was he wearing?

JS: The worker boots, like tannish color, dark blue jeans, he had a padded padding on, and a biker helmet. Ah, he had gloves so, you couldn't see any skin. And, ah, he had a slight kind of gypsy accent, but I couldn't, we couldn't tell. Um, I saw him approach the door and that's when I ran to the office and I yelled 210, which is our security code. And I just yelled it so many times and as I was running he said, "Hey, you - hey you, come back here." And so, many of us had hit our alarms already and, um, he kept

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EVENT#: 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)

talking to us, like "Get on the floor, hold hands." Um, like, "Did anyone call the alarm?" And we all said, "No." And at this time, um, my head was mostly down, but I kept peeping up to make sure my manager was okay. And I saw him like with a gun to her getting jewelry out, ah, behind us were the tills, I heard the tills being opened I heard him yelling at her to hurry, open the safe. Our safe takes five minutes to open so, he was, um, just trying to get outta there. He said, "Hurry - hurry, I don't have much time." And, um, the last thing that I heard was him take her out, 'cause the - the sirens were going and so, he, him and her came outside or went outside and then I heard gunshots which concerned me, 'cause I - I didn't know if my manager was okay or not. And then I hear the door, um, like the door open back up and I hear running and I thought it was him, but when I looked up it was my manager panting. And, ah, and I - I just heard the gunshots still. I just assumed that he was shot and that was it, yeah.

TP: Okay, um, can you describe the helmet that he was wearing?

JS: It was a bike, like, ah, almost like a motorcycle helmet, it was black, um, black all around, maybe some silver on it. Um, but it was so tinted that you can't see the - the eyes or the face.

TP: Okay, um, and can you describe the gun, the firearm that he had?

JS: He had two, um, he had like a pistol or a Glock and then he had like a, an assault, automatic assault rifle, um, with a strapping.

TP: Okay, did you see what color the strap was or anything?

JS: Black it was everything was black. All the guns were black.

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STATEMENT OF: JULIANA SALDANA (JS)

TP: Everything was black, dark colored.

JS: Mm-hm.

TP: Okay. Um, and where did he put the items that he took, the jewelry and all that stuff, where did he place that?

JS: I didn't - I didn't see that.

TP: You didn't see. Okay, um, when he came in -- I mean with the gun and a helmet and making you guys lay on the ground and - and pointing a - a gun at you, you felt threatened, did you feel concerned?

JS: Yes, I did.

TP: Okay. Um, you felt that if you didn't comply he would - he would harm you?

JS: Yes.

TP: Okay. Um...

JS: He - he att...

TP: ...and you sa...

JS: ...attempted to say over and over again, "I'm not gonna hurt anyone, I just want the money." But, I just felt like if we didn't give him what he wanted he would have hurt somebody.

TP: Okay. And when you guys heard the sirens, you said you heard the sirens outside...

JS: Mm-hm.



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**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)

TP: ...um, is that when he decided to take your manager?

JS: Yeah.

TP: Okay.

JS: I heard the sirens and then I - I heard the door.

TP: Okay, did he say anything at that time?

JS: No.

TP: No.

JS: I...

TP: Um, how did he take your manager, did he - did he have his hand on her anywhere?

JS: From my viewpoint I couldn't see anything, but I know like at one point at the - at the left of her hair he had the gun.

TP: Okay. So, he had the gun to her head, she was definitely going against her will, ah, being forced to go.

JS: Yes, correct. Yes.

TP: Okay, um, was she, ah, crying, anything like that?

JS: Yes.

TP: Okay, so she was in fear also?

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**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)

JS: Yes, she, um, he was just being, like obviously he was being rude and rushing her and when she didn't know what to say she like, "Guy I don't know how to open this." Like the jewelry.

TP: Okay.

JS: He goes, "Open it you're a manager, you know how to open it." And she doesn't, ah, she didn't know which key it was so he was getting frustrated with her.

TP: Okay. Um, and then she came running back in and that's when the officers came and you guys...

JS: And she was crying.

TP: ...were, ah, taken out of the, ah - the, ah, Super Pawn and brought over to Auto Zone, correct?

JS: Yeah, we were in Super Pawn for, like left in there for...

TP: Okay.

JS: ...a little while...

TP: Okay.

JS: ...at first.

TP: And when you were in Super Pawn nobody influenced your statement, your statement is your own statement. What you experienced, what you observed, what you saw, correct?

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENT  
PAGE 8**

**EVENT#: 180903-1848  
STATEMENT OF: JULIANA SALDANA (JS)**

JS: Is my own, yes.

TP: Okay. Um, is there anything else, ah, that you think's gonna help me with my investigation that I haven't asked or that, ah, maybe you can remember, um, from your experience, the incident today?

JS: Um, no, just the fact that, ah, I know like almost I mean it's not positive, that he's the same guy that, ah, attempted our, attempted to rob us last time. He had the same outfit on and everything.

TP: Same, ah, be desc- like what?

JS: The - the same worker boots, blue jeans and the same helmet, um, he had a weapon, but I'm pretty sure last time it was a different weapon.

TP: Okay, and you were here that time also, correct?

JS: Yes.

TP: Okay. Um, all right, ah, if there's nothing else. Then I'm going to end the interview.  
Ah, the time is 1606 hours, same people are present. And we are in the same location.

**THIS VOLUNTARY STATEMENT WAS COMPLETED INSIDE AN UNMARKED LVMPD VEHICLE PARKED IN THE PARKING LOT OF 1216 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1606 HOURS.**

**TP: (NET TRANSCRIPTS)  
FIT2018-036  
J5814L Reviewed**

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 1

EVENT#: 180903-1848

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**SPECIFIC CRIME:** OFFICER-INVOLVED SHOOTING (NON-FATAL)

**DATE OCCURRED:** 09-03-18

**TIME OCCURRED:** 1315 HOURS

**LOCATION OF OCCURRENCE:** SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

**CITY OF LAS VEGAS**

**CLARK COUNTY**

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**NAME OF PERSON GIVING STATEMENT:** IVAN JAQUEZ (IJ)

**DOB:** [REDACTED]

**SOCIAL SECURITY #:** [REDACTED]

**RACE:**

**SEX:**

**HEIGHT:**

**WEIGHT:**

**HAIR:**

**EYES:**

**HOME ADDRESS:** [REDACTED]

**PHONE 1:** [REDACTED]

**PHONE 2:**

**WORK ADDRESS:** SuperPawn  
1150 S. Rainbow Blvd.  
Las Vegas, NV 89146

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. NELSON (JN), P# 6825, THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1600 hours.

JN: Hello Operator, this is Detective J. Nelson -- N-E-L-S-O-N, P#6825 with the Las Vegas Metropolitan Police Department. This is gonna be in reference to a robbery that occurred on September 3, 2018 under LVMPD Event# 180903-1848. The time of the call was 1310 hours. The time of the OASIS was 1315 hours. The address was 1150 South Rainbow, Las Vegas, Nevada 89146. The person being interviewed is Ivan -- I-V-A-N. How do you pronounce your last name?

IJ: Jaquez.

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JN: Jaquez.

IJ: Yeah.

JN: J-A-Q-U-E-Z. His date of birth is [REDACTED] and he as a social [REDACTED] His address is [REDACTED] He has a cell phone of [REDACTED] [REDACTED] and he's an employee with the Super Pawn here at this location. All right Ivan, um, I spoke to you a little while ago and, uh, you told me that you worked here. How long...

UM1: Control 8145

IJ: Uh...

UM1: 8145

JN: Give me one second.

UM1: I'll be to other arrived at 415 (unintelligible).

IJ: I've worked here, uh, three now.

JN: Three years?

IJ: Yeah.

JN: And what's your position?

IJ: Uh, pawn broker.

JN: Have you just worked at this location?

IJ: Yeah just this.

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JN: Okay. And what time did you start your shift today?

IJ: Uh, today at 9:00, no wait 7, yeah 9:00.

JN: 9:00 am?

IJ: 9:00 am, yeah.

JN: And what time are you working until?

IJ: Uh, until 5:00 pm.

JN: And, uh, when the robbery happened, who else was working with you?

IJ: Uh, there was six more people. There was Carla, Julie, Adrienne, Jonathan, Gio...

JN: Hold-on one second, I'm writing this down.

IJ: Okay.

JN: Carla, Julie, Adrienne...

IJ: Jonathan, Giovanni, um, Melanie. Is that six there?

JN: Yeah.

IJ: Okay, and then I'm the seventh one, Ivan.

JN: So you guys have a quite a few employees?

IJ: Yeah, today, yeah we did.

JN: Okay, um, the robbery happened at about, uh, just after 1:00. Where were you at when the robbery happened?

IJ: Uh, behind - behind the counter.

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JN: And when you walk in the front door, would that be to the right or left?

IJ: To - if you walk -uh, to the left.

JN: Okay. And when you ended up, uh - what were you doing behind the counter? Were you waiting on a customer?

IJ: Uh, yes, I was helping a customer. Uh, having him sign his paperwork and I was about to give him the money -- his cash...

JN: Okay.

IJ: ...for the loan.

JN: And was that Hugo?

IJ: Hugo, yes.

JN: Okay. And, um, at what point did you realize something wasn't right?

IJ: Um, when I heard Julie scream out 210 which mean like, Oh, there's something going on, like, uh, to keep a eye out for, like, a customer, sometimes if he look suspicious and stuff.

JN: Okay.

IJ: When I heard her screaming and she sounded real scared.

JN: Okay.

IJ: So, like, I knew right away.

JN: And did you see the suspect at that point?

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IJ: I didn't.

JN: Okay.

IJ: And...

JN: At what point did you see the suspect?

IJ: I saw him, uh - actually when she screamed, 210 like, I got down.

JN: Mm-hm.

IJ: And we have a, like, the alarm buttons...

JN: Okay.

IJ: ...around the counters though.

JN: Okay.

IJ: So I got on my knees and I was looking for it and I hit it. And once I hit it I got up and I walked - I walked, uh - like behin- away from the counter and that's when I saw the suspect.

JN: Okay.

IJ: Yeah.

JN: Okay so you got down, you got back up and when you got back up, you saw the suspect?

IJ: Yeah.



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JN: So I'm gonna ask you to - to describe him for me. Can you tell if it was a male or female?

IJ: It was a male.

JN: Can you tell what race?

IJ: No, I couldn't tell the race.

JN: Okay. How come you couldn't tell the race?

IJ: He - he was covered.

JN: Okay so with his head, what was he covered with?

IJ: He had a black helmet.

JN: What kind of helmet?

IJ: Mmm, I e- I'm not sure if it was a...

JN: Like a football...

IJ: ...motorcycle helmet.

JN: Okay, there you go.

IJ: A motorcycle helmet, yeah, visor down.

JN: What color was the visor?

IJ: Also black.

JN: And was there any markings on the helmet?

IJ: No.

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**JN:** 'Kay, so he had this black helmet on with the visor down, what did he - what kind of, uh, thing did he have on his top? Was he wearing a shirt or jacket or...

**IJ:** He didn't have a jacket. I can't really describe what he was wearing.

**JN:** Do you know what color it was?

**IJ:** It was not - it was dark colors.

**JN:** Okay what about his pants?

**IJ:** I also didn't pay attention to his pants. But he was wearing dark colors everywhere but...

**JN:** Okay, so...

**IJ:** ...can't remember really clearly.

**JN:** So it be accurate to say that his clothing was just dark?

**IJ:** Yeah.

**JN:** All of his clothing?

**IJ:** Yeah.

**JN:** Okay, do you know if he was wearing any gloves?

**IJ:** He was, yes.

**JN:** What color were the gloves?

**IJ:** Black.

**JN:** Do you know if there was anything special about the black gloves?

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IJ: Mmm, no.

JN: Any other markings on them?

IJ: No.

JN: Could you could tell what material they were?

IJ: No, I couldn't tell the material either.

JN: Okay. And, uh, was he possession of a weapon?

IJ: Yes.

JN: What kind of weapon?

IJ: I didn't pay attention to that either.

JN: Okay.

IJ: Only...

JN: Tell me...

IJ: Only...

JN: ...what you remember about it?

IJ: I really didn't look at it - his weapon. I didn't want too.

JN: Could you if it - what type of weapon if was, like, you know, baseball bat, a knife, a handgun?

IJ: It was a handgun or f- or a firearm. It wasn't, uh, like a handgun. It was more - it was a bigger firearm.

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JN: Okay.

IJ: I didn't really...

JN: Show me with your hands about how big.

IJ: About maybe that big.

JN: Okay, about 18 inches?

IJ: Yeah.

JN: Okay, so and did he have a stack or was it just a handle?

IJ: I really didn't pay attention to that. I just - I was just kind of a glance, like, I just - knew he had a gun.

JN: Okay, and it was, like, a handgun?

IJ: No...

JN: But just really big?

IJ: It's just a bigger - yeah.

JN: Okay.

IJ: Bigger gun, yeah.

JN: Okay, and, uh, did you notice any markings on it at all?

IJ: No.

JN: Okay. So when did - you see the suspect, where's he at in the store?

IJ: Um, he was by - I can just say, like, DVDs is fine?

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JN: Yeah - yeah.

IJ: He was, like - like a DVD area where we have our DVDs and laptops.

JN: Okay. And when he ended up 'bout - when you saw him there, what - what did h- what was he saying or doing?

IJ: He was saying to - to get him five - to move to the front and get on the floor.

JN: Who was he telling that too?

IJ: Uh, everyone that was there, the employees, even the customers that were in there.

JN: 'Kay, one second. So he told everybody to come to the front and get on the floor?

IJ: Yeah get it - get -yeah.

JN: And was everybody complying?

IJ: Yeah.

JN: Okay how many people do you think that were total?

IJ: Total ten.

JN: You had six employees and then, like, four customers?

IJ: Uh, three customers.

JN: Okay.

IJ: Uh, so total is ten people.

JN: Okay. And with everybody doing this, what else was going on?

IJ: Um, when we - we went to the front, like, to front of the - uh, in front of the counter.

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JN: Uh-huh.

IJ: Uh, he asked for the manager and that's when my manager said it was her and - and everyone else got on the floor and then - he got my manager to...

JN: Who's the manager?

IJ: Adrienne.

JN: Is Adrienne a girl or a boy?

IJ: A girl.

JN: Okay so when he, uh, asked for the manager Adrienne, and then did he address her...

IJ: Uh...

JN: ...or talk to her?

IJ: Yes, he did.

JN: And what he say or do?

IJ: Um, he told her to open, like, the safe where we had - where they put the money. Um, the safe, it has a timer.

JN: Mm-hm.

IJ: So they had to wait on that and while...

JN: Did she tell him that it had a timer?

IJ: Yeah she- she told him. "Oh. it's five minutes." And so then, um, I believe they went to the - they went to the jewelry counter - the jewelry side of the store.

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JN: Okay.

IJ: Um, Adrienne was tryin' to open the - the - the wall case. She was having difficulties. Say we - I can just hear her and I remember Adrienne saying, she didn't know what key it was. And the guy was like, "Yes, you do f- like, you have to know what key it is." Um, after that...

JN: And where's the jewelry part in relationship to the, uh, um the money - money safe?

IJ: Money - uh, the money's in the office. Uh, if you enter the pawn shop, it's right to the back.

JN: Okay.

IJ: Uh, the jewelry is - once you walk into the pawn shop, it's at the right side.

JN: To the right side?

IJ: Yes.

JN: Okay. And I - so she says that, uh, and you know, "Like, the - the key's not opening it." And he's like, get - on sh- and he's like, uh, "I know you can open it."

IJ: Yeah.

JN: And what happens next?

IJ: Um, I believe she - she finds the key that opens it.

JN: Mm-hm.

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IJ: She finally finds it. Uh, but I'm not sure if he takes any jewelry. I'm not even sure if she even opened it. I'm, uh, not sure about that.

JN: Okay.

IJ: But I know after they - they go back to the counters, to where we have our tills...

JN: Right?

IJ: ...uh, and then he asked her to open the tills to get money from those tills.

JN: And that's like the register parts?

IJ: Yeah, the register parts.

JN: Okay, and is the suspect carrying anything to put this stuff in?

IJ: Uh, I didn't see that.

JN: Okay so you don't know if he was carrying a bag or anything?

IJ: Mm-mm, no.

JN: Okay, but he telling her to open the tills, right?

IJ: Yes.

JN: Is - what you - what words is he using? Is he using register or tills or drawers?

IJ: Um, uh, I'm not sure what he used.

JN: Okay, if you don't remember that's okay.

IJ: No I don't remember.

JN: So then I - so she does that though, right?



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IJ: Yes.

JN: And, um, does - do you think - do you see him take any money or do you just kind of hear all this?

IJ: I just hear all this.

JN: Okay, 'cause you're on the ground?

IJ: Yeah.

JN: Okay, and then what happens next?

IJ: Um, I just hear them walk towards - oh I hear him, um, tell her to, like, walk towards the front to open the door. Um, that's when I hear them open the door. And, uh, they walk out.

JN: Do you know if they ever make it back to that safe where the money's at and the time delay.

IJ: Uh, I - I don't remember that.

JN: Okay.

IJ: I don't remember that.

JN: That's all right. And - excuse me - and then so once they're at the front door, what happens?

IJ: Um, I just notice they - that he walked out with her.

JN: Mm-hm.

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IJ: I just had that feeling and when he walked out I, uh, I heard, like, one gunshot go off.

JN: How long after they walked out?

IJ: I would say ten seconds.

JN: Okay. Ten seconds later, you hear one gunshot?

IJ: One gunshot then after that one gunshot, maybe five seconds later, I hear a few other shots go off.

JN: Okay, and did you hear anybody talking or anything?

IJ: Um, no.

JN: Okay you didn't hear anybody yelling, talking, anything like that?

IJ: No.

JN: Okay and then what happened next after you hear the gunshots?

IJ: Uh, few seconds later I hear someone run in. I'm not sure if it's Adrienne or the guy, um, but I also hear - her, like, locking the door.

JN: Mm-hm.

IJ: So I had an - I kind of knew it was Adrienne and that's when Adrienne went to the back of the counter again and she just, like - like gets on her knees in the back of the counter and starts crying.

JN: Okay, and she locks the door?

IJ: Yeah, she locks the door.

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JN: And then what happens next?

IJ: Um, the people that were in - still on the f- we're still on the floor.

JN: Mm-hm.

IJ: ...for a bit 'cause we didn't know what to do. Uh, after a while we - we kinda got up and went to with - right where Adrienne was...

JN: Okay.

IJ: ...in the back.

JN: Did anybody call the police?

IJ: Um, no, um, we had a few - a few of 'em - my co-workers press the - like the button.

JN: The panic button?

IJ: Panic button and I ac- we actually had a c- a worker - co-worker that she - she called the police, she said.

JN: Mm-hm.

IJ: Uh, like, when he ca- the guy came in, like she hid or something like that.

JN: Who was that, do you know, that called?

IJ: Oh, uh Melanie.

JN: Melanie?

IJ: Yeah.

JN: Okay.

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IJ: So after - after Adrienne ran in and everything, no we didn't call the polices. We already kind of knew, you know, that...

JN: Did you find out later that Melanie called the police when it all started?

IJ: Yeah.

JN: Okay.

IJ: Yeah, I didn't know that.

JN: Um, the suspect, did he ever, uh - um, did he ever point the gun at you during any of this?

IJ: No.

JN: And the suspect, did he ever, um, put his hands on you?

IJ: No.

JN: Did he ever take any of your personal property?

IJ: No.

JN: Okay. Would it be accurate or fair to say that he gathered everybody up in that store and put 'em on the ground in the - in the front of the store where you guys were all together...

IJ: Mm-hm.

JN: ...to commit the robbery so that he can control all you guys while he ended up, uh, taking things from the...

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IJ: Mm-hm.

JN: ...store?

IJ: Yes.

JN: Well try to take things from the store?

IJ: Yeah, that's - that's what he taking.

JN: Okay. Um, is there anything - did you ever hear eh- so the guy, when he talked, could you tell anything about his speech that th that was special or distinct?

IJ: No.

JN: But coul- you hear him talk?

IJ: I hear - I heard him talk, uh...

JN: Okay.

IJ: Yeah.

JN: Okay.

IJ: And there's nothing, like, I can be like, "Oh yeah, like..." Say it's unique or anything.

JN: Okay.

IJ: ...he sound like, uh...a guy. Yeah.

JN: Okay and then what did you ever seen anybody else in the store that was suspicious..

IJ: No.

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JN: ...that came in beforehand maybe and kinda, like, scoped the place out or anything like that?

IJ: No.

JN: Okay. Um, you had - you mentioned earlier to me that there was an incident here a little while back that it was kinda like the same type of deal.

IJ: Yeah.

JN: How long ago was that?

IJ: That was two years ago...

JN: Okay.

IJ: ...almost exactly at the same time.

JN: Okay.

IJ: Um...

JN: And just briefly, tell me what happened in that one.

IJ: Uh, same thing. It was a Sunday. We had just open the door - uh opened. Uh - uh, same kind of built guy, black helmet, uh, came in with a firearm. He wasn't a - he wasn't alone that time. He had, like, a girl with him.

JN: Okay.

IJ: And, uh, they did the same thing. Uh, they zip-tied the door. I didn't know they zip-tied it at the time. But they zip-tied it the door.

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JN: Okay, and this robbery two years ago?

IJ: They - about two years ago, yeah. And actually they did this, this time.

JN: They did it this time too?

IJ: Yeah, they had my manager actually do it. I'd forgot to say that.

JN: All right, give me one second 'cause this is important. So a male and a female came in about two years ago and the male was a similar build and kinda look the same?

IJ: Yes.

JN: Okay and during that robbery they ended up zip-tying the door shut?

IJ: Yeah the girl zip-tied...

JN: ...so that nobody can come in and out?

IJ: Yeah.

JN: The girl zip-tied?

IJ: The girl zip-tied the door while the guy, uh, told us to do the same thing, like, get -get in the front and get on the floor.

JN: Okay.

IJ: Uh, but that time, the two years ago, uh, the girl was the one keeping an eye on us.

JN: Okay.

IJ: While the guy went - with my manager to go get the jewelry and the cash.

JN: Okay.

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IJ: Um, that time we - it was about four of us only.

JN: 'Kay.

IJ: We didn't get to press any back panic buttons or anything so they got away. They - they - they got away through the back door...

JN: Okay.

IJ: ...to the pawn shop. And I - I took - uh, I heard it - um, my manager today, she told me that the guy wanted to leave through the back door...

JN: Oh.

IJ: ...so that also rang a - like a bell in my head saying it was, like, the same people.

JN: So the both suspects left out the back door on that previous one?

IJ: Yes.

JN: Okay and - so let me go back here a little bit.

IJ: Yep.

JN: So at what point did the suspect zip-lock the doors on this one?

IJ: Um, I didn't hear when they did it. I just heard it after when my manager told me that - that he had her zip-tie the door.

JN: Oh, okay. So after she comes back and you guys call the - or you know and then after she comes back and locks the door?

IJ: Yeah, uh...



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JN: She said that somehow during this he had her zip-tie the doors?

IJ: Yes.

JN: Okay.

IJ: I didn't know about it until after.

JN: And that was, uh, um...

IJ: Adrienne.

JN: Adrienne, right?

IJ: Yes.

JN: And then you said at some point he wanted tho at- today he wanted to leave out the back door?

IJ: Yes, he wanted to leave...

JN: What was the deal with that?

IJ: Uh, my manager told him that she didn't have the key...

JN: Mm-hm.

IJ: ...to open the back door.

JN: Mm-hm.

IJ: So, uh, that didn't happen.

JN: So did - was that just prior to them coming out the front?

IJ: That was - yeah bef- before they went out the front.

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JN: Okay.

IJ: He - he told her that he didn't have - she didn't have the key and that she didn't know which one it was. But I didn't hear when - when they were talking about that.

JN: This is just what your manager's telling you...

IJ: Yeah.

JN: ...after the fact?

IJ: Yeah.

JN: Okay, cool - cool. All right, is there anything that we, uh, didn't - in that - the one that happen two years ago, do you know what he stole?

IJ: Uh, jewelry and money.

JN: So the same stuff?

IJ: Yeah.

JN: All right, that's a good memory. I appreciate you bringing that up, um, 'cause I - I vaguely remember that too. My partner handled that one so...

IJ: Yeah.

JN: Um, and you were here that day too, right?

IJ: Yeah.

JN: Okay. All right, um...

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IJ: Also, a month ago, I don't know if you knew but, uh, same guy look like it, black helmet...

JN: Uh-huh.

IJ: ...they was - me, Julie and my store manager, Jennifer. Jennifer wasn't here in this robbery today.

JN: Mm-hm.

IJ: But we were about to open the store, uh, there was a lot, another one comes, I - an Acura parked on the side of the building.

JN: What color?

IJ: Uh, it was like a silver- gray. Um, we were - and like, Jennifer was about to open the - cause we have a, like, a - what's it?

JN: A gate?

IJ: A gate.

JN: Okay.

IJ: She was about to open the gate when, uh, she saw - she saw the guy with black helmet walk out the car.

JN: Uh-huh.

IJ: ...with the firearm, like, walking towards us.

JN: Okay.

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IJ: So he was gonna try to rob us but we ran, uh, we ran away to - to the cars.

JN: Mm-hm.

IJ: And we got in the car and we took off.

JN: So the guy that tried to rob you guys a month ago look like the same guy from...

IJ: Same guy.

JN: ...today too?

IJ: Same black helmet, uh, and a firearm.

JN: Okay.

IJ: He had, like, black clothing again also.

JN: And did he appear to be, like, the same height and weight?

IJ: Same height and weight, yep.

JN: The one today, um, when you saw him, 'bout how tall do you think he was?

IJ: 5'9" I'd say.

JN: And a - was he thin, medium or big?

IJ: Uh, he was big? I can say big not...

JN: Would you say he's - he's, uh, thin, medium or large build?

IJ: He was large build. He wasn't small. Yeah, I'll go with large.

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**STATEMENT OF: IVAN JAQUEZ (IJ)**

JN: Okay. All right, is there anything that we didn't talk about so and you - you're it- you know, just s- spit balling it here, you think that, um, it could be the same guy from two years ago...

IJ: Mm-hm.

JN: ...one month ago and today?

IJ: Yeah.

JN: ...could all be the same guy?

IJ: Yeah.

JN: ...hittin' exactly the same pawn store kinda in the same exact way?

IJ: Yeah.

JN: Ca- except he had a girl on the very first one?

IJ: First one, like had a girl.

JN: Okay.

IJ: 'Cause they always park same place 'cause there's no camera hitting that area. Same helmet...

JN: So no one two years ago - they parked in the same spot?

IJ: Well I don't know about where they parked actually.

JN: Okay.

IJ: But they- they're last, like, two, they parked - they parked same space.

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**EVENT#: 180903-1848**  
**STATEMENT OF: IVAN JAQUEZ (IJ)**

JN: Same spot?

IJ: Yeah.

JN: Okay. All right Ivan, you remembered a lot. I appreciate it, um, if we have any other questions, is it all right to call you and - and, uh, pick your brain a little bit.

IJ: Yeah, that's fine.

JN: Okay, do you have anything to add that we didn't talk about today?

IJ: Um, no.

JN: All right, operator this is going to be the end of taped statements, same people present thanks.

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**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW  
BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018.**

**JN: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENT  
PAGE 1**

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER INVOLVED SHOOTING (NON-FATAL)

DATE OCCURRED: 09-03-18

TIME OCCURRED: 1315 HOURS

LOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: GIOVANNI ANDINO (GA)

DOB: [REDACTED]

SOCIAL SECURITY #: [REDACTED]

RACE: [REDACTED]

SEX: [REDACTED]

HEIGHT: [REDACTED]

WEIGHT: [REDACTED]

HAIR: [REDACTED]

EYES: [REDACTED]

HOME ADDRESS: [REDACTED]

PHONE 1: [REDACTED]

WORK ADDRESS: SuperPawn  
 1150 S. Rainbow Blvd.  
 Las Vegas, NV 89146

PHONE 2: 702-318-4900 (work)

The following is the transcription of a tape-recorded interview conducted by DETECTIVE E. PERKETT (EP), P# 14152, THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1605 hours.

EP: Operator, this is Detective E. Perket; P-E-R-K-E-T-T, P# 14152, conducting a taped interview under Event# 180903-1848. It is a robbery with deadly weapon, burglary while in possession of a firearm that occurred at the SuperPawn, 1150 South Rainbow - Rainbow, Las Vegas, Nevada. It occurred on September 3, 2018. I'm speaking to a Giovanni, G-I-O-V-A-N-N-I, middle name Alexys, A-L-E-X-Y-S, Andino, A-N-D-I-N-O, Date of birth [REDACTED], Social [REDACTED], Nevada ID: [REDACTED] Address is [REDACTED], North Las Vegas, Nevada, 89032. His cell phone [REDACTED]

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

is . Work number is 702-318-4900. He works for SuperPawn as a pawn broker at 1150 South Rainbow. His shift varies from either 0800 to 1700 or 1200 to 2100. He has no set days off. This interview is occurring at 1150 South Rainbow Boulevard, on September 3, 2018, at approximately 1605 hours. Giovanni, you understand this conversation's being recorded?

GA: Yes, sir.

EP: And you're providing a statement under your own free will?

GA: Uh-huh.

EP: Uh, could you tell me what occurred today?

GA: Um, the robbery happened. Uh, me and my manager, Adrienne, were, uh, in the office just doin' our work, and then a employee, uh, Julie came kinda frantically yelling, uh, 210, which is kinda our code for suspicious activity. And, um, we both came out, heard the door open, and then I saw a man with a handgun and a bigger gun strapped - strapped to him with a motorcycle helmet, uh, boots and black clothing. It looked like he had padding on, I believe. Um, I didn't see when he entered the store. I just saw him pointing and telling everybody to get to the ground and get out to the front of the store. We all did, um, which is me, six other employees, and three customers. Um, he instructed us - we went to the - to the jewelry side of the store. He instructed us to go to the other side, uh, and not be seen by the door, so we were, like, uh, out of sight from outside. Um, he instructed all of us to get on the floor with our stomachs on the floor. And to not make a sound. Um, he got the manager, which is Adrienne, and



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**VOLUNTARY STATEMENT**  
PAGE 3

EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

instructed her to open the safe. Um, she said that it was gonna take, like, five minutes for her to actually open. So then instructed her to go to the jewelry and open it and start putting chains and gold into - into a bag. Um, he kept checking back in with us every once in a while, making sure we didn't move and whatnot. Um, after a little bit, he kept saying that, like, he doesn't have a lot of time. Uh, made Adrienne go back to, uh, the office. She just said it wasn't ready, still. Uh, and then he said to take the money out of the registers that we had out there. She took a few, and then I think he turned around and realized that the cops had already showed up. So then he, uh, took Adrienne, uh, out to the front, and after that, I couldn't really see - I couldn't see or hear anything. Um, I just heard after a little bit one gunshot and then, like, followed by a few more after that. And then, uh, I heard the door open again, and it was, uh, Adrienne. She locked the door and ran back inside. And then we all - we were still on our stomachs, just kinda waiting to make sure it was all good. And then after a little bit, we kinda got up, made sure everybody was okay. And then waited and - we were still out of sight from the - from the door, waiting until the, uh, officers went and said it was okay. And then they came in the store. Uh, told us to go inside, and we did, and then we ended up at Auto Zone.

EP: Okay. So you were in the back with, uh, Adrienne at the time?

GA: Yeah. We were both in the office.

EP: What were you guys doin' in the office?

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**VOLUNTARY STATEMENT**  
PAGE 4

EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: Uh, we were sending out or making sure all the jewelry was already sent out to another store so that we could get it refurbished.

EP: Okay. And Julie came in and said the word or said the numbers "210"?

GA: Yeah.

EP: Um, and you said it means suspicious activity?

GA: Yeah. That's kinda just our code, like, instead of saying, like, danger, someone's coming, that's our code, like, uh, something or someone is of suspicious activity, pretty much.

EP: Is - is that known by all the employees?

GA: Yep.

EP: Okay. So if any employee heard 210, they should know...

GA: They knew...

EP: ...that something's wrong?

GA: Exactly.

EP: Um, and when you get out, could you describe the male, um, from head to toe to include, uh, if you could tell his, uh, age, race, height, and any distinctive tattoos? Could you just go slowly...

GA: Yeah.

EP: ...and tell me, uh, from head to toe?

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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: Um, I couldn't see much. He had the black biker helmet on. Um, I believe he was in all black. I can't really remember. He looked like he was wearing padding under, 'cause he looked like stockier than what he should have been. Um, probably about 6 foot, maybe. Um, like I said, he had the handgun in one hand, and he had a bigger gun strapped to himself. Um, he had gloves on, and then big, like, black combat boots. Um, I - like I said, I couldn't see much of him, 'cause he was covering pretty much everything, but his voice...

EP: Did you think it was a, uh, male or female?

GA: Male.

EP: Could you tell what race he was?

GA: Uh, from his voice, I would guess kinda like, um, European, like white, European-ish.

EP: Um, could you tell how old he was?

GA: Um, not really. I would say probably like 30s, give or take. And that's just going off, like, based on his voice.

EP: And the black helmet, you said it was a motorcycle helmet?

GA: Yeah.

EP: Were there any logos on it?

GA: No, as far as I saw, there was none. It was just all black.

EP: Plain black?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
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EVENT#: 180803-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: Yeah.

EP: Um...

GA: And he had the visor on, too.

EP: The visor was down?

GA: Yeah.

EP: Um, and he was wearing all black. Was it a jacket, a shirt, a tee-shirt, what was...

GA: It was, um, long sleeved for sure. I don't know if it was a jacket, um, yeah, I do know it was long sleeved. He covered pretty much every part of his body with that and, like, gloves and pants, and...

EP: Um, the pants. Were they, uh, jeans, khakis, military style?

GA: Military - yeah, they looked military style, like, kinda like combat pants.

EP: Black as well?

GA: I believe so, yeah.

EP: And you said he had a handgun and a large gun. What did that larger gun look like?

GA: Um...

EP: Was it a shotgun, was it a rifle, was it a, uh, like, a sniper rifle? What did it look like to you?

GA: It looked more like a shotgun to me, and it was just clipped to him, like ready to use if he needed it.

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**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

EP: And it appeared to you that they were real?

GA: Yeah.

EP: Um, did he point the handguns at anybody?

GA: Um, I know he pointed it at Adrienne for sure. Um, he pointed it at another employee of mine, Jonathan, um, and kinda just waved it around a little bit, uh, when he was telling us to get to the ground. He kept saying he didn't want to hurt anybody.

EP: So he said he didn't wanna hurt anybody, but he's point the guns at him?

GA: Yeah.

EP: And you said he grabbed Adrienne. Did it look like Adrienne wanted to go with him, or she was going, uh - he was forcefully taking Adrienne?

GA: Um, he - he saw the cops, and then he kinda just said, you know, "Come with me," and then she kinda just followed, 'cause she didn't wanna get hurt or anything.

EP: Did he grab her at all?

GA: He did once, uh, she got close enough to him, like, I think he grabbed her by the - uh, her shirt right here.

EP: Uh, did it look like he was forcing her or guiding her, uh, in her movements? Like she didn't - she wasn't deciding about where she was going, but maybe he was deciding?

GA: Yeah, he was deciding, but she kinda just followed just to make sure that she wasn't gonna get hurt.

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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

EP: Did he have the gun pointed at her?

GA: I think he had the gun pointed, like, past her, like kinda using her in - her - yeah, using her in front of him, and then he kinda just pointed it, like, past her.

EP: Would you des- would you describe that he's using her as a shield?

GA: Yeah. That's what it looked like to me.

EP: And do you think that was - do you think he was using her as a shield, um, to - because he saw the police officers, or because he wanted to get out - away?

GA: I think it was both. He saw the police officers, realized they were there, so he took her to make sure that he could get away.

EP: Okay. And, uh, Adrienne and the male in the motorcycle helmet, they both left the business at the same time?

GA: Yeah.

EP: And then you heard one shot?

GA: I heard - yeah, I heard one shot, and...

EP: And then several more. How many do you think you heard after that?

GA: At least four or five.

EP: Okay.

GA: Give or take, yeah.

EP: Um, did they sound like handguns, shotguns, or you couldn't tell?

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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: I think they're handguns....

EP: Okay,

GA: ...if I were to - yeah.

EP: Um, did you ever go outside and see what had happened?

GA: No, not until - I would - I just looked outside after she came back in, um, but I never actually went outside until the officers said it was okay and they moved us from here to the other side of the building.

EP: Okay. Did Adrienne look, uh, scared?

GA: Yeah. She was very frantic when she ran back in. Um, out of breath, panicking, um, for quite a while, actually, even after - a little bit after, uh, the cops said it was okay, she was still, like, very frantic and almost hyperventilating, I guess?

EP: Was she - uh, did she have any bodily injury? Did she look like she was, uh, shot, uh, scraped, stabbed, anything like that?

GA: No, I don't think she was harmed in any - anything like that. Um, like - she was just out of breath..

EP: Visibly scared.

GA: Nothing, noth- yeah. Yeah, that's right.

EP: Um, were you injured at all in this?

GA: No, no, I was not..

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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

EP: Did you feel at any time like maybe you could've been shot?

GA: Um, initially when we were getting towards the ground, yeah. More out of fear. More not really knowing where he was pointing the gun. But then when - after that, it was not fully,

EP: So you stated that he took money from the register.

GA: Yeah, he took...

EP: And he - and he took money from - uh, he took gold and jewelry.

GA: Yeah.

EP: Um, how much do you think in a value for cash he took?

GA: Um, maybe like 5,000, if that.

EP: And how much do you think he took in jewelry, as just a guess?

GA: Maybe like 1,000, 1,500. He didn't take much jewelry, 'cause I think he realized that he didn't have much time left or whatever he was saying.

EP: Did it seem like he was going after a specific piece of jewelry?

GA: No, he just wanted the money and whatever he could get money for.

EP: Okay.

GA: Yeah.

EP: Did he make any statements, um, that he was gonna shoot anybody or that, um, people would be harmed?



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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: No. He kept repeating that he didn't wanna harm anybody, and that it was gonna be quick if they just listen, stuff like that.

EP: Okay. Um, and the officer you - and so Adrienne comes back in, and you guys lock the door?

GA: Yeah. Well, she came back in, locked the door, and then she ran back to us to make sure we were okay.

EP: So Adrienne locked the door?

GA: Yeah.

EP: Um, and then did you guys stay at the front of the store, or did you guys go to the back of the store?

GA: We, uh - we went behind the counter, um, still outta sight. Kinda where he told us to stay. We were just behind the counter.

EP: Did somebody hit the robbery alarm at all during this event?

GA: Uh, yeah, I - there was a few. Um, Jonathan, he pushed the alarm that he had on his necklace. Um, Ivan did, too, and he also, uh, triggered the alarm that we have behind the counter as he was walking in.

EP: Okay, so - so several people hit the alarm?

GA: Yeah.

EP: Did anybody actually physically call police?

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EVENT#: 180903-1648  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: Yeah, um, another employee, uh, Melanie, she - she called the police and, uh, while it was all happening, and I think she had them on the phone for pretty much the whole time it was goin' on.

EP: Okay. Um, is there anything else that you can think of?

GA: Um, no, not really. Just the customers, it was us, um - oh, someone came in - was trying to come into the store while it was happening. Um, 'cause I remember he - I heard the door, like, try to open, and he said, "Come on in." But then I think the customers, they left after that, like, realizing what was goin' on. They just, like, kinda ran away.

EP: Okay.

GA: I think. I didn't really actually see it. I kinda just heard it happen.

EP: Okay. You never saw that customer?

GA: Yeah.

EP: Um, had you - did you guys ever feel like you had seen this guy before?

GA: Me, personally, no. But, um, a- another employee, Ivan, said that it was - he's thinking that it's the same guy who, uh, they robbed the same place about two years ago. Except...

EP: Here? This SuperPawn?

GA: Yeah, that's the same one, about two years ago.

EP: Okay. Um, and why does he think that?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
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EVENT#: 180903-1848  
STATEMENT OF: GIOVANNI ANDINO (GA)

GA: Um, he said it was the same - kinda the same setup, how he wanted to - he had the same helmet, um. He did say that it was with this - or last time, two years ago, it was another person. But this time it was just him.

EP: Okay.

GA: And, um, he said it was like -- he felt it was the same person because of the way he acted. Like, he wanted to zip tie the door shut instead of locking it, and that's what he said they did two years ago, stuff like that.

EP: Did this - did this suspect - did the male at this time, did - what - did he try to zip tie the door?

GA: He - I believe he did, or he instructed Adrienne to. I can't remember.

EP: Was it ever done?

GA: I think it - I think it was, because they - when the customer tried to come in, it was kinda of - like it felt like it was kind of restraining, but I guess the zip ties weren't that strong, 'cause they were still able to open it.

EP: Okay.

GA: But, again, I never actually saw it happen. It was just from what I heard.

EP: Gotcha. Um, is there anything else you can think of?

GA: Um, not at the moment. I think everything I told you is what I remember.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

**VOLUNTARY STATEMENT**

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EVENT#: 180903-1848

STATEMENT OF: GIOVANNI ANDINO (GA)

EP: Okay. Uh, operator, that will be the end of this interview with, uh, Giovanni Alexys Andino, on September 3rd, 2018. The end of this interview time is approximately 1620 hours. Um, both myself and Giovanni are the persons present.

**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1620 HOURS.**

EP: (NET TRANSCRIPTS)

FIT2018-036

J5814L Reviewed

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 1**

**EVENT#: 180903-1848**

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**SPECIFIC CRIME:** OFFICER-INVOLVED SHOOTING (NON-FATAL)

**DATE OCCURRED:** 09-03-18

**TIME OCCURRED:** 1315 HOURS

**LOCATION OF OCCURRENCE:** SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

**CITY OF LAS VEGAS**

**CLARK COUNTY**

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**NAME OF PERSON GIVING STATEMENT:** MELANI LYNN HOWARD (MH)

**DOB:** [REDACTED]

**SOCIAL SECURITY #:** [REDACTED]

**RACE:**

**SEX:**

**HEIGHT:**

**WEIGHT:**

**HAIR:**

**EYES:**

**HOME ADDRESS:** [REDACTED]

**PHONE 1:** [REDACTED]

**WORK ADDRESS:** SuperPawn  
1150 S. Rainbow Blvd.  
Las Vegas, NV 89146

**PHONE 2:**

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE A. UBBENS (AU), P# 13119, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1610 hours.

AU: This is Detective Ubbens, P# 13119 with the Force Investigation Team conducting a citizen interview under LVMPD Event# 180903-1848. Conducting an interview with Melani Lynn Howard, Mary Easy Lincoln Adam Nora Ida Lincoln Yellow Nora Nora Henry Ocean William Adam Robert David. Date of birth [REDACTED] Social security number [REDACTED] Address [REDACTED] [REDACTED] Phone number [REDACTED] Uh, she's employed by SuperPawn as a pawn broker with varied shift hours and days off. Today is September 3, 2018 at 1610 hours.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**VOLUNTARY STATEMENT**  
PAGE 2

EVENT#: 180903-1848

STATEMENT OF: MELANI LYNN HOWARD (MH)

Currently at 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146. Okay, Melani, can you tell me what happened today?

MH: Um, I was - I'd just finished with - a friend of mine's came in and bought something, her and her little two girls and they had just left out. Went outside, talked to them for a minute, came back in. The old - this older gentleman wanted to see some music, um, stuff so I was showin' him music. And then there was two other customers in there and somebody was helpin' them. And next thing somebody just bust in with this helmet on and all these dark clothes with a gun pointin', t- tellin' everybody, "Get - get over here." And when he came in, I just dropped to the floor. I was behind the jewelry case. I just dropped to the floor so I don't think he saw me. And I crawled, um, backwards and went around to - the jewelry case is, like, a square shape and underneath the jewelry cases is, like, cabinets. So I crawled to - on one side and I got up in one of the cabinets and shut the cabinets. And then I picked up the phone - my phone and called 911 to tell her we was gettin' robbed. And in the meantime I can hear him tellin' them, "Give me the money." You know, so I heard them opening the drawers and stuff. And he was tellin' her to open the safe but the safe is on a timer. So she has to do somethin' and then it times and it takes, like, five minutes for that thing to open. And he's askin' her, um, askin' Adrienne, um, how much longer is gonna be and she told him, uh, kept tellin' him five minutes. And, um, then I heard him come over by the jewelry 'cause I'm behind there. I guess - and I'm like, "He's gettin' close to me." So I'm thinkin', you know, this guy is gonna see me because I didn't shut it all the way. So I thought maybe he would see my feet but they didn't come around to that side. He stopped at I guess the, um, where all our jewelry chains are. And then I heard him leave and then I heard

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 3**

**EVENT#: 180903-1848**  
**STATEMENT OF: MELANI LYNN HOWARD (MH)**

the front door open. I heard him talkin', um, sayin' somethin'. I can't remember what it was but I heard him talkin' and I heard the front door. And I'm listenin' to the 911 operator tellin' me, "Don't hang up," and stuff. And I'm like, "Okay." And then when I - after I heard the door open, um, then I heard one shot and then I heard some more shots. So I told the 911, "I h- hear gunshots. Is that the police?" You know, and she was like, "They're out there." So - and then that was it. And then once I came - after I heard the gunshots and then I heard somebody run in screamin'. And so then that's when I got out and it was Adrienne. And so I went around and she fell down on the floor. So - 'cause I didn't know she had went outside and she fell down and started cryin' and stuff. And, uh, and the 911 operator just told me to stay on the line. And after that, you know, we could see the police out there. So until they came in and, uh, told it was clear.

AU: What was goin' through your mind when you were hidin' under the - or in...

MH: That this man's...

AU: ...the cabinet?

MH: ...gonna find me underneath here and shoot me. That's what was goin' through my mind 'cause I didn't know if he's gonna come and break all the glass or have them open it. I didn't know. You know, that's all I was thinkin' is that if he catch me under here, he's gonna shoot me.

AU: That make you scared?

MH: Oh yeah. I thought - only thing I thought about my two kids. Yeah, so...

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 4**

**EVENT#: 180903-1848**  
**STATEMENT OF: MELANI LYNN HOWARD (MH)**

AU: Okay, um, did you - did you see the gun that he had? Can you describe...

MH: When he first...

AU: ...it to me?

MH: All I know is - I know it's a - it was a, um, .9 mm or something', a Glock or something.  
It was black.

AU: Mm-hm.

MH: But I know it's, um, you know, like, a semi-automatic something.

AU: Okay, did you hear any, like, specific things that he was saying?

MH: I just heard him say, "I don't want the - the, um, dye pack money," and stuff.

AU: Mm-hm.

MH: You know, and - and all I heard him sayin' is that ev- just, you know, "I don't wanna hurt nobody. Just everybody - all I want is the money." You know, um, so I think everybody complied, you know, 'cause - but that - that was it.

AU: Uh, is there anything else that you wanna add?

MH: Not that I can remember right now.

AU: Okay, time is 1615.

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**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1615 HOURS.**

**AU: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**VOLUNTARY STATEMENT**  
**PAGE 1**

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER INVOLVED SHOOTING (NON-FATAL)DATE OCCURRED: 09-03-18TIME OCCURRED: 1315 HOURS

LOCATION OF OCCURRENCE: SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: MALCOLM GALE (MG)

DOB: [REDACTED]

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. CLARK (JC) P# 13952, THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1613 hours.

JC: Good Afternoon operator, this is Detective Jeff Clark, P# 13952 with the Las Vegas Metropolitan Police Department Commercial Robbery section conducting a taped interview with Malcolm. And that's spelled Mary, Adam, Lincoln, Charlie, Ocean, Lincoln, Mary -- Gayle -- George, Adam, Lincoln, Easy. Malcolm's date of birth is gonna be [REDACTED], social [REDACTED]. His home address [REDACTED], that's Las Vegas, Nevada 89103. Good contact phone number for him is [REDACTED]. This interview is being conducted at 1150 South Rainbow Boulevard, Las Vegas, Nevada

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EVENT#: 180903-1848  
STATEMENT OF: MALCOLM GALE (MG)

89146. The date is Monday, September 3, 2018 and the time is 1613 hours. This interview is being conducted as part of the continuing investigation involving the crimes of robbery-deadly weapon, burglary with a deadly weapon and kidnapping with a deadly weapon which occurred today's date, September 3, 2018 at approximately 1310 hours at the location of 1150 South Rainbow Boulevard, Las Vegas, Nevada. 89146. That's gonna be the SuperPawn under LVMPD Event# 180903-1848. Uh, you understand this conversation's being recorded?

MG: Yes sir.

JC: Okay. So you heard everything I just said to the recorder, um, today you were a patron at the SuperPawn, correct? Um, so tell me - you went to the SuperPawn, um, whether or not you wanna tell me why you were there, you can go with that. Just go from the time you walked in and then tell me what happened.

MG: Um, well I was there to get a mixer, a musical mixer. And I was speaking to the lady across the counter when the gentlemen came in with the f- motorcycle helmet. It look like a brass protector and gun in hand, and it look like an, uh - uh, an assault rifle on his, um, I think his left side. And, uh, he said that, "This is a robbery." And, uh, "Do - If you do as you're told..." He kept repeating a few times that he wasn't - he didn't want to anybody. He was tryin' to make that clear with (unintelligible) but to follow his directions. And he herded everybody into one place and then moved us off to the side out of the way of the windows so we could not be seen. And, uh, had us lie on the floor and he then, um - the lady who I was dealing with, in the confusion, she just

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ducked down behind the counter and went away and I think made a - a call. And I didn't look at her 'cause I didn't wanna distract the- the, uh, you know, towards her. But we all went on the floor and then he singled out the, uh, the manager, Adrienne, and, uh, wanted money and gold. And, uh, she - he knew - seem to know where the safe was. He seem to know the layout of the thing. Everything he did was quite professional. He was professional's delivery of how he wanted things to go down and, uh - I mean any of that or he was one of the coolest guys going, you know. I don't mean cool as good. I mean cool as just calm.

JC: Very calm during the whole...

MG: Yes.

JC: Okay.

MG: And - and a his voice was - that's the only thing we could see. And that's why the answer I couldn't identify him because he was so covered. His whole face was covered. He had black here and it was just total black so I couldn't identify him for body type. So then once we're on the floor he - he, um, got Adrienne and, uh, she went to the back and then - I know at first I - I think they before that he took her to lock the door. And that's when, uh, I guess he gave her straps to lock the door. And that's when, uh - then after that he left and took her to the back. And he was complaining about things not happening quick enough. And she said that, you know, the safe is on a five minute, uh, release. So it has to be five min- you have to wa- so he start bidding his time and then he took m- I guess at the jewelry section instead there see what he

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could pick up. 'Cause he has to wait unless he wants to walk off without the money and that would seem to be his only trouble. So that eventually happened, uh, f- and - and this is not so much visual-list just what we could see' cause we were like this. (Unintelligible) except the odd...

JC: You were down on the ground...

MG: Except the odd time to see what was going on as much as I - being on the ground. And, uh, then he took her, after he got that, he took her to the door which was very strange. 'Cause I thought - he had let everybody believe if everything was done that way, he would leave. But then he took her and I thought, "Oh God, here we go." And, uh, that's what he was doing in a hostage situation. I never thought that - I didn't see that coming because he didn't lead it that way. The way he presented the situation was, "You do what we do, I would leave. You give me then I go." But he took her. Now whether that was because the police were out there, we didn't know that at the time you're...

JC: Did you hear sirens or anything when you were lying down?

MG: No. Uh, no.

JC: Okay.

MG: So with the first thing then he left and the next thing we're thinking, "Okay, can we get up and come out? What's going - let's see what - what's going on." But we're all still lying on the floor not knowing what to do. And, um, we checked (unintelligible). And then we hear one shot or at least I hear one shot. And then I hear, uh, volley of shots.

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maybe four or five. Who knows? It was a click, click, click, click. And then I looked up and the police were looking inside. The two officers were looking inside. And I just waved and, you know, telling them kno- and they just said, "Stay." And so we just stayed and, uh, we held until they came to after the situation again had been taken control of. So we didn't know what - what had transpired. We just heard the - the audio of it. And then finally the police came later then that's basically...

JC: Okay.

MG: ...the story.

JC: So I'm gonna back you up and we can kind of go over some things.

MG: Certainly.

JC: ...a little more. When he came in, you saw what he was wearing initially?

MG: Yes.

JC: So it was the motorcycle helmet...

MG: Black.

JC: Was it, um, was he wearing a jacket?

MG: It look like a vest almost, like, a black...

JC: Okay.

MG: ...vest, like I'm almost - like a protection vest in a sense that...

JC: Okay.

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MG: ...he was expecting things.

JC: Like a police - like a Kevlar vest like the police would wear or...

MG: A little like that. Now I don't know...

JC: Okay.

MG: ...if it's kev- I'm not, uh, sufficient educated enough to know what the ca- the police wear.

JC: Okay, so you're not familiar with that...

MG: No.

JC: ...too much?

MG: But it would - it look like a vest protection. And it made me think - you know that's why I thought afterwards, "Is this a (unintelligible) thing. Is there something else here because it - why would a guy have this and (unintelligible) and some kind of automatic rifle unless he was expecting major - major deal to go down and he was goin' have to fight and maybe die. You know. But uh, but black - black slacks, couldn't see his face which was a detriment to him, I think because of the (unintelligible).

JC: Peripheral. Okay, what about, um, did he have gloves on?

MG: Yes.

JC: Okay. And - and you said he was calm the whole time. He never screamed, never lost character or anything like that?

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MG: No

JC: Okay.

MG: He was very direct and very, uh, precise on how he wished things to go. And he reiterated two or three times about, "I'm - I'm not here to - to hurt anyone so do what you're told."

JC: But he did point the gun at you?

MG: He didn't point - well in general.

JC: He was pointing it at everybody in the store?

MG: Yes.

JC: Okay.

MG: He didn't point at me or anyone in particular that I saw anyway.

JC: And he forced you to move from one place to another...

MG: He - he hearded us, like I was o- e- e- here's the store entrance. I'm here at this counter with the lady here. And, uh, I'm the first one he sees. The other lady customer was over here and there was another man over here. He hearded us all like this to the front customer desk and then over this way, outside of the view of the window. So that you only could see inside so obviously he thought this through. So that we weren't seen...

JC: Okay.

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MG: ...where he hu- where he hustled us off too. So, um, that's - that's the first thing that he just took us over and hearded us, like, uh, cattle and got us on the floor. Okay, we're on the floor face down.

JC: And did he take anything other than cash? Was he taking...

MG: He was looking at jewelry and stuff like that...

JC: Okay.

MG: ...because I think he was at the point where, "Okay I've gotta wait five minutes." Maybe he thought, "Well what else can I get?"

JC: So he took jewelry as well?

MG: Well this is what I'd had heard that he...

JC: Okay like it sounded...

MG: ...he - I think...

JC: ...like he, you can't tell whether if he...

MG: I'm sorry, I can't because...

JC: No, it's okay.

MG: I know it's at the odd time but I couldn't, you know...

JC: You're not clear.

MG: I didn't wanna push it.

JC: You're - you're very helpful. Um, so Adrienne...



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MG: Yeah.

JC: ...your manager...

MG: Yes.

JC: ...you're familiar with her?

MG: Uh, I only know her from today. And just so she did a won- wonderful job.

JC: She kept him calm then?

MG: She did what she was told. She was upset herself. She was crying too but she did what she was told. And she also reminded him that the safe was gonna take five minutes. And then he got mad at her, uh, or upset with her, angry with her one point with the sentive about, uh, a (unintelligible). And she said it's a tear - it's a - you know she said she didn't, um, it's the awful ties or something.

JC: Okay.

MG: She felt bad. She - she re- you know, she push back on him.

JC: Right

MG: Which was quite, I think a daring thing to do. But she, you know - but she complied with everything. And, uh, and then later on, you know, I spoke with her and, uh, that's when she told me what happened outside and God, you know, good for her.

JC: All right well...

MG: She is the one who basically, I think, made this thing happen the way it happened.

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JC: To keep the rest of you from being hurt and...

MG: Yes. She put her life, I think, in danger. She had no choice, of course. We'd all - we'd all have to do the same thing if it came to us because, you know, like no she was, uh, at this very, uh, I was very taken with what she did. And, uh, she told me her husband and her had gone through scenarios of this kind of a situation. So maybe. I said, "Well...

JC: Or working in that kind of...

MG: ...it was good."

JC: ...a, uh, business it's unfortunate that it's not the first time that it's happened...

MG: ..Yea.

JC: ...so.

MG: That be like working a 7-Eleven. I would never do. Why would you work your life on line? You know. And then really seen (unintelligible).

JC: Right.

MG: It's too crazy.

JC: So sounds like you - I've got everything. If we need to get ahold of you, the 429 number is a good number?

MG: Certainly sir.

JC: Okay.

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MG: That's my cell phone.

JC: All right and I'm wanna thank you very much for your time. Operator...

MG: Thank you for your time.

JC: ...this gonna be the end of the interview, same people present, same location, time is now 1623 hours.

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**THIS VOLUNTARY STATEMENT WAS COMPLETED AT 1150 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1623 HOURS.**

**JC: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
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EVENT#: 180903-1848

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**SPECIFIC CRIME:** OFFICER-INVOLVED SHOOTING (NON-FATAL)**DATE OCCURRED:** 09-03-18**TIME OCCURRED:** 1315 HOURS**LOCATION OF OCCURRENCE:** SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146**CITY OF LAS VEGAS****CLARK COUNTY**

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**NAME OF PERSON GIVING STATEMENT:** CARLA RECK (CR)**DOB:** [REDACTED]**SOCIAL SECURITY #:** [REDACTED]**RACE:** Hispanic**SEX:** Female**HEIGHT:** [REDACTED]**WEIGHT:** [REDACTED]**HAIR:** Brown**EYES:** Brown**HOME ADDRESS:** [REDACTED]**PHONE 1:** [REDACTED]**WORK ADDRESS:** SuperPawn  
1150 S. Rainbow Blvd.  
Las Vegas, NV 89146**PHONE 2:** 702-381-4900 (work)

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE T. PANDULLO (TP), P# 7884 THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1620 hours.

TP: Operator, this is Detective T. Pandullo, P# 7884 with the Las Vegas Metropolitan Police Department, robbery section, conducting a witness-taped interview with the last of Reck, R-E-C-K, first of Carla, C-A-R-L-A. Date of birth, [REDACTED] Soc is [REDACTED]. She's a Hispanic female -- brown and brown. Home address is [REDACTED] Street, # 105, Las Vegas, Nevada 89144. Cell phone number, [REDACTED]. Work address is 1150 S Rainbow, Las Vegas, Nevada -- the Super Pawn. Work ad- work phone number, 702-381-4900. The best place to contact is, uh, phone, best time is

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any. Also present is none. The interview is being conducted at 1216 S Rainbow, Las Vegas, Nevada in the parking lot in an unmarked vehicle. The date is 9-3-18 and the time is 1620 hours. The interview is being conducted as a part of a continual investigation, involving the crimes of robbery with a deadly weapon, kidnapping and also involving an officer-involved shooting, which occurred on 9-3-18 at approximately 1310 hours at the location of 1150 South Rainbow, Las Vegas, Nevada at the Super Pawn. Under LVT - LVMPD event 180903-1848. Carla does have a Nevada driver's license but she does not know the driver's license number. Carla, you understand this is being recorded?

CR: Yeah.

TP: Okay and I have your permission to do that?

CR: Yeah.

TP: All right. Um, so I'm gonna - we're gonna do a taped interview - reference the incident today. Um, are you employed at the Super Pawn?

CR: Yeah.

TP: Okay. How long have you worked there?

CR: One year.

TP: One year? Okay and what is your position there?

CR: I'm a pawn broker.

TP: A pawn broker. Okay. And, uh, what were your hours today?

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CR: My hours were 10:00 to 5:00.

TP: Okay. And were you present, uh, when an armed robbery occurred?

CR: Um, I was in the store. I walk to the back to get a glass of water and when I came back I saw him standing there.

TP: Okay. So what I - I would like you to do is describe the suspect, what he was wearing head to toe in detail. Anything you heard him say or do, any weapons you might have seen, um, and anything he may have done. Go ahead.

CR: Um, he had a gun on his hand. He was wearing work - brown work boots. That's the most noticeable thing that I saw. He have jeans, he have a black shirt, he have gloves and he have the helmet - the motorcycle helmet. We were not able to see his face. You just hear a d- deep voice and he was kind of bulky.

TP: Okay.

CR: Um, I hear him say, uh, "I don't want to hurt anybody. I just want you guys to sit down here next to each other." And then he say like, "No, no, no. I don't want them to see it through the - through the door -- move this way." And then after that he say like, "Oh just be on - on your stomach. I don't want to hurt anybody. I just want money." That was the only thing that he would say...

TP: Okay.

CR: ...all the time.

TP: So he moved your location?

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**STATEMENT OF: CARLA RECK (CR)**

**CR:** He moved our location?

**TP:** Everybody?

**CR:** Everybody.

**TP:** Okay. Um, can you describe the helmet? What color was it?

**CR:** Black.

**TP:** Black?

**CR:** Black.

**TP:** Okay.

**CR:** And he have some stickers on the side.

**TP:** All right. And can you describe the firearm?

**CR:** Silver and I think he had - he had something, like, brownish or red - something on the  
- on - in here.

**TP:** Okay.

**CR:** But that's the only thing.

**TP:** Okay. And when he came in, uh, making demands and threats with a firearm, you felt  
threatened?

**CR:** Yeah.

**TP:** You felt that if you didn't comply that you would be harmed? Okay. Um, at some point,  
uh, did he take items from the store?

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CR: I didn't even see it. I was in the floor, looking at the floor and crying.

TP: Okay.

CR: I just hear him saying, like, um, well he asked - he asked twice or three times did we already press the alarm, and so people say no and he repeat it really loud. And, like, then we say, "No." He want to make sure that we didn't press the - the alarm to call you guys. Um, he was getting really impatient because the safe wasn't opening and my manager was, like, telling him that it takes, like, five minutes to open and then he's like, "Oh I want - give me the money from the till." And then, like, he started, like - my manager started open the till. He got the money out of the tills...

TP: Okay.

CR: ...and then he's like, "I don't have five minutes, um, is it the safe" - I hear him like asking for the safe, like, three or four times. And that he didn't have five minutes.

TP: Okay. Did you see where he put the money?

CR: No.

TP: No. All right. And at any point, uh, did he leave the store?

CR: Just when, uh, just when, uh, when he was ready. When he took, like - what you can hear in the background that he took stuff -- he took the money.

TP: Did he take anybody with him when he left the store?

CR: Yes. He did.

TP: Who?



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CR: Adrian, my manager.

TP: Okay. Uh, did she go willingly or did she go by force? Was he forcing her to leave the store?

CR: He's like, "Open the store" and like, "Come with me." Like she didn't doubt at any minute.

TP: Okay.

CR: So he go and then we just hear the shot and...

TP: 'Kay. And he had a gun at the time that he was asking her and telling her to leave the store? Um, and was there anything that - that you heard at that time prior to the gunshots when he took her? Did you hear sirens?

CR: Just, "Come over here," yeah you hear the - you hear the sirens outside and he's like, "Come here. Come here and open up with me." They got outside and we hear the shots and her coming and running. We saw that she was hurt...

TP: Okay.

CR: ...running and crying and lock the door. And she's like - tell us like, "Be in the floor."

TP: So after the shots she came running back into the store? Okay, um, did she seem distraught, crying?

CR: Crying...

TP: Okay.

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CR: ...desperately.

INITIALS-Q2: Okay. Um, was there anybody else with the suspect?

CR: I didn't see in the...

INITIALS-Q2: Not inside okay. Um, was - wh- when he came - when she came back  
in, um, at what point did you come out of the store?

CR: Like, when I come out of the store?

INITIALS-Q2: Yeah.

CR: Nothing. I was, like, in the floor and then we jumped to...

INITIALS-Q2: No, no, no, no. When - when your manager came back in, did the police  
come and then you guys came out and got moved to AutoZone?

CR: No. We come up to side.

TP: Okay and then eventually to AutoZone?

CR: Yes.

TP: Okay. Y- your statement is your own? No one influenced you in what to say? What  
you're telling me is your own, um, im- you know, what you experienced today. Correct?

CR: Yes.

TP: Okay. Um, is there anything that I haven't asked that you think will help me with my  
investigation?

CR: No.

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TP: No?

CR: And I told you everything.

TP: Okay. Um, did I - did I miss anything that, uh, that you need to tell me about today that  
- that we have missed and not covered?

CR: No.

TP: No? Okay. Um, all right. Operator, this is the end of my interview. Same people are  
present. The time is 1626 hours.

**THIS VOLUNTARY STATEMENT WAS COMPLETED INSIDE AN UNMARKED LVMPD  
VEHICLE PARKED IN THE PARKING LOT OF 1216 S. RAINBOW BOULEVARD, LAS  
VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1626 HOURS.**

**TP: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
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EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER INVOLVED SHOOTING (NON-FATAL)

DATE OCCURRED: 09-03-18

TIME OCCURRED: 1315 HOURS

LOCATION OF OCCURRENCE: SUPERPAWN  
 1150 S. RAINBOW BOULEVARD  
 LAS VEGAS, NV 89146

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: NATACHA MONTOBAN (NM)

DOB: [REDACTED]

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE P. QUINTEROS (PQ), P# 9055, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1653 hours.

PQ: Operator, this is Detective P. Quinteros P# 9055 with the Force Investigation Team conducting a witness citizen interview reference an ongoing investigation under LVMPD Event# 180903-1848 that occurred on September 3, 2018 at approximately 1310 hours at the location of 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146. The interview's being conducted in my unmarked vehicle on Rainbow Boulevard south of Charleston Boulevard with Natacha Montoban. That's Nora-Adam-Tom-Adam-Charlie-Henry-Adam, last name Mary-Ocean-Nora-Tom-Ocean-Baker-Adam-Nora. Date of birth [REDACTED]. Social [REDACTED]. She has a Nevada OLN

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STATEMENT OF: NATACHA MONTOBAN (NM)

[REDACTED] And her current address is [REDACTED]. That's [REDACTED]  
[REDACTED] in Henderson, Nevada 89012. Her phone  
number is [REDACTED]. The current date is September 3, 2018 with a time of 1653  
hours. Is it okay if I call you Natacha?

NM: Correct.

PQ: Okay.

NM: That's fine.

PQ: Um, do you - are you aware the interview is being recorded?

NM: Yes.

PQ: Okay, so we're doing this investigation that occurred over here at the SuperPawn. Can  
you tell us, um, what, uh, details you know or what you learned as far as the incident?

NM: Okay, we pulled up. We parked right in front of the SuperPawn. My boyfriend gets  
out. I got out right behind him. He goes to open a door and I'm standin' behind him.  
And the door - it was like it was stuck so he yanked it a little harder and we heard  
something go, you know, some, like, pop or somethin'. So then, um, he - he's in front  
of me. He goes in. He looks in and he s- somethin' - the guy said somethin' to him  
but I - I s- oh I saw a guy with a, um, black helmet on - motorcycle helmet and I saw a  
black jacket on. And it was a woman behind a, um, dis- display who was on the other  
side. I observed that but then the guy said somethin' to him - to my boyfriend and I  
heard my boyfriend said, "Hell nah." And he shut the d- my boyfriend shut the door  
and he s- and he says, "Run. He's got a gun. They're bein' robbed." So we ran up

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the street past the car. We ran up the street and I - as I'm running - running I'm lookin' behind me to s-, you know, to see if I see him comin' behind us to shoot us and he never did. So I'm, uh, when we stopped right here by the AutoZone I said, "Are you sure that he had a gun? Because he's not even running behind us." He said, "Yes, I'm sure." So then I called 911 and that was it. The police showed up like a minute later.

PQ: Okay, so, um, you said we pulled up in a car?

NM: Mm-hm.

PQ: Um, who's we?

NM: Me and my boyfriend.

PQ: And what's your - what's your boyfriend's name?

NM: Dwayne Melvin.

PQ: Dwayne Melvin? Okay and, um, what car were you guys in?

NM: That white Hummer right there parked in front of the SuperPawn.

PQ: Okay, so when you pulled in did you - is that the same parking spot you pulled into?

NM: Yeah.

PQ: Okay, so, um, you said somethin' about yanking the door. Uh, what...

NM: Yeah, he tried to open the door. You know how the door is unlocked? It's supposed...

PQ: Mm-hm.

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 STATEMENT OF: NATACHA MONTOBAN (NM)

NM: ...to open right away...

PQ: Mm-hm.

NM: ...easily. So when he tried pullin' the first time it was like it was stuck. So then he had to pull a little bit harder...

PQ: Mm-hm.

NM: ...with a little bit of force and it came open. We thought it was just stuck.

PQ: Was that your boyfriend...

NM: Mm-hm.

PQ: ...that was yanking on the door?

NM: Yeah - yeah.

PQ: Okay and it was - oh so it was just one of the doors in the - in the car?

NM: Yeah, the front door. No, I'm talkin' about the SuperPawn door.

PQ: Oh I gotcha. Okay.

NM: The door the SuperPawn. He gets out and he op- tryin' to open the door and it was, like, it was stuck so he had to pull it with a little force and then it came open. And it sounded like something had popped.

PQ: Okay, I understand now. So w- both of you exited the vehicle and walked to the front of the store?

NM: Mm-hm.

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**STATEMENT OF: NATACHA MONTOBAN (NM)**

PQ: Okay, now I get it. Okay, th...

NM: And he was in front of me and I was behind him.

PQ: Okay, so and at that point he tried to open the door?

NM: Mm-hm.

PQ: And then...

NM: It wouldn't open so then he gripped it a little harder.

PQ: Mm-hm.

NM: And that's when it opened but you could hear, like, something pop or somethin'. It made some kinda noise but we still weren't thinkin' anything. I wasn't

PQ: Okay.

NM: And then he stepped in before me.

PQ: Mm-hm.

NM: He was tryin' to step in before me.

PQ: Mm-hm.

NM: And a guy at the inside was - said somethin' to him. And I heard my boyfriend said, "Hell nah." And then he told me, "Run. He has a gun.. He's robbin' them."

PQ: Mm-hm.

NM: And so we took off runnin'.



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PQ: Okay, so, um, so when your boyfriend walks in are you s- did you walk in behind him or you - were you outside the store?

NM: I was right behind him. He...

PQ: Okay.

NM: ...s- was about to step in. I was right behind him but as he opened the door I could see the guy in there with the, uh, motorcycle mask - I mean helmet...

PQ: Mm-hm.

NM: ...and a black jacket on.

PQ: Mm-hm.

NM: Looked like it was a black jacket. But I wasn't thinking nothin' 'cause I didn't have a full view of what was in his hand or nothin'. Like, all I seen...

PQ: Right.

NM: ...was the motorcycle helmet on...

PQ: Okay.

NM: ...face covered...

PQ: Mm-hm.

NM: ...and a black jacket. And I saw the woman behind the, um, the display.

PQ: Okay and then could you tell what he was doing, the guy with the motorcycle helmet?

NM: He was standing there.

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**STATEMENT OF: NATACHA MONTOBAN (NM)**

PQ: Mm-hm.

NM: He - when the door opened, he looked.

PQ: Mm-hm.

NM: H-, I mean, his face had - the helmet face turned towards us.

PQ: Mm-hm.

NM: So he saw us.

PQ: Could you see a gun, if he was armed?

NM: I didn't see it. I didn't...

PQ: Okay.

NM: ...see it.

PQ: So and then, uh, the guy in the helmet, is he the guy that yelled out, uh, something to your boyfriend?

NM: Mm-hm.

PQ: Could you tell what he said?

NM: I couldn't hear. I couldn't hear.

PQ: Okay and then, um, as far as, um, at that - at that point your boyfriend was like, "Hell, no."

NM: I heard my boyfriend say, "Hell, nah." He shut the door back. He told me to run.

PQ: Mm-hm.

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STATEMENT OF: NATACHA MONTOBAN (NM)

NM: He said, "He's got a gun. Run. He's robbin' the place."

PQ: And then both you and your boyfriend ran...

NM: Ran up this way.

PQ: Okay.

NM: And we stopped right here. W-, uh, we're run - running. We stopped a little bit like, right there by the tree where it says, "B- games, books, and more."

PQ: Okay.

NM: And we stopped there and I'm lookin' to see if he c- he came out 'cause I'm thinkin' he's...

PQ: Mm-hm.

NM: ...comin' out to shoot us.

PQ: And - and just to clarify for the - 'cause it's a recording, she's pointing southbound on Rainbow Boulevard from the SuperPawn and the game, books, and more is 12- the address is 1216 South Rainbow Boulevard. So when - when you and your boyfriend run down here, um, does anybody call the police?

NM: I did. We stopped.

PQ: Mm-hm.

NM: We stopped right there and I said, "Are you sure he has a gun?" 'Cause I still had the - 'cause I'm looking behind us as we're...

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PQ: Mm-hm.

NM: ...runnin' 'cause I'm thinkin' we're gonna get shot and he's - I don't see him comin' out.  
He said, "Yes, I saw him with a gun."

PQ: Uh-huh.

NM: So I called 911.

PQ: Okay and then, um, when you call 911 w- what was the conversation with the dispatcher?

NM: I told her s- we're at the SuperPawn and there's somebody in there with a gun...

PQ: Mm-hm.

NM: ...um, robbin' the place.

PQ: Okay, uh, and then you said shortly after the police showed up?

NM: Yeah, like a minute later...

PQ: Okay.

NM: ...the police - the first...

PQ: So pretty quick?

NM: ...set. Yeah, pretty quick, yeah.

PQ: And then did you - did the police talk to you?

NM: They asked us if the guy still in there...

PQ: Mm-hm.

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NM: ...and we said, um, "We've been watchin' the front and we didn't see him come out so most likely he's in there."

PQ: Okay, so you guys ran and you came down here and then called the police. So you guys were keepin'...

NM: We s...

PQ: ...an eye...

NM: Yeah, we stood right there. We was watchin'.

PQ: Mm-hm.

NM: Watchin'.

PQ: So you're keepin' an eye at the door?

NM: Mm-hm.

PQ: Okay and...

NM: Kept lookin' in the front.

PQ: ...nev- never saw somebody come out?

NM: No.

PQ: Okay and then after the police - they went down...

NM: Mm-hm.

PQ: ...uh, towards the SuperPawn?

NM: Yup.

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PQ: And then, um, what happened after that?

NM: Well the, um, the driver got out and then the, um, passenger - the lady came up, was askin' us, um...

PQ: The police officers?

NM: Yeah, police...

PQ: Okay.

NM: ...officer, yeah.

PQ: Mm-hm.

NM: The driver got out.

PQ: Mm-hm.

NM: The - the, um, passenger police officer was askin' us, um, I think she asked us, uh, I know she asked us -- I don't know at what point -- is the - are they still in there. And we said, "Yeah, we had - we didn't see nobody comin' out."

PQ: Mm-hm.

NM: So then her partner, um, already had positioned him by, um, our Hummer.

PQ: Mm-hm.

NM: I see him by the Hummer with his gun d- gun drawn and then a lot of other police officers came. And then she kept on tellin' us to move back, "Go back. Go back. Take

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shield." And then all of a sudden you - I seen - when I looked I seen the, um, the guy that was in the store with the gun come out with the, um, lady that worked there.

PQ: Mm-hm.

NM: And all of a sudden we heard pop - pop - pop. We heard shootings.

PQ: So when - so you're able to see when the guy - was it the same...

NM: Yeah, 'cause I...

PQ: Was it the same guy with the motorcycle helmet?

NM: Yeah.

PQ: Did he still have it on?

NM: Yeah.

PQ: And - and then he - but this time he was out with a lady?

NM: Mm-hm.

PQ: Could you - could tell what he was doing with the lady?

NM: She was in front of him so I suppose she had - he had her as hostage.

PQ: Okay.

NM: I know - I know she - he had her with him.

PQ: But definitely she - she was in front of him?

NM: Uh, yeah.

PQ: Okay and then, um, when the shots rang out were you able to see, um, who fired or...

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**STATEMENT OF: NATACHA MONTOBAN (NM)**

NM: Mm-mm, nothing like that.

PQ: Okay.

NM: Mm-mm.

PQ: All right - all right, is there anything else that's, uh, that could help with the investigation or anything...

NM: No.

PQ: ...I forgot to ask?

NM: That was it.

PQ: Okay, all right, operator, that's the end of interview.. The time is 1700 hours. Thank you.

**THIS VOLUNTARY STATEMENT WAS COMPLETED INSIDE AN UNMARKED LVMPD VEHICLE PARKED IN THE AREA OF RAINBOW BOULEVARD, SOUTH OF CHARLESTON BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1700 HOURS.**

**PQ: (NET TRANSCRIPTS)**  
**FIT2018-036**  
**J5814L Reviewed**



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EVENT #: 180903-1848

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**SPECIFIC CRIME:** OFFICER-INVOLVED SHOOTING (NON-FATAL)

**DATE OCCURRED:** 09-03-18

**TIME OCCURRED:** 1315 HOURS

**LOCATION OF OCCURRENCE:** SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146

**CITY OF LAS VEGAS**

**CLARK COUNTY**

---

**NAME OF PERSON GIVING STATEMENT:** HUGO GALLEG0 (HG)

**DOB:** [REDACTED]

**SOCIAL SECURITY #:**

**RACE:** H

**SEX:**

**HEIGHT:**

**WEIGHT:**

**HAIR:**

**EYES:**

**HOME ADDRESS:**

**PHONE :**

**WORK ADDRESS:**

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. NELSON (JN), P# 6825, THEFT CRIMES BUREAU/COMMERCIAL ROBBERY SECTION, on 09-03-18 at 1700 hours. Also present is Officer O. Verduzco (OV), P# 8893.

[sic] used within brackets to indicate that what precedes it is written intentionally or is copied verbatim from the original, even if it appears to be a mistake.

(blank spaces in source language column indicate English was the only language spoken)

\_\_\_\_ Blank line indicates that the word(s) heard were unintelligible.

*Italicized words within the document indicate that the words were spoken in English.*

JN:

Hello...Operator... this is Detective

J Nelson N-E-L-S-O-N P# 6825 with

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the Las Vegas Metropolitan Police  
Department Commercial Robbery  
section, conducting a taped  
interview with Hugo H-U-G-O  
Gallego G-A-L-L-E-G-O. um, ask  
him what his date of birth is?

OV: ¿Señor su cumpleaños? Que, que...

Sir your birthday? What, what...

HG: 4-27-59

OV:

JN:

Uh, todays date is September 3<sup>rd</sup>  
2018. The time is approximately  
1700 Hours. This is in Reference to  
Event # 180903-1848, which is a  
Robbery and Officer Involve  
Shooting that occurred at uh, 1310  
Hours. Time of the OIS was 1315.  
The address is 1150 S Rainbow Las  
Vegas NV 89146. Uh, also present  
is Officer Octavio Verduso,  
Verduzco.

OV:

Correct.

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**STATEMENT OF: HUGO GALLEG0 (HG)**

JN: V-E-R-D-U-Z-C-O P# is 8893.

Officer Verduzco will be doing the translation um as the witness is; victim of witness is uh, Spanish speaking. Uh, Sir what time did you get to the Pawnshop today?

OV: ¿Señor a qué horas lleo usted al Lugar de, de, de de, negocios ahí? [e16545a] [a16090r]

Sir, what time did you arrive to the, the, the place of business there? ~~the place of business there?~~

HG: Aproximadamente a la 1 de la tarde. Approximately at 1 in the afternoon.

OV: Approximately at 1pm.

JN: And what was his business there today?

OV: ¿Y a que había llegado usted a hacer ahí? And what did you go do there?

HG: Siempre compro algunas cositas ahí. I always buy some things there.

OV: I usually go to, uh, buy knickknacks in there.

JN: Okay, and, um, where was he at in the store, when the robbery

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occurred?

OV:	Y cuando estaba ocurriendo el robo.	And when the robbery was
	¿En donde estaba usted localizado,	occurring. Where were you in the
	en la tienda?	store?
HG:	Al frente del mostrador.	At the front of the counter.
OV:		In front of the, uh, cash register.
JN:		Okay and does he remember the
		person that he was working with?
OV:	¿Y usted se recuerda la persona	And you remember the person that,
	que, usted estaba trabajando, con	you were working, with who?
	quien[sic]?	
HG:	Con un muchacho que trabaja ahí,	With a guy, that works there,
	joven.	youngster.
OV:		A young fellow that works there.
JN:		Okay, um, at what point did he
		realize something was wrong?
OV:	¿A que, más o menos, a qué	At what, more or less, at what point
	punto[sic] usted, reconoció que algo	you realized that something was
	estaba mal?	wrong?
HG:	Cuando oí un grito y todo el mundo	When I heard a scream and
	empezó a tirarse al suelo.	everyone started throwing

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		themselves to the ground.
OV:		Uh, when I heard a scream and everyone started throwing themselves to the ground.
JN:		Did he turn around to see what was going on?
OV:	¿Usted dio vuelta[sic] para mirar que estaba ocurriendo?	Did you turn around to see what was happening?
HG:	Si, yo regrese a mirar y vi a un tipo con un arma.	Yes, I went back to look and saw a guy with a weapon.
OV:		Yes I turned around.
HG:	Con un casco.	With a helmet.
OV:	<i>I saw a guy with a gun, he had a helmet on. Okay, un momento.</i>	I saw a guy with a gun, he had a helmet on. Okay, one moment.
JN:		Could he tell the race?
OV:	¿Usted, uh, se dio cuenta de que raza era?	You, uh, did you notice what race he was?
HG:		No, no, no.
JN:		Could he tell how tall?
OV:	¿Usted sabe, más o menos, la	Do you know, more or less, the

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	estatura?	height?
HG:	Por ahí igual de alto a mí, nose.	Around as tall as me, I don't know.
OV:		Possibly as height as myself.
JN:		Which is what?
OV:	¿Y usted que[sic] mide?	And what is your height?
HG:	Como, 5'6 algo así, 5'7.	Like, 5'6 something like that, 5'7.
OV:		I'm about 5'6, 5'7.
JN:		Okay, and uh, was the suspect, thin, medium, or big?
OV:	¿Y él estaba, flaco, normal, o pesado?	And he was, skinny, normal, or heavy?
HG:	Como gordito, creo yo.	Like a little fat, I think.
OV:		He seemed a bit heavy.
JN:		Okay, he mentioned that he...
HG:	5'7	5'7
JN:	Okay, bien.	Okay, good.
OV:		He's showing you a driver's license. It does say he's 5'7.
JN:		Okay, um, you mentioned that he was wearing a motorcycle helmet?
OV:	Usted menciona que el traía un	You mentioned that he was wearing

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	casco de motocicleta.	a motorcycle helmet.
HG:		Uh huh.
JN:		What color was it?
OV:	¿De que color?	What color?
HG:	Como negro. Como, no, no me acuerdo	Like black. Like, no, I don't remember.
OV:		Uh. Maybe, uh, black.
HG:	Yo solo regrese a mirar así, y me tire al suelo.	I only went back to look like this, and threw myself to the ground.(Both talking)
OV:		It was uh, it was, uh, happening so fast, and uh, I just threw myself on the ground.
JN:		Okay, could you tell me anything else about his clothing?
OV:	¿Usted puede decirme algo más de lo que el sujeto traiba[sic] puesto?	Can you tell me something else that the suspect was wearing?
HG:		No.
OV:		No.
JN:		Do you know if he was dark color or light color?

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**STATEMENT OF: HUGO GALLEG0 (HG)**

OV:	¿Podria, podria decirme si era, era, uh, bla...uh, color obscuro, o más o menos blanco?	Could you tell me if he was, he was, uh, whi... uh, dark color, or more or less white?
HG:	No sé señor	I don't know if sir.
OV:		I have no idea sir.
JN:		Do you know if the suspect had a weapon?
OV:	¿Usted se dio cuenta si el sujeto traiba[sic] un arma?	Could you see if the suspect had a weapon?
HG:	Si.	Yes.
OV:		Yes.
JN:		What kind of weapon?
OV:	¿Qué clase de arma?	What kind of weapon?
HG:	No sé, él nos amenazó.	I don't know, he threatened us.
OV:		He doesn't know, he just, he...
HG:	Yo solo le hice así, y me tire.	I only did like this and threw myself.
OV:		He pointed it at us, and uh, I freaked out and I threw myself.
JN:		Okay, was it a baseball bat, a knife, a gun?
OV:	¿Era un bate, era un cuchillo, o era	Was it a bat, was it a knife, or was it



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	una arma de fuego?	a fire arm?
HG:	Era un arma de fuego.	It was a fire arm.
OV:		It was a fire arm.
JN:		Do you know how big the fire arm was?
OV:	¿Sabe, más o menos de que tamaño estaba el arma de fuego?	Do you know, more or less, what size was the firearm?
HG:		No. (laughing)
JN:		Was it like small or was it big?
HG:	No, pequeño.	No, small.
OV:		He's, uh, singling it's small.
JN:		Okay, so possibly a hand gun?
OV:	Posiblemente una pistola de mano?	Possibly a hand gun?
HG:	Sí, yo creo que sí.	Yes, I think so.
OV:		I believe so, yes.
JN:		Okay, thank you. Um, so did the suspect tell everybody to get on the ground?
OV:	¿So, el sujeto les aviso a todos que se echaran al piso?	So, the suspect advised everyone to get on the ground?
HG:	El, yo no hablo inglés, pero yo vi la	He, I don't speak English, but I saw

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actitud de todos y yo también me  
tire al suelo.

OV: everyone's attitude and I also threw  
myself on the ground.

JN: I don't speak English but, uh, I saw  
everybody's demeanor and I  
assumed that was happening and  
so I threw myself.

HG: Okay.

OV: Y deduje que nos estaban  
asaltando. Que era un asalto.

JN: And I assumed that we were being  
robbed. That it was a robbery.

OV: And he recognized that they were  
being, uh, robbed. That it was a  
robbery in progress.

JN: Okay, and when he went down to  
the ground, did he have to go  
somewhere else to go down on the  
ground? Or did he go down on the  
ground right where he was?

OV: ¿Y cuando usted se tiro al piso, se  
tiro enfrente, donde usted estaba, o  
se tiro, o se tuvo que mover para  
tirarse en otro lugar?

JN: And when you threw yourself on the  
ground, did you throw yourself in  
front, where you were at, or did you  
throw, or did you have to move to

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throw yourself at another place?

HG: Me moví un poquito pa' tirarme  
aquí.

I moved a little bit to throw myself  
here.

OV:

I believe I moved, uh, slightly, he  
was signaling to his left, to throw  
himself where there was room.

JN:

Okay, did the suspect ever point his  
gun at you?

OV: El sujeto le apunto la [sic] arma a  
usted?

Did the suspect point the gun at  
you?

HG:

No, no, no.

JN:

Did the suspect...

HG: Yo me quede al suelo, yo ya no  
voltage a mirar nada.

I stayed on the ground, I didn't turn  
to look at nothing.

OV:

He doesn't recall, he threw himself  
down to the ground and after that he  
didn't see anything.

JN:

Okay, did the suspect ever try to  
take anything from you?

OV: El sujeto le trato algún, uh, algún  
momento, tratar de quitarle algo de

The suspect tried at any moment,  
tried taking something from you

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	usted personalmente.	personally.
HG:		Neg...no.
OV:		No.
JN:		Okay. And um, did you see if the suspect was carrying anything other than the gun?
OV:	¿Usted miro si el sujeto estaba cargando[sic] algo más de lo que el traiba[sic] o nomas la pistola?	Did you see if the suspect was carrying something else than what he was carrying or only the gun?
HG:	No, no. Yo solo vi la pistola y no más. Si era pistola o revolver o lo que...	No, no. All I saw was the gun and nothing else. If it was a pistol or a revolver or what...
OV:		I saw a gun, a handgun, I don't know if it was a revolver, a semi. I don't know what it was, I just saw a gun and I threw myself down.
JN:		Okay, did you see if the suspect took any property?
OV:	¿Usted miro si el sujeto agarro propiedad de algo, o del negocio?	Did you see if the suspect grabbed some kind of property or from the business?

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HG:	Yo ya no voltie a mirar nada.	I didn't turn to look at anything  anymore.
OV:		I never, I after that, I never turned to  see anything else.
JN:		Okay. Did you see the suspect, um,  grab anybody or take anybody from  one place to another?
OV:	¿Usted se dio cuenta si el sujeto,  algún tiempo agarro algunos de las  otras personas y los movió?	Did you see if the suspect, at any  time grabbed one of the other  people and moved them?
HG:	Yo no voltie a mirar ya nada más.  Yo me agache y ya.	I didn't turn to look at anything else.  I went down and that was it.
OV:		I never turned to see anything else,  um, I just went down, put my head  down and that was it.
JN:		Okay, at what point did you realize  everything was okay?
OV:	¿A qué momento usted realizo [sic]  que todo ya estaba bien?	At what moment did you realize that  everything was fine?
HG:	Cuando todos se pararon.	When everyone got up.
OV:		Uh, when everybody stood up.

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**EVENT #: 180903-1848**  
**STATEMENT OF: HUGO GALLEG0 (HG)**

JN:	Okay, at any point did he hear any  gunshots?
OV:	¿Al, usted, algún momento  escucho, uh, sonido de fuego, de  armas que se descargaron?  Did you at any moment hear, firing  sound of a weapon that was  discharged?
HG:	A lo último, sí.  At the end yes.
OV:	At the end, yes.
JN:	Okay, and, um, did he know where  those gunshots occurred?
OV:	¿Usted sabe dónde ocurrieron esos  sonidos de fuego?  Do you know where those firing  sounds occurred?
HG:	Yo creo que afuera de la tienda.  I believe, outside of the store.
OV:	I believe, outside of the store.
JN:	Okay, after the gunshots did  anybody else, did anybody come  back in to the store?
OV:	Después del sonido de fuego. ¿Se  dio cuenta se alguien más entro  adentro pa tras [sic]?  After the firing sound. Did you see if  anyone else came back in?
HG:	No.
OV:	No.

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JN: Okay. Um, is there anything that you can think of that could help us with the investigation that we did not talk about.

OV: ¿Hay algo que usted piensa que nos puede ayudar, de lo que hablamos que no le preguntamos. Que nos pueda ayudar con esta investigación?

Is there anything that you can think that could help, of what we talked, that we didn't ask. That can help us with this investigation?

HG: Nada. Nothing.

OV: Nothing.

JN: Okay, tell him, we are very thankful for him sticking around and helping us out. Operator this is gonna be the end of the \_\_\_\_ same people present. Thanks.

---

**THIS VOLUNTARY STATEMENT WAS COMPLETED 1150 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018.**

**JN: OV: ea, ar / jk (HIS)**  
**FIT2018-036**

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EVENT#: 180903-1848

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**SPECIFIC CRIME:** OFFICER INVOLVED SHOOTING (NON-FATAL)**DATE OCCURRED:** 09-03-18**TIME OCCURRED:** 1315 HOURS**LOCATION OF OCCURRENCE:** SUPERPAWN  
1150 S. RAINBOW BOULEVARD  
LAS VEGAS, NV 89146**CITY OF LAS VEGAS****CLARK COUNTY**

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**NAME OF PERSON GIVING STATEMENT:** DWAYNE MELVIN (DM)**DOB:** [REDACTED]**SOCIAL SECURITY #:****RACE:****SEX:****HEIGHT:****WEIGHT:****HAIR:****EYES:****HOME ADDRESS:****PHONE 1:** [REDACTED]**WORK ADDRESS:****PHONE 2:**

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The following is the transcription of a tape-recorded interview conducted by DETECTIVE P. QUINTEROS (PQ), P# 9055, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1712 hours.

PQ: Operator, this is Detective P. Quinteros, P# 9055 with the Force Investigation Team conducting a witness citizen interview reference an ongoing investigation under LVMPD Event# 180903-1848 that occurred on September 3, 2018 at approximately 1310 hours at 1150 South Rainbow Boulevard, Las Vegas, Nevada 89146. The interview's being conducted in my unmarked vehicle on Rainbow Boulevard south of Charleston Boulevard. The interview's being conducted with Dwayne Melvin. First name David-William-Adam-Yellow-Nora-Easy. Last name Mary-Easy-Lincoln-Victor-



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**STATEMENT OF: DWAYNE MELVIN (DM)**

Ida-Nora. Date of birth [REDACTED] Social [REDACTED] Nevada OLN number

. His current address is 2 [REDACTED] That's.

in Henderson, Nevada 89012. His phone number is 702-

. Today's date is September 3, 2018 with a time of 1712 hours. Can I call you Dwayne?

DM: Yes.

PQ: Okay, um, are you aware this interview is being recorded?

DM: Yes.

PQ: Okay, so we're conductin' an investigation in the incident that happened outside - or outside - inside the SuperPawn. Can you tell me what, um, what information you have, uh, reference the incident?

DM: Okay, me and my girlfriend was lookin' for a TV.

PQ: Mm-hm.

DM: So we pulled up to the SuperPawn. When I tried to open the door it's like it was stuck or somethin'. So I pulled it a little harder and it opened, like somethin' snapped and it opened. When it opened, the guy - it was a guy standin' there. He had a motorcycle mask on, a complete - that cover his whole face and all that and he was tellin' me, "Come in." And I see the gun in his hand. I said, "Oh no, I'm not comin' in." And I slammed the door and told my girl, "I think they gettin' robbed." And she says, "You sure?" I said, "No, let's run." So we ran from here and we ran over here in front of the,

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um, AutoZone and we stood there and called the police. When the police came, we were, uh, we flagged them down and told them that the - they was bein' robbed. The male officer had asked us was he still there. We said, "Yeah, we think he's still in there. We ain't seen him come out the front." So he ran over by my truck and start gettin' in the position to stop him if he came out. And the female officer was tellin' us to, "Get back. Get back." So we stood back. Two or three more officers came, like, two or three cars were startin' to come. And, like, when the f-, like, one or two cars came, then the man the start tryin' to come out with the hostage. When he came out with the hostage we seen him right there. I told my girl, "Duck behind the car 'cause there might be some gunfire." Then we heard one shot - pop. Then we heard pop - pop - pop, like, four more shots. Okay, got up, ran back toward the AutoZone. Then we stand there. The police told us to, "Get back.. Get back." Some other people came from the bus stop and started talkin' to us and we went over there at Wendy's and just started waitin' the police to come and interview us.

PQ: Okay, um, so just to - to clarify some things. So you said you and your girlfriend?

DM: Yes.

PQ: Um, who's your girlfriend?

DM: Natacha Montalban.

PQ: Okay and then, uh, you guys pulled up. Um, can you...

DM: In - in the Hummer.

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PQ: ...describe your vehicle?

DM: The white Hummer - white H2 Hummer - 2003 H2 Hummer, chrome wheels on it.

PQ: And then did you - where'd you park?

DM: Directly in front of SuperPawn.

PQ: Okay, so did both you and your girlfriend exit the - your vehicle?

DM: Yes.

PQ: Okay and then when you walked to the front doors...

DM: Mm-hm.

PQ: ...is that where you - you had difficulty opening the door?

DM: Yes.

PQ: Okay, so go into details. What, uh, so you just went to open it and...

DM: When I tried to open it, it was a little stuck.

PQ: Mm-hm.

DM: When I pulled it, it sounded like some pop, like that and it just opened.

PQ: Okay.

DM: When I asked the girl she said they put a zip tie on the door. That's what it was, a zip tie popped.

PQ: Mm-hm.

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DM: And then I go to walk in. When I go to walk in, I see the guy with the thing. He said,  
"Oh no, come on in. Come on in." "No - no, I'm not comin' in here, bro."

PQ: Can you desc- can you describe him to me?

DM: Yeah, he - he was about - he, uh, it's a brief description 'cause I...

PQ: Okay.

DM: ...couldn't see his face. He had - he had - he had...

PQ: Mm-hm.

DM: ...on black. He had on the, um, a motorcycle mask coverin' his face. Looked like he  
had a gun in his left hand, uh, 'cause he was facin' this way and when I looked down,  
I seen the gun. I can't remember exactly which hand it was 'cause soon as I seen it, I  
ran out.

PQ: Where in the store was he when you - when you walked in the...

DM: Right by the counter.

PQ: Right by the counter?

DM: Yeah.

PQ: Did you actually walk into the store?

DM: Walked, took two steps in and I...

PQ: Mm-hm.

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DM: ...seen him. He said, "No, come on in." I said, "Hell no." And I ran back and shut the door and I told my girl, "Run." Yeah, I went in the store. You'll see me on the camera.

PQ: So when he told you come into the store was he, um, cordial? Was he aggressive?

DM: He just was like, "No - no - no, let him in. Come on in."

PQ: Mm-hm.

DM: Like, he was - you know what I'm sayin'? But he had the gun in his hand...

PQ: Mm-hm.

DM: ...and he had the mask on so I know. I'm like, "Nah, this a robbery right here."

PQ: Okay.

DM: You know?

PQ: And so you seen the male with a gun and a motorcycle, uh...

DM: Yeah.

PQ: ...that's what you believe was goin' on?

DM: Oh, I knew it was robbery.

PQ: Okay, and then...

DM: I - I know what a robbery look like.

PQ: So that's when you and your girlfriend...

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STATEMENT OF: DWAYNE MELVIN (DM)

DM: I told her come on. She said, "You sure?" "You better come on." I started runnin' zigzag just in case he came out to shoot at us.

PQ: Mm-hm.

DM: I wasn't goin' to get in the car 'cause I didn't want him come out and say, uh - uh, if he had somebody with him to bring us back in.

PQ: Mm-hm.

DM: So I told her, "Look, just run." So we ran and we came up here and we got, uh, right over here by the AutoZone.

PQ: Okay, so...

DM: That's when she called the police. Like, it was, like, 1:10 when she called the police - 1:11, somethin' like that.

PQ: All right, so, uh, you left your car, ran down here?

DM: Mm-hm.

PQ: Now when you call the police did you, uh, keep an eye on the front...

DM: Yeah.

PQ: ...doors?

DM: Watchin' the front door all the time.

PQ: Okay and you never saw anybody come out?

DM: No, I kept tellin' them, "What this fool doin'?" He just seen us.

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PQ: Mm-hm.

DM: He not gonna come out?

PQ: Mm-hm.

DM: He gonna stay in there? What the hell goin' on?" It was, like, two minutes. And then the s- even when the police sirens was comin'...

PQ: Mm-hm.

DM: ...I know he can hear the sirens. And the police came. We stopped them. We - we flagged them down right here.

PQ: Mm-hm.

DM: And they left they car right here and they ran over there.

PQ: Okay.

DM: But he still was in there. He never came out until some more cars came.

PQ: When the police came here was that, uh - uh, how many minutes do you think from the time you guys called?

DM: From the time we called probably, like, a minute and a half.

PQ: Okay and then when the police showed up, uh, what did you tell the officers?

DM: I told them, "They in the s-, uh, I think somebody in there robbin' them. I'm not sure...

PQ: Uh-huh.

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DM: ...but I think I seen a guy with a mask." And - and he - that's when the guy was like,  
"He still in there? He still?" "Yes, he still in there. Nobody never came out."

PQ: Mm-hm.

DM: But see, that's what made me was doubtin' did I see the right thing because I know he  
seen me and he's stayin' up in there.

PQ: Mm-hm.

DM: And it been, like, a whole two minutes. I know he not just gonna stay up in there know  
it's a witness against him right now. Somebody might call the police. But he stayed in  
there so I - I was fixin' to even - actually fixin' to walk back over there, like...

PQ: Mm-hm.

DM: ...did I make a mistake or somethin'? 'Cause that's how long he was stayin' up in the  
shit.

PQ: So that was weird to you that...

DM: Yeah, it was weird. Like, he not gonna come out?

PQ: Mm-hm.

DM: But then when the - when the - when the second police car came, that's when he start  
comin' out with the hostage.

PQ: Now did you, uh, see that? Did you...

DM: Yes.



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PQ: Okay and then...

DM: I seen him with the hostage.

PQ: H- why'd you think, uh, that person was a hostage?

DM: Because he had the gun. He had it and he had the mask on. He had her, like, walkin' with her, like...

PQ: Uh-huh.

DM: "Don't move. I'mma bust you. You understand?"

PQ: How - how'd he have his hands?

DM: I - I can't remember exactly. Uh, I just see...

PQ: Okay.

DM: ...'cause when I seen him come out...

PQ: Mm-hm.

DM: ...with the girl...

PQ: Mm-hm.

DM: I told my girl, "Duck down behind the car 'cause they fixin' to shoot him.

PQ: Mm-hm.

DM: He not goin' nowhere with the hostage." So...

PQ: Mm-hm.

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DM: ...we didn't actually see the gunshots. We heard the gunshots. When I seen him come with the hostage I told her, "Duck." You know, it - it was, like, very brief. I just seen him come out with the girl and I knew the one guy was standin' there.. And I know from experience they not fixin' to let him leave with that girl. They ain't fixin' to let him get in the car with her or nothin'. So...

PQ: And just to go back, w- did he - was he using her as a shield or...

DM: Somethin' like a shield, yeah.

PQ: Okay.

DM: He came out with her, like, in front of him.

PQ: Okay.

DM: Yeah.

PQ: And - and at - when he was coming out the police were already here, right?

DM: Yeah, it was one...

PQ: Okay.

DM: ...one cop w- actually it was two cars...

PQ: Mm-hm.

DM: ...by that time.

PQ: Uh-huh.

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DM: But it was still cars pullin' up though, you know, like, and he was comin' out. The one guy was by my car, the first guy that came.

PQ: Mm-hm.

DM: He was posted up by my car already waitin'.

PQ: Mm-hm.

DM: The little chubby guy.

PQ: Mm-hm.

DM: And the girl - she didn't wanna get too close.

PQ: Okay.

DM: She - the little short girl that came in the car with him. She was talkin' to us sayin', "Get back. Get back." But she was stayin' right - right back around - around this red - red can - Redrock sign and stuff.

PQ: Okay.

DM: But he went right up to where my car was at and got up close and personal and was waitin'.

PQ: So, um, when you told your girl to duck...

DM: Uh-huh.

PQ: ...did you also duck?

DM: Yeah, right here behind the cars. We was right over here.

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**STATEMENT OF: DWAYNE MELVIN (DM)**

PQ: Did you happen, uh, to see the shooting?

DM: No, we didn't...

PQ: No?

DM: ...see the shootin'. We just heard the shootin'.

PQ: Okay.

DM: That's why I thought he shot at the police 'cause it was one shot.

PQ: Mm-hm.

DM: And then after the one shot it was, like, five shots, pop - pop - pop - pop - pop.

PQ: Mm-hm.

DM: You know what I'm sayin'?

PQ: Yeah.

DM: So it was, like, he took a shot and then they just blasted him. That's the way it sounded...

PQ: Okay.

DM: ...to us, you know?

PQ: Okay, um, is there any other information or details that we may have missed, uh, that can help with the investigation?

DM: No, that's it.

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STATEMENT OF: DWAYNE MELVIN (DM)

PQ: Okay.

DM: That - that was - it was just that. We stood here and then the people came down from the bus stop and started talkin' with us and said, "Yeah, we heard the gunshots and we seen you guys runnin'."

PQ: Mm-hm.

DM: We was wonderin' what the hell was goin' on." And I said, "Yeah, they in there gettin' robbed." And they stood over here with us and talked with us, too...

PQ: Okay.

DM: ...for a minute.

PQ: Operator, that's the end of the interview. The time is 1720 hours. Thank you.

**THIS VOLUNTARY STATEMENT WAS COMPLETED INSIDE AN UNMARKED LVMPD VEHICLE PARKED IN THE AREA OF RAINBOW BOULEVARD, SOUTH OF CHARLESTON BOULEVARD, LAS VEGAS, NV 89146, ON THE 3<sup>RD</sup> DAY OF SEPTEMBER 2018 AT 1720 HOURS.**

**PQ: (NET TRANSCRIPTS)  
FIT2018-036  
J5814L Reviewed**

1 Eight Judicial District Court

2 Clark County

3 **FILED**

4 **DEC 13 2021**

5 *John T. Sullivan*  
CLERK OF COURT

6 The state of Nevada

7 Plaintiff.

8 vs.

Case No.: C-18-3353-15-1

Dept. No.: 24

Docket No.:

9 Mario Trejo #2717641

10 Defendant, Pro-se

11 **January 3, 2022**

12 **8:30 AM**

13 Motion to dismiss Case/Prosecutorial misconduct  
14 and Perjury

15 Comes now Mario B. Trejo, humbly requesting that case  
16 C-18-3353-15-1 be dismissed with prejudice. The  
17 grounds for this motion are due to the perjury consciously  
18 and purposefully committed by chief deputy district att  
19 orney Michael J. Shwartzner, whom as an officer of  
20 the court is invested with public trust and therefore  
21 bound by the rules of court and Law. As an  
22 officer of the court Mr. Shwartzner must also behave  
23 with integrity, respect and higher standards due to  
24 the power invested in him by the people.

25 Mr. Shwartzner has abused his position and status  
26 by willingly committing perjury before the courts, against the  
27 defendant in order to advance his goals in regards to  
28 this case, he has done so constantly and on many occasions, in

CLERK OF THE COURT

RECEIVED  
DEC 09 2021

1 Order to deprive the defendant of his liberty and the  
2 attending benefits such as proper legal representation,  
3 proper medical treatment and greater financial resources.  
4 Therefore all of Shwartzers following statements and  
5 actions should be impeached, furthermore all of his motions  
6 and evidence presented should be dismissed due to the  
7 following proof and exhibits presented herein this motion.

8 Argument: Fact and Proof of Claim.

9 Since the beginning of this matter, during court hearings, on  
10 record and under oath as an officer of the court,  
11 Michael J. Shwartzner has made perjurious claims against  
12 the defendant, in which has set forth since the beginning  
13 up to date false claims and allegations which have caused  
14 a chill effect and halted the proof that i've set forth  
15 in several motions proving his false perjurious claims  
16 and statements that should be as stated before, impeached  
17 and stricken from record, along with all his actions in  
18 this case as prosecutor. For example on April 6<sup>th</sup> of  
19 2020, during a hearing to decide on a bail reduction w/  
20 Judge Stephanie Miley, D.A Shwartzner claimed that  
21 defendant had and was showing off "Explosives"  
22 he also makes the same claim thru a motion submit-  
23 ted to the courts titled "States opposition to defendants  
24 fifth motion for O.R. release." In this motion on  
25 page 5 Lines 13 through 15 - See exhibit A - D.A.  
26 Shwartzner claims that defendant has access to "high  
27 capacity rifles and Explosives" in order to tear down  
28 the defendants character before the court and make

1 him appear as some sort of terroristic threat,  
2 when in fact the so called explosive, was photographed  
3 and scrutinized by detectives during the execution  
4 of a search warrant on my home in sept. 2018, which  
5 determined that the device in question was not an  
6 explosive but a merely a paperweight / Dummy. D.A  
7 had all of this information since 2018 and he knew  
8 that the alleged "explosive" wasn't real, yet he chose to  
9 perjure himself before the courts in order to further  
10 his vindictive Vendetta making false accusations and  
11 thus falsifying evidence. additionally - see exhibit A -  
12 On page 5 Lines 15 through 17, the D.A. states that  
13 "Defendant is not in the country legally and is  
14 subject to federal deportation... Defendant should  
15 be considered a flight risk.", which is further proof  
16 that he continues to further perjure himself while  
17 making a mockery of the courts, D.A. Schwartzner knows  
18 that there are no factors of true proof in any of these  
19 statements yet he states them on record to further his  
20 vendetta and not doing his due diligence, which denies the  
21 defendant his freedom while destroying his character  
22 before the courts, The defendant now presents  
23 - Exhibits B, C and D -  
24 Exhibit B, shows a picture of the defendants  
25 social security card, work permit and passport which  
26 show the defendant has Legal status in the U.S., this  
27 picture was taken by detectives during the execution  
28 of a search warrant of my home Sept. of 2018.



1 In addition to this official evidence, the D.A.  
2 has resource and authority to access the defendants  
3 record, immigratory status and all photos taken at  
4 the residence which was subject to a search, further  
5 showing the D.A. was well informed but still willingly  
6 committed perjury.

7 •Exhibit C, shows the Dummy grenade, which the  
8 D.A. presented as an "Explosive" to the courts, this  
9 picture was taken by detectives during the same  
10 search in which defendants immigration documents were  
11 also pictured, it is obvious that this is not an  
12 "Explosive" due to lack of response by detectives  
13 during their examination proving that no "Explosives"  
14 exist in this matter. which the D.A. has Also been aware of.

15 •Exhibit D shows a post from the defendants insta-  
16 gram, which shows the dummy device in question and a  
17 personal firearm legally owned by defendant at the  
18 time, photo was used by D.A. Shwartzner to perjure  
19 himself before the courts when he used it in his  
20 motion of opposition to raise his claims of fabled  
21 "Explosives" all while being aware of what this  
22 picture actually contained, Note that in exhibits C and D  
23 the item in question is identical, from the ~~scar~~ scar  
24 along the side, down to the Damaged spoon.

25 Finally, defense presents -Exhibit E- which is an email  
26 D.A shwartzner forwarded to my former counsel and  
27 which i obtained, which explains the deadly serious  
28 condition defendant was in months after arrest.

1 Also stating not many doctors specialize in the  
2 handling of such a rare condition, which defendant  
3 began suffering from, 10 months prior to arrest.  
4 However being aware of these facts, D.A. Swartzner  
5 has made defendants condition appear mild and has  
6 even claimed that it was caused during the commission  
7 of a crime, which is another false claim.

8 On top of it all he committed all these acts of  
9 perjury to secure a point to his conviction rate  
10 knowing that doing so would deny the defendant  
11 the due proper medical care jails cannot provide.

#### 12 In Conclusion:

13 Gaining status as official does not give one leave to  
14 disobey the rules of court and Law, as a matter of  
15 fact, taking on that responsibility also means taking on  
16 a higher standard, it not only means to execute ones  
17 duty but it also means maintaining your honor, integrity  
18 and laws of the land to a greater extent than the  
19 average citizen. It is so because you are entrusted by  
20 the people and for the people, to ensure justice for  
21 all by bringing the truth into the light. However, the  
22 actions that Michael J. Shvartzner has conveyed,  
23 not only show that he lacks these values but also  
24 that he is willing to abuse his power, position and  
25 the constitutional rights of citizens in order to gain  
26 ratings and make an example of a man accused of a  
27 crime not yet proven, and in the process he has  
28 committed a crime which not only violates the dignity.

1 of the court but also has negatively affected  
2 the defendants right to Liberty and the atten-  
3 ding benefits it holds.

4 The defense ask that this case be dismissed  
5 in its entirety because the prosecutor has shown  
6 prejudice against the defendant through prosecutorial  
7 misconduct. The defense also request that it be  
8 on record that Michael J. Shwartz, the pros-  
9 ecutor in this case has perjured himself before  
10 the court in a matter that has produced negative  
11 consequences for the defendants case and his  
12 ability to obtain medical care by denying him  
13 freedom and liberty.

14  
15 The defendant thanks the court and the  
16 Honorable Judge Erika Ballou for her  
17 patience, undivided attention along with her  
18 careful consideration in this matter.

19 Dated this Oct. 1<sup>st</sup> of 2021

20  
21  
22 Signed: Mario B. Trejo  
23 Defendant, Pro-se  
24  
25  
26  
27  
28

1 Points and authorities

2 Dismissal of case: prosecutorial misconduct

3  
4 • U.S. v. Bundy

5 968 F.3d 1019, 1030 (9th Cir. 2000).

6 This power may be invoked in response to  
7 outrageous government conduct that "does not  
8 rise to the level of a due process violation" id.  
9 at 1031.

10  
11 • U.S. v. Gallardo

12 696 Fed. Appx. 255 (9th Cir. 2017) (quoting

13 U.S. v. Gurnea 353 F.3d 444, 450 (9th

14 Cir. 2003)) violation of fundamental fairness

15 is an "extremely high standard" that requires a

16 defendant to establish "so grossly shocking as

17 to violate the universal sense of justice."

18 (U.S. v. Reams 9th circuit) "a defendant must

19 show that the misconduct prejudiced his defense.

Elighth Judicial District Court  
Clark County

The state of Nevada  
Plaintiff,

Case No: C-18-3353-15-1

-VS-

Mario B. Trejo #2717641  
Defendant, pro se

Page 5 of D.A. Shwartzers  
"states opposition to defendants  
fifth motion for C.R. release"

Exhibit A

1 engaged in a shootout with police, placing Ms. Serrano-Bojoglez, uniformed officers, and the  
2 public directly in harm's way. Defendant not only confessed but was also caught on video  
3 (both inside and outside the store), making conviction very likely in this case.

4 Following the Grand Jury Indictment Warrant Return, the grand jury after reviewing  
5 the facts *sua sponte* increased the bail to \$500,000 with house arrest. That judge noted that  
6 Defendant has proven by his actions that he is an extreme danger to the community. On  
7 January 23, 2109, after Defendant's second motion to reduce bail, the prior Court considering  
8 the same medical information set forth in Defendant's instant motion, reduced bail to \$75,000  
9 and house arrest. Any further reduction would be unwarranted and inappropriate. Defendant's  
10 fifth request for a bail reduction uses the same arguments (pandemic, health) previously  
11 considered by the prior court. There is nothing new in Defendant's motion that should change  
12 the current bail setting from the \$75,000 and house arrest previously ordered by the courts.

13 Moreover, before Defendant was arrested his Instagram posting often depicted various  
14 firearms including high capacity rifles and explosives. (See Exhibit 2). Further, demonstrating  
15 the Defendant is a safety risk to our community. Finally, Defendant is not in the country legally  
16 and is subject to federal deportation. This is not being stated for being a bad act, but a reason  
17 Defendant should be considered a flight risk. Defendant's newest request falls short of  
18 providing this Court with adequate assurances that Defendant would remain trouble free or  
19 return to the courtroom to face a likely conviction and a lengthy mandatory prison sentence.  
20 Thus, the State, once again, is asking for Defendant's motion to be denied.

21 ///

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Eight Judicial District Court  
Clark County

The state of Nevada  
Plaintiff,

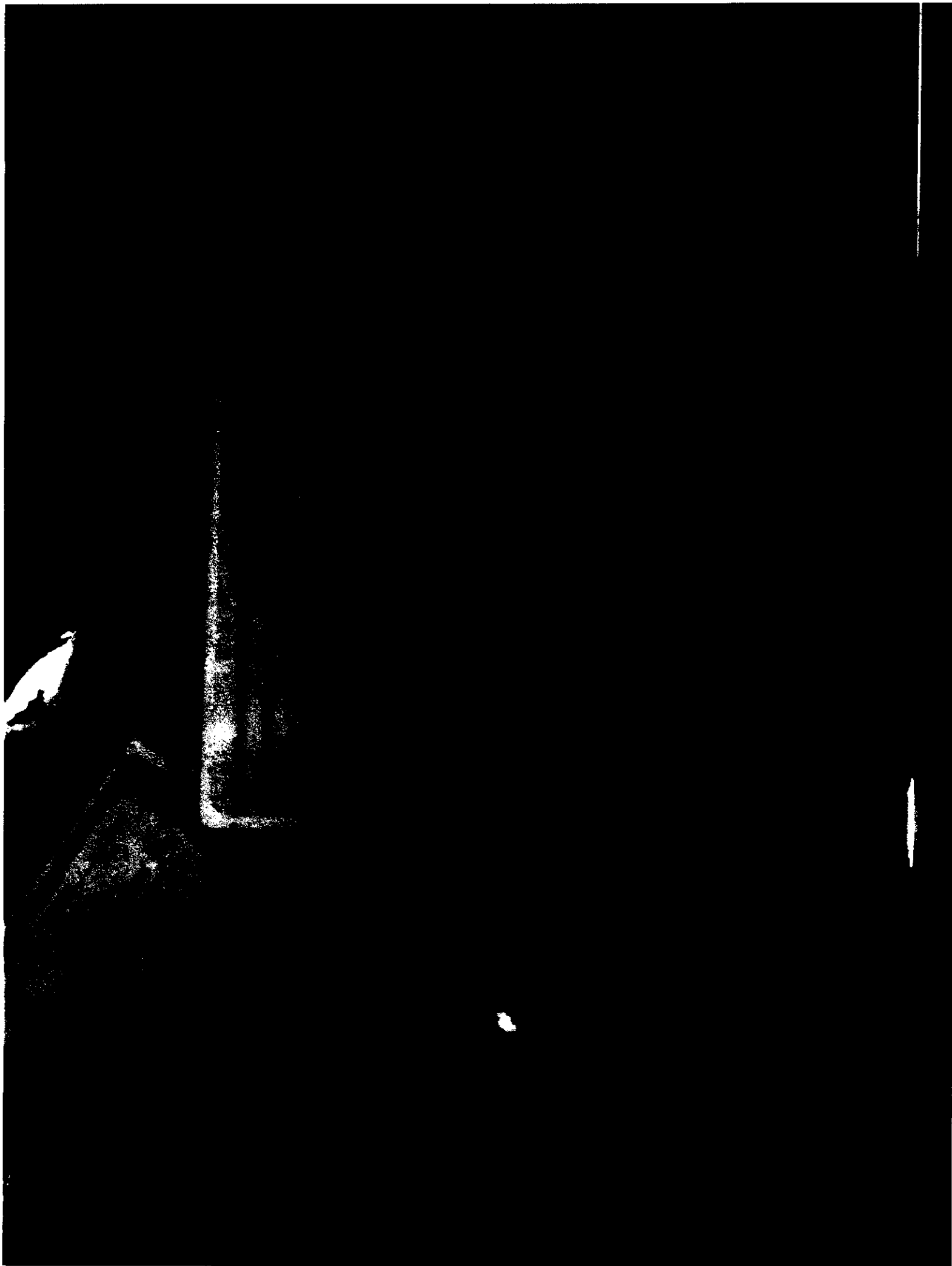
-VS-

Mario Trego #2717041  
Defendant, pro-se

Case No: C-18-3353-15-1

Photo of Documents taken  
at defendants home as  
evidence, sept of 2018

Exhibit B





Eight Judicial District Court  
Clark County

The State of Nevada  
Plaintiff.

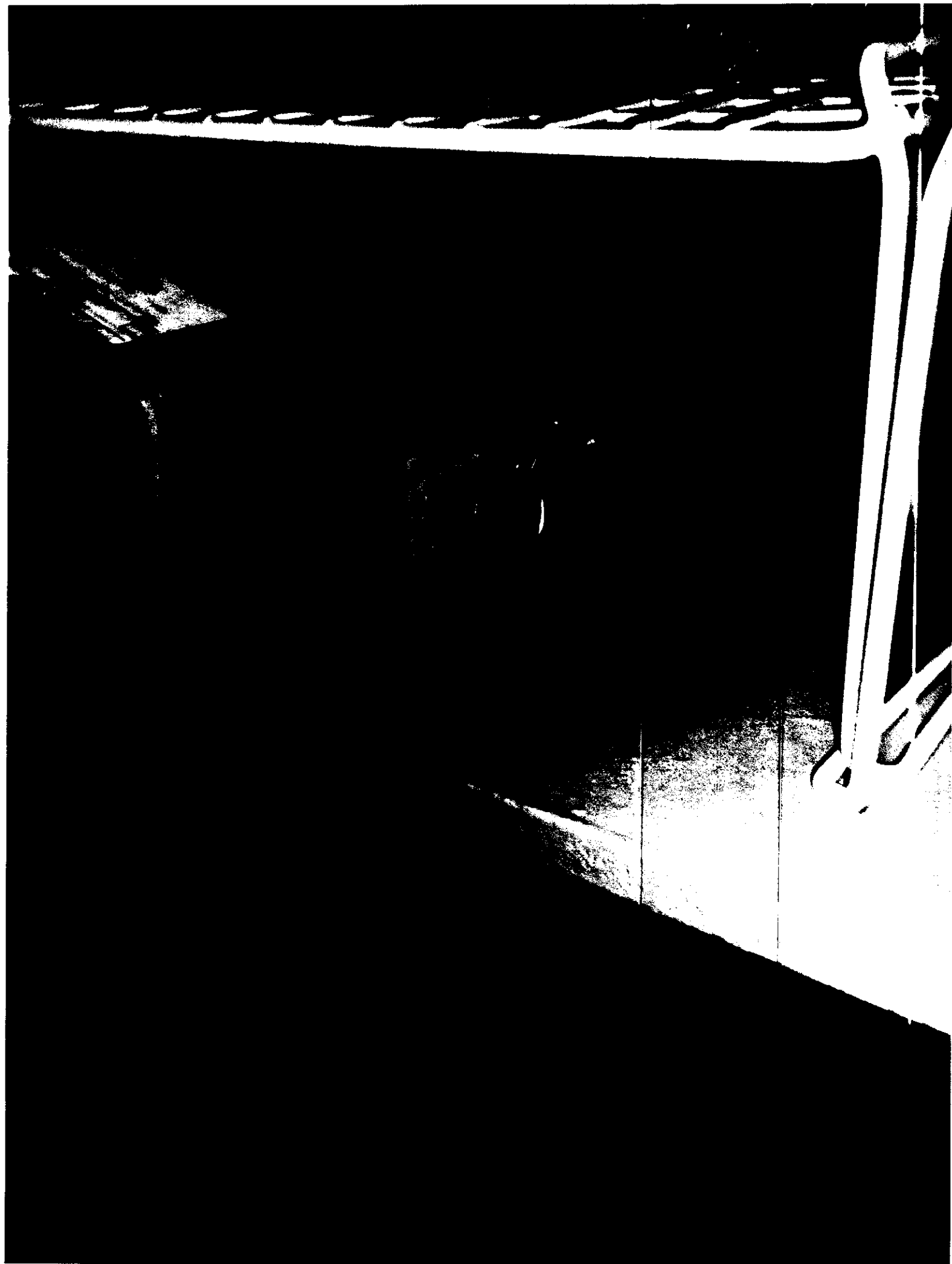
Case No: C-18-3353-15-1

Photo of "Dummy Grenade"  
Taken at defendants home  
as evidence, Sept. 2018

-VS-

Mario Trejo #271741  
Defendant Pro-se,

Exhibit C



Eight Judicial District Court  
Clark County

The State of Nevada  
Plaintiff,

Case No: C-18-3353-15-1

-VS-

Mario Trejo #2717641  
Defendant, Prose

ScreenGrab of Defendants  
instagram used in Michael  
J. Swartzner's motion, as an  
Exhibit to depict alleged  
"Explosive"

Exhibit D



Instagram

Log In



vladylives • 1,234

vladylives #edc #merica #m88a  
loudluxury 🔥



12 likes

12

Log in to

comment



Eight Judicial District Court  
Clark County

The state of Nevada  
Plaintiff,

Case No: C-18-3853-15-1

Copy of email circulated  
from Law enforcement to D.A.

Shwartzner to former counsel.  
detailing Defendants condition  
while in hospital

-VS-

Mario Trejo #2717641  
Defendant Prose.

Exhibit E

**Alexander Henry**

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**From:** [REDACTED]  
**Sent:** Thursday, January 10, 2019 5:48 PM  
**To:** Alexander Henry  
**Subject:** Trejo

Here's the info I got regarding Trejo's medical condition. This is from Sergeant Sean Berndt at CCDC and was sent to the FIT detective on 12/12/18:

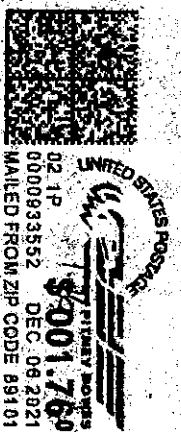
"I just wanted to give you guys a little bit of info on what happened last night. After he came out of surgery they were wanting to send him to St. Martin to have another surgery. Apparently is was to remove the stent that was blocking his lung. He took a turn for the worse at approximately 0030 and Dr. Norueddin the on duty DR. Spoke with Dr. Modi. Then he tried to call the Trauma Dr. to do the surgery then and not wait for the morning. Trauma said that it was not a trauma issue, and needed to call the ENT. ENT said that they did all that they could earlier and would not do it then. His oxygen levels dropped to the 40's and his heart rate was in the 160's They saw that Trejo was dying and would not last much longer so he finally had to get the CMO or COO involved. He said that the Dr. that did the previous surgery had an obligation to fix it then. Dr. Feikes did finally come and did a procedure at approximately 0315. It was done at approximately 0345. They went in and cleaned out the stent and determined that they could not fix it then and didn't think that anyone in town could fix it either. So someone probably would have to be brought in from out of town. He is stable at the moment."



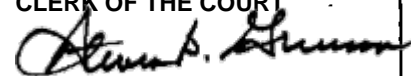
Mario B. TRJO #271.7641  
Case No: C-18-3355-15.1  
330 S. Casino Center Blvd.  
Las Vegas, N.V. 89101

LEGAL

Regional Justice Center  
Attn: Clerk of the Court  
200 Lewis Ave. 3rd floor  
Las Vegas, N.V. 89155



449



**RSPN**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**RONALD EVANS**  
Deputy District Attorney  
Nevada Bar #015218  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

MARIO BLADIMIR TREJO,  
#2717641

Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

**STATE'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS  
CASE/PROSECUTORIAL MISCONDUCT AND PERJURY**

DATE OF HEARING: JANUARY 3, 2021  
TIME OF HEARING: 8:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through RON EVANS, Deputy District Attorney, and hereby submits the attached Points and Authorities in Response to Defendant's Motion to Dismiss Case/Prosecutorial Misconduct and Perjury.

This Response is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On October 4, 2018, an Indictment was filed charging Mario Trejo (hereinafter  
4 “Defendant”) with one (1) count of Burglary While in Possession of a Firearm (Category B  
5 Felony – NRS 205.060 – NOC 50426); seven (7) counts of Robbery With Use of a Deadly  
6 Weapon (Category B Felony – NRS 200.380, 193.165 – NOC 50138); one (1) count of First  
7 Degree Kidnapping With Use of a Deadly Weapon (Category A Felony – NRS 200.310,  
8 200.320, 193.165 – NOC 50055); two (2) counts of Assault on a Protected Person With Use  
9 of a Deadly Weapon (Category B Felony – NRS 200.471 – NOC 50205); one (1) count of  
10 Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480), and one (1)  
11 count of Attempt Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380,  
12 193.330, 193.165 – NOC 50145).

13 On October 15, 2018, Defendant was arraigned in District Court, entered a not guilty  
14 plea, and waived his right to a speedy trial within sixty (60) days. On November 28, 2018,  
15 Defendant filed a Motion for Setting of Reasonable Bail. On December 18, 2018, the Court  
16 denied the Motion. On January 14, 2019, Defendant filed a Motion for Setting Reasonable  
17 Bail With Electronic Monitoring. On January 23, 2019, the Court granted the Motion and set  
18 Defendant’s bail at \$75,000 with a condition of house arrest.

19 On March 2, 2021, Defendant filed a Motion to Dismiss Counsel. On March 15, 2021,  
20 Defendant’s counsel filed a Motion to Withdraw as Attorney of Record. On March 31, 2021  
21 Defendant appeared at a special setting without the State present. The Court conducted a  
22 Faretta canvas and granted Defendant’s Motion. Based on Defendant’s representations and  
23 arguments, he was not appointed standby counsel.

24 On May 6, 2021, Defendant filed a Motion to Suppress Digital Evidence. On May 11,  
25 2021, Defendant filed a Motion to Dismiss State’s Motion of Opposition. On June 2, 2021,  
26 the Court denied Defendant’s Motion to Dismiss States Motion of Opposition. On September  
27 23, 2021, Defendant filed a Motion to Dismiss Standby Counsel. On October 11, 2021, the  
28 Court denied Defendant’s Motion.

1 On November 19, 2021, Defendant filed a Motion Suppress Witness  
2 Testimony/Impeachment. On December 2, 2021, the State filed its Response. On December  
3 13, 2021, the Court denied Defendant's Motion.

4 On December 13, 2021, Defendant filed a Motion to Dismiss Case/Prosecutorial  
5 Misconduct and Perjury. The State's Response follows herein.

6 **STATEMENT OF FACTS**

7 On August 4, 2018, Defendant Mario Trejo attempted to rob the Super Pawn at 1150  
8 South Rainbow Boulevard in Clark County, Nevada. Grand Jury Transcript ("GJT"), October  
9 3, 3018, page 8. Jennifer Incera, a manager at Super Pawn, arrived at work around 8 AM with  
10 two other employees and was about to unlock the store when Defendant wearing a black  
11 motorcycle helmet, a leather jacket, gloves, and boots ran toward her. GJT, p. 8-12. Defendant  
12 was armed with a shotgun and pumped it while going toward Jennifer. GJT, p. 12-13. Jennifer  
13 yelled at her employees to run. GJT, p. 12-14. Eventually, Jennifer and her employees made  
14 it to one of their vehicles and all three of them escaped in that vehicle. GJT, p. 14-15. While  
15 driving away, Jennifer noticed Defendant started to follow the vehicle. GJT, p. 16. Eventually,  
16 after some maneuvering, Defendant stopped following Jennifer and the other employees. GJT,  
17 p. 18. Defendant later confessed to the attempt robbery. GJT, p. 89.

18 On September 3, 2018, Defendant robbed the same Super Pawn during business hours.  
19 At about 1:30 PM, Defendant dressed in the same outfit, returned to the Super Pawn armed  
20 with a handgun and a rifle and entered the business. GJT, p. 43-46. Using the handgun,  
21 Defendant ordered all the employees at gun point to move behind the counters and to sit on  
22 the floor. GJT, p. 46-47. Defendant ordered an employee named Adriane Serrano-Bojoglez to  
23 open two safes while taking money and placing it inside a backpack that he was carrying. GJT,  
24 p. 47-50. Defendant then ordered Ms. Serrano-Bojoglez at gunpoint to open each of the cash  
25 registers. GJT, p. 50.

26 After taking jewelry in the same fashion, Defendant became upset that one of the safes  
27 was on a time delay. GJT, p. 52-53. Defendant ordered Ms. Serrano-Bojoglez to open the back  
28 door to allow him to exit and she informed Defendant that she did not have the proper keys to

1 do this. Id. As police arrive, Defendant exited the business through the front door with the  
2 handgun placed to Ms. Serrano-Bojoglez' head. Id. With Ms. Serrano-Bojoglez as a hostage,  
3 Defendant began to make his way to a vehicle parked outside the business. GJT, p. 54-57.

4 Police issued commands for Defendant to drop the firearm. Id. At some point,  
5 Defendant moved the handgun from Ms. Serrano-Bojoglez' head and aim it at uniformed  
6 police officers. GJT, p. 57-60. At this time, Ms. Serrano-Bojoglez seized the moment to grab  
7 Defendant's arm and pull it toward the ground as the handgun fired. Id. Ms. Serrano-Bojoglez  
8 was able to successfully wrestle the handgun from Defendant however, he began to reach for  
9 his second gun—a rifle. Id. As officers observed Defendant reaching for the rifle, they fired  
10 striking Defendant and causing him to fall to the ground. Id. Ultimately, Defendant was taken  
11 into custody. Id.

## 12 ARGUMENT

13 Defendant seeks to have the case against him dismissed based on alleged instances of  
14 perjury by the State. More specifically, Defendant raises issue with some of the State's  
15 arguments during a multitude of hearings regarding Defendant's pretrial custody status  
16 including: (1) That Defendant was believed to be in possession of, or had access to, explosives;  
17 (2) that Defendant was not in the country legally and was subject to deportation; and (3) that  
18 Defendant's respiratory issues while incarcerated were due to his own conduct.

19 NRS 199.145 defines perjury as the making a willful and false statement in a matter  
20 material to the issue or point in question; or making an unqualified statement of that which the  
21 person does not know to be true. At no point during this case has the State willfully made a  
22 false statement. Nor has the State made any statements which it did not have a good faith basis  
23 to believe as true after reviewing the appropriate evidence.

24 Regarding Defendant being in possession of explosives, the State obtained a picture  
25 from Defendant's Instagram where Defendant had a picture of a grenade next to a firearm.  
26 Exhibit 1. Said photograph was captioned "When you need a piece of mind." Id. At the time,  
27 the State believed that this was a functioning grenade. This belief was based both on the  
28 realism of the grenade, the caption on the photograph, and the fact that Defendant's Instagram

1 contains photographs of numerous different firearms, indicating his proclivity for dangerous  
2 weapons. As such, the State had a good faith belief that Defendant possessed, or had access  
3 to, explosive devices.

4 Further, Defendant's argument that the State should have known this grenade was not  
5 real because law enforcement executed a search warrant on his house is misguided. While a  
6 search warrant was executed on Defendant's residence, and a property report generated as a  
7 result, it was done so under a separate event number. Exhibit 2. It was not received by Mr.  
8 Schwartzer until July of 2021, two months after the most recent arguments regarding  
9 Defendant's custody status, and three months after the April 6<sup>th</sup> hearing Defendant references  
10 in his motion. See Exhibits 3 and 4. The State would further point out that nowhere in that  
11 property report is a grenade or grenade paperweight mentioned. Exhibit 2. In fact, said report  
12 references only two bb guns. It is clear from Defendant's Instagram pictures, as well as  
13 multiple firearm cartridges and magazines that were found in his residence, that he had, at  
14 some point, possessed many more firearms than simply two bb guns. Exhibit 5. As such, said  
15 property report is not indicative of whether Defendant possessed explosives or not.  
16 Defendant's only "proof" that the grenade was not real are two photographs. Neither proves  
17 the grenade isn't real. At the time of this Response the State is not in possession of any  
18 evidence that shows the grenade to be fake.

19 Second, Defendant raises issue with the State's claim that he is not an American citizen.  
20 The temporary custody records contained in the Indictment Warrant returned filed in this case  
21 reveal that Defendant is a Mexican citizen. The State would further note that said records do  
22 not indicate that Defendant is in possession of an Alien Registration Number, which is  
23 commonly issued by the USCIS to immigrants who apply to live in the United States. The  
24 State would further note that when Defendant's Scope is examined, he is not listed as an  
25 American citizen. Exhibit 6. While Defendant makes repeated mention of his "immigration  
26 paperwork," a review of said paperwork shows that he is in fact a citizen of Mexico, and his  
27 employment authorization card expired in 2011. See Exhibit 7. As such, all relevant records  
28

1 that were in the State's possession at the time it made the arguments Defendant now raises  
2 issue with indicated that Defendant was not and is not an American citizen.

3 Finally, Defendant raises issue with the State claiming that his medical issues were due  
4 to his own conduct. The State's assertion was in response to Defendant's fifth motion for own  
5 recognizance release where he stated that he was not getting proper medical treatment at the  
6 jail. The State's only knowledge of Defendant's medical problems is highlighted in the email  
7 exchange Defendant attached as an exhibit to his Motion. It was and is the State's  
8 understanding that a key component to Defendant's medical issues was the gunshot wound he  
9 suffered during the underlying events of this case. To the extent Defendant has any other  
10 medical conditions, that is not information the State had or had any reason to have.

11 As such, any claim that the State was committing perjury by deliberately misinforming  
12 the Court is incorrect. Neither has the State ever made a statement to this Court that was not  
13 based on its review of the evidence or documents provided to it in this case. Defendant's  
14 Motion should be denied.


15 CONCLUSION

16 Based on the pleading above the State respectfully requests that this Court Deny  
17 Defendant's Motion To Suppress Witness Testimony/Impeachment Of Witnesses.

18  
19 DATED this 21st day of December, 2021.

20 Respectfully submitted,

21 STEVEN B. WOLFSON  
22 Clark County District Attorney  
23 Nevada Bar #001565

24 BY   
25 RONALD EVANS  
26 Deputy District Attorney  
27 Nevada Bar #015218  
28

//

//

CERTIFICATE OF MAILING

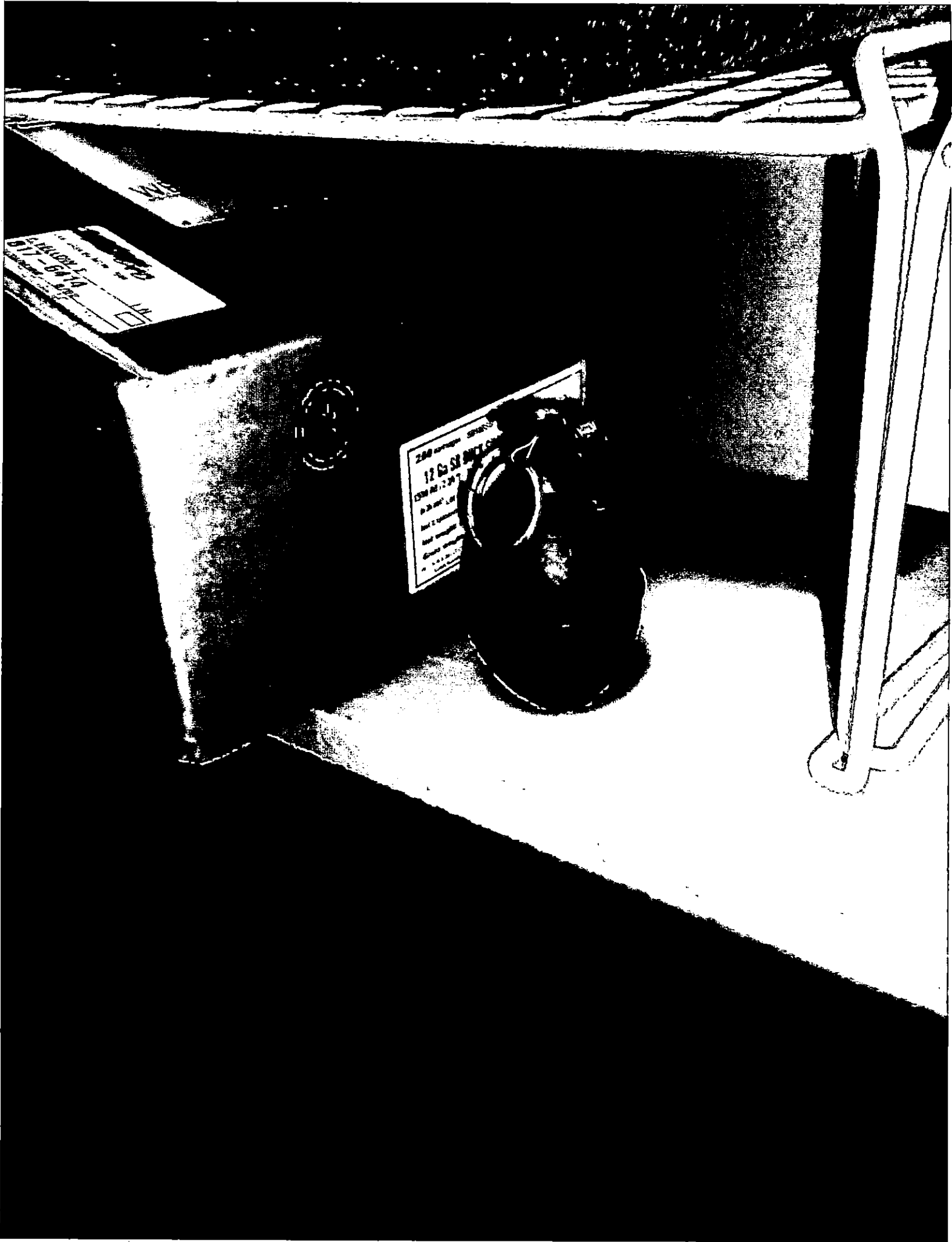
I hereby certify that service of the above and foregoing was made this 21st day of December, 2021, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

MARIO B. TREJO, #2717641  
CCDC  
330 S. CASINO CENTER BLVD.  
LAS VEGAS, NV, 89101

BY   
Secretary for the District Attorney's Office

18F16522X/RE/ckb/L4

## **EXHIBIT “1”**





## **EXHIBIT “2”**

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**PROPERTY REPORT**

Date of LVMPD Possession <b>9-6-14</b>	Time of LVMPD Possession <b>2200</b>	Page(s) <b>1 OF 2</b>
Event #	<b>180804-1138</b>	

Incident **ROBBERY**

**EVIDENCE**  
☒ Felony ☐ Gross Misd ☐ Misdemeanor  
 List Other Related Event #'s (if any):

☐ **NO EVIDENTIARY** Value:  
☐ No Owner Identified  
☐ Destroy  
☐ Return To DMV

☐ **SAFEKEEPING**  
 Must provide Owner info in  
 Persons Section AND Identify  
 Owner # for each Item Listed

**FIREARM IMPOUNDED DUE TO:**  
☐ Temporary Protective Order (TPO)  
☐ Extended Order of Protection

Impounding Officer (Print Name):  
**J. CLARK**

Unit  
**196**

P# / Initials  
**313952C**

Task Force Officers from Other Jurisdictions:  
 PRINT LVMPD SGT Name & P#

Supervisor Approving (Signature):  
**COB**

Unit  
**612R**

P# / Initials  
**C68010**

**PERSONS - (S)USPECT / (V)ICTIM / (O)WNER / (F)INDER**

<input checked="" type="checkbox"/> SO <input checked="" type="checkbox"/> VO #	Last Name <b>TRESO</b>	First Name, MI <b>MARIO</b>	DOB	Phone #	Charge(s) <b>ROBBERY w/ DW</b>
---	---------------------------	--------------------------------	-----	---------	-----------------------------------

Street Address <b>6424 IRONBARK LN</b>	City <b>LAS VEGAS</b>	State <b>NV</b>	Zip Code <b>89107</b>	Arrest Date	ID#
---	--------------------------	--------------------	--------------------------	-------------	-----

<input type="checkbox"/> SO <input type="checkbox"/> VO #	Last Name	First Name, MI	DOB	Phone #	Charge(s)
---	-----------	----------------	-----	---------	-----------

Street Address	City	State	Zip Code	Arrest Date	ID#
----------------	------	-------	----------	-------------	-----

<input type="checkbox"/> SO <input type="checkbox"/> VO #	Last Name	First Name, MI	DOB	Phone #	Charge(s)
---	-----------	----------------	-----	---------	-----------

Street Address	City	State	Zip Code	Arrest Date	ID#
----------------	------	-------	----------	-------------	-----

FIELD RELEASE ONLY	Released Item(s) #	By Officer P# & Initials	Date Released	Released to Owner (Above Person) #	Owner's Signature
--------------------	--------------------	--------------------------	---------------	------------------------------------	-------------------

(Relating to Impound) **ITEMS RECOVERED DURING SEARCH WARRANT SERVICE UNDER ABOVE EVENT NUMBER**

PKG #	ITEM #	OWNER #	Make or Brand	MODEL	COLOR	Serial # / OAN State & Gov. Issued ID #'s	Qty.	PROPERTY DESCRIPTION <small>*If firearms MUST list: 1) Barrel Length 2) Country Made/importer 3) Caliber 4) Action Type (S/A, Auto, Bolt, Revolver, Etc.)</small>
1	1	1			GRN		1	GREEN BALLISTIC VEST
1	2	1			CAMO		1	FLAK JACKET
1	3	1			BLK		1	MOTORCYCLE JACKET
1	4	1			BLK		1	LEATHER JACKET
1	5	1			BLK		1	SKULL MASK
2	6	1			BLK		1	ZIPPERED CASE w/ 5x 00 SHELLS
2	7	1					2	GLUCK MAGS + 12x .40 CAL + 5x .38 S&W
2	8	1	CELSMAN	AIR MC	BLK		1	BB GUN
2	9	1	WALTHER	NITE HAWK	BLK		1	BB GUN
2	10	1					25	PISTOL CARTRIDGES

## Page(s)

2 OF 2

Event #	1	8	0	8	0	4	-	1	1	5	8
---------	---	---	---	---	---	---	---	---	---	---	---

LVMPD 67-B (Rev. 8/12)

**Distribution:** White: Records/Onbase | Yellow: Evidence Vault | Pink: Citizen

## **EXHIBIT “3”**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**May 10, 2021**

463

## **EXHIBIT “4”**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 06, 2020**

---

C-18-335315-1      State of Nevada  
                                 vs  
                                 Mario Trejo

---

<b>April 06, 2020</b>	<b>3:30 PM</b>	<b>Motion for Own Recognizance Release/Setting Reasonable Bail</b>	<b>Defendant's Motion for Setting of Reasonable Bail with House Arrest Based on the Changed Circumstances Brought About by the Covid-19 Crisis</b>
-----------------------	----------------	--	--

**HEARD BY:** Miley, Stefany

**COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Katherine Streuber

**RECORDER:** Maria Garibay

**PARTIES**

<b>PRESENT:</b>	Henry, Alexander C.	Attorney for Defendant
	Schwartzter, Michael J.	Attorney for Plaintiff
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

**JOURNAL ENTRIES**

- Argument by counsel noting Deft. had no criminal history, stated Deft. would reside at one of his father's tri-plexes and pointed out the jail was not transporting Deft. to doctor for treatment for his tracheotomy. Argument by the State pointing out this is the defense's fourth request, noted the violence of the case, advised Deft. is not a U.S. citizen and believed Deft. to be a flight risk and a danger to the community. Court stated its findings and ORDERED, motion DENIED. Trial date STANDS.

**CUSTODY**

**PRINT DATE:** 04/09/2020

**Page 1 of 2**

**Minutes Date:** April 06, 2020

**C-18-335315-1**

PRINT DATE: 04/09/2020

Page 2 of 2

Minutes Date: April 06, 2020



## **EXHIBIT “5”**

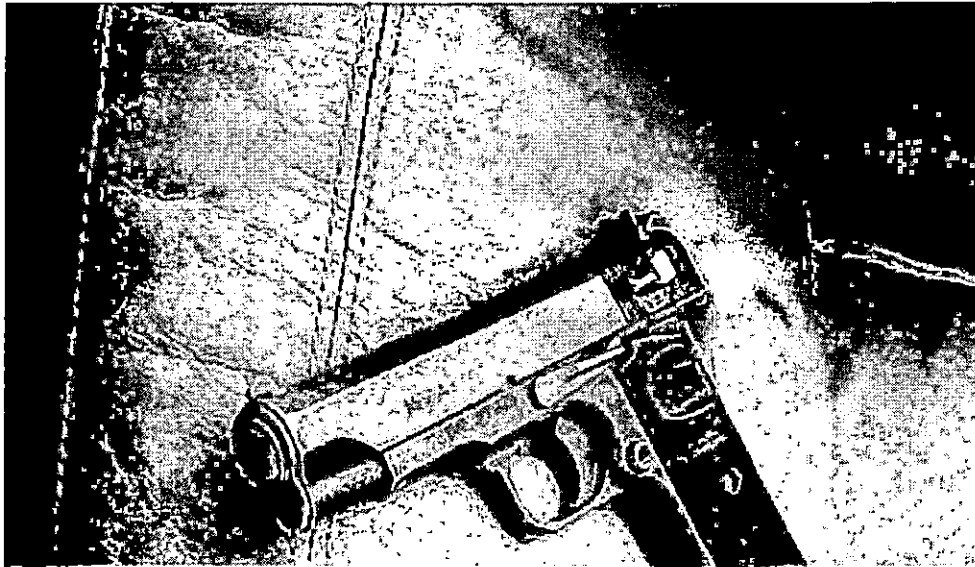


Instagram

Search



Sign Up



When you need a piece of mind



vladylives • Follow

vladylives #edc #merica #m88a  
loudluxury 🔥



12 likes

AUGUST 3

Log in to like or comment



...

468



Instagram

Q Search



Sign Up



vladylives • Follow

vladylives Got more options than you have outfits #edc #glock #sigsauer



5 likes

JULY 31

Log in to like or comment.



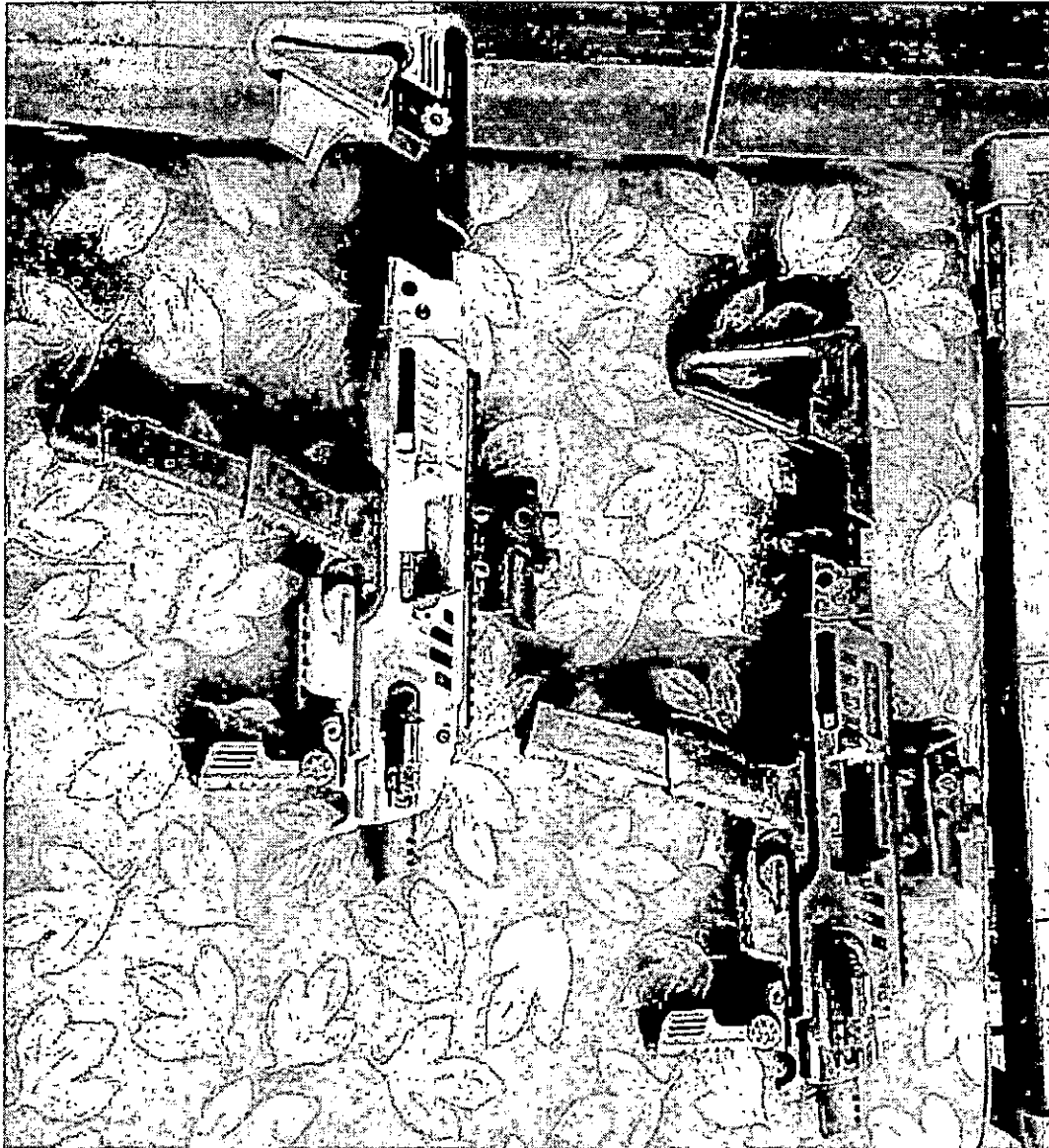


Instagram

Search

Log In

Sign Up



vladylives • Follow

vladylives #10mm #9mm #roni #twins



5 likes

MAY 22

Log in to like or comment.





vladylives • Follow

vladylives Its time to buy another. #cruisin  
seahawks76 @vladylives yes it is brother!!



9 likes

MAY 16

Log in to like or comment.



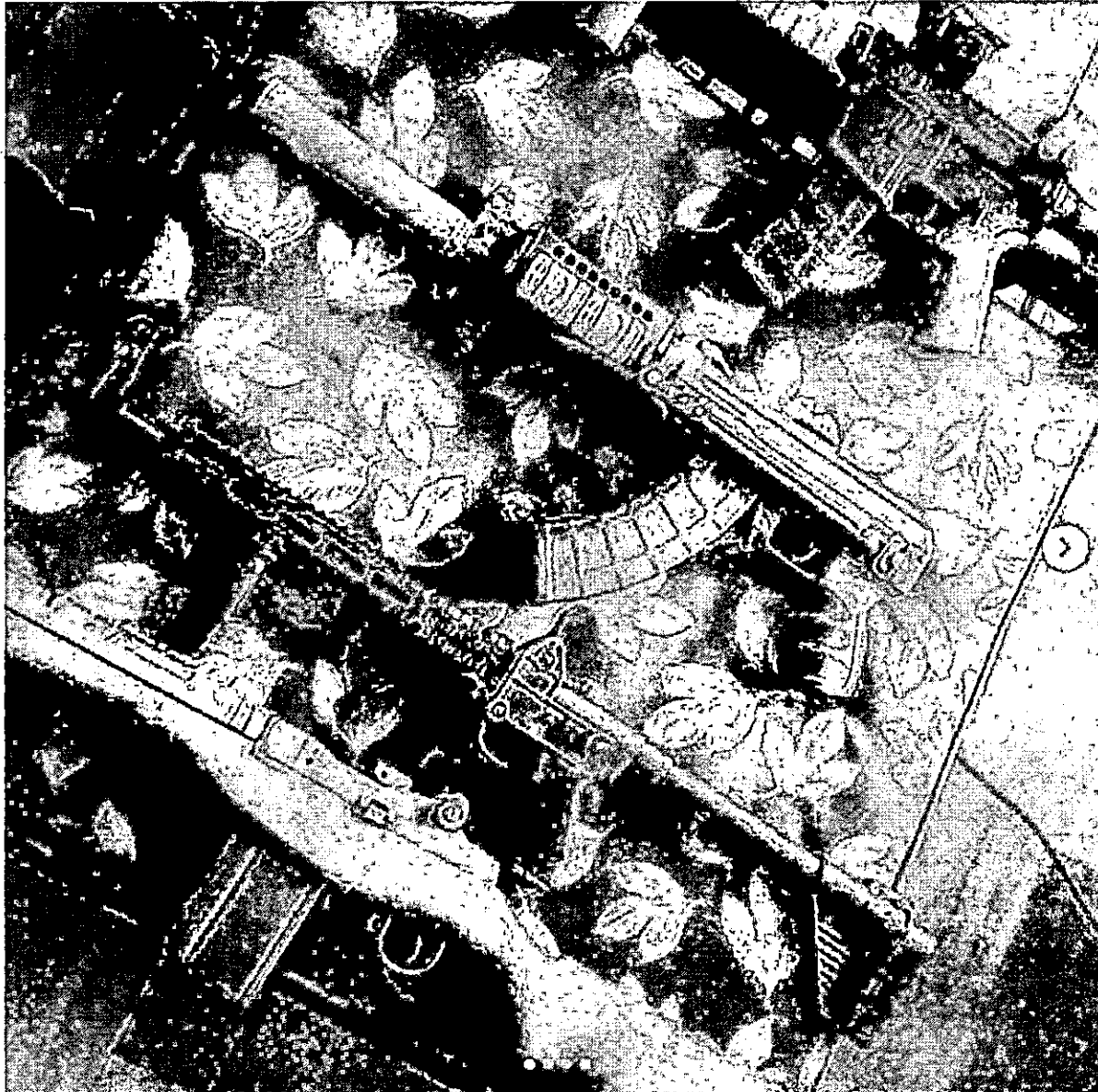


Instagram

Search



Sign Up



vladylives • Follow

vladylives Clean guns make me feel all goey inside

the\_bobo\_ Goals

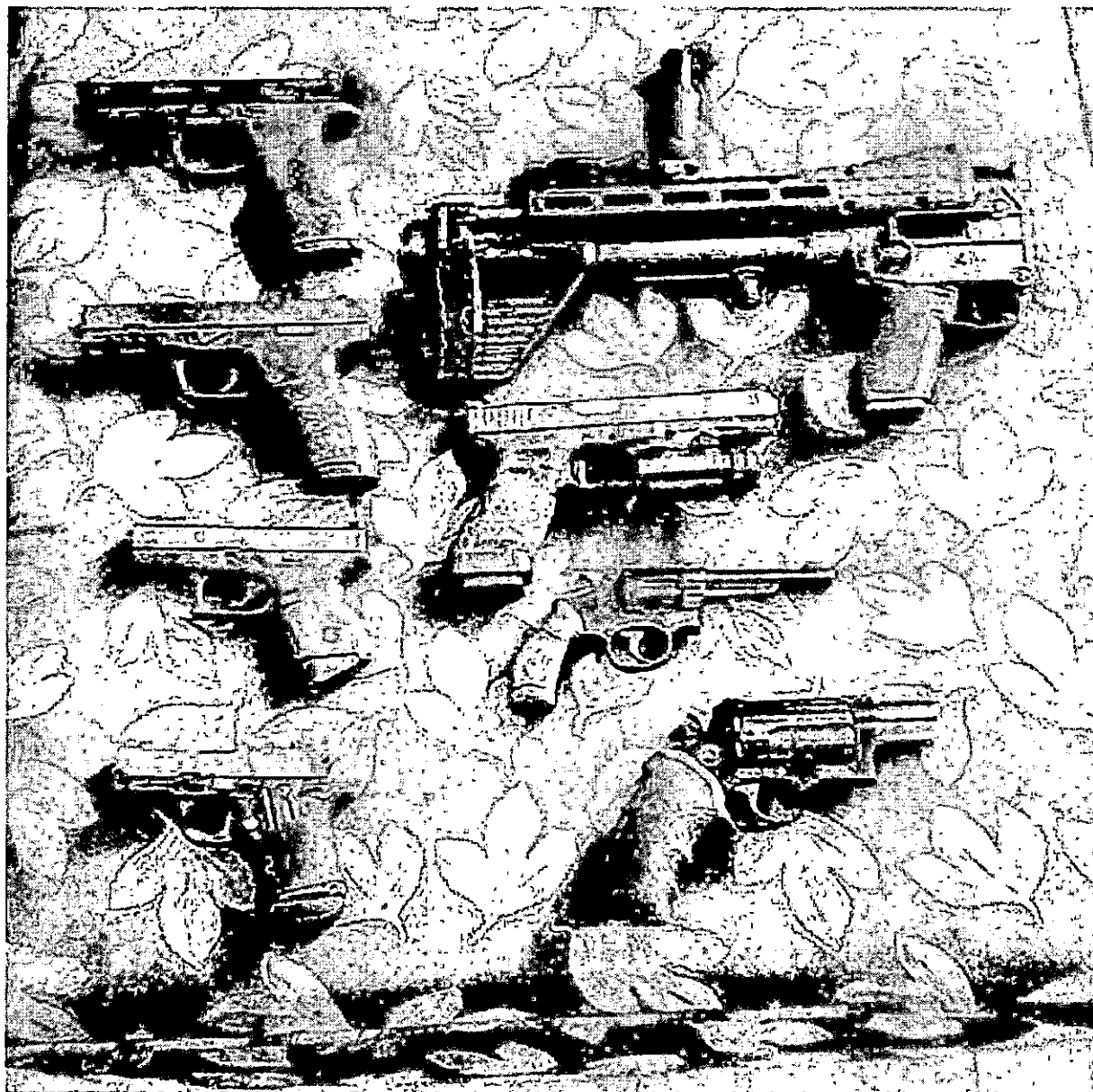


4 likes

MAY 11

Log in to like or comment.





vladylives • Follow

vladylives Im itching to start training again, maybe this weekend, who is down?



7 likes

MAY 10

Log in to like or comment.





Instagram

Search



Sign Up



vladylives • Follow

vladylives When your feeling like scar face  
#mac10 #37mm #straightnovelty



3 likes

MAY 10

Log in to like or comment.





## **EXHIBIT “6”**

ORIG: LVM029001 1vm08462 SCOPEII:1128 09/03/2018-14:37:53  
RESP: SCOPEII ( NV003EF5E362 ) SCOPEII:1128 09/03/2018-14:37:57  
\*  
CLARK COUNTY SCOPE II RESPONSE FOR:  
ID#/ 2717641 NAM/ TREJO,MARIO BLADIMIR

===== ALERTS [ 2 ]

CRIM HIST  
WRK CRD/BUS LIC

\*\*\*\*\*

===== PERSON BASE RECORD: SUMMARY

ID#/ 2717641

NAM/ TREJO,MARIO BLADIMIR  
DOB/ 12/02/1990 SOC/ [REDACTED]  
SID/ FBI/ OLN/  
SEX/ M RAC/ HGT/ 508 WGT/ 230  
HAI/ BLK EYE/ BRO SKN/ ETN/ H  
AGE/ 27 CTZ/ ELP/  
POB/ MM-MEXICO (SEE SEPARATE LIST OF MEXICAN STATES; USE C

PRIMARY ADDRESS:  
[ RS ] 6424 IRONBARK LN  
CTY/ LAS VEGAS STA/ NV CNTY/  
AGY/ LAS VEGAS METRO PD EFF/ 10/25/2017

===== NOTIFICATIONS [ 1 ]

1). NOTICE  
MPD\*\*SUBJ IS ALIEN PER A/C #A200409928\*\*  
AGY/ LAS VEGAS METRO PD ENTERED/ 07/25/2011 EXP/

===== DOB [ 1 ]

1). 12/02/1990

===== SOC [ 1 ]

1). 680211175

===== SCARS/MARKS/TATTOOS [ 5 ]

1). TAT L ARM  
FIRE, "ART OF WAR" IN ASIAN CHARACTERS  
2). TAT R SHLD  
AZTEC CALENDAR  
3). TAT L SHLD  
BODY ARMOR THAT GOES INTO HIS LEFT CHEST  
4). TAT CHEST  
"SYRINA" W/DANDELIONS UNDER NAME  
5). TAT R THGH  
"MARS"

===== SCOPE LEGACY INFORMATION [ 4 ]

1). BP MEXICO AGY/ LAS VEGAS METRO PD  
2). PI MPD\*\*PERM W/C ISS PER FINGERPRINT\*\* AGY/ LAS VEGAS METRO PD  
3). PI MPD\*\*SUBJ IS ALIEN PER A/C #A200409928\*\* AGY/ LAS VEGAS METRO PD  
4). PI MPD \*\*\*ALSO USES SS-680201175\*\*\* AGY/ LAS VEGAS METRO PD

\*\*\*\*\*

===== MISSING PERSON ( 0 ACTIVE ) ( 2 CANCELLED )

\*\*\*\*\*

===== CRIMINAL HISTORY ARREST ( 3 ) CITE ( 1 ) SUMMON ( 0 )

1). ARREST DATE: 09/07/2016 AGY/ NORTH LAS VEGAS PD  
RN#/ 0007 CHG/ 1 BW CNTS/ 1 EVT/ 151026017749

- OFF/ 54087 - OPER VEH W/UNSAFE/UNSECURED LOAD (M)  
CCN/ cr008112-11
- RN#/ 0008 CHG/ 2 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 53720 - DRIVE W/O DRV-LIC (M)  
CCN/ CR008112-11
- RN#/ 0009 CHG/ 3 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 54094 - OWNER - PROOF OF INS REQ (M)  
CCN/ CR008112-11
- RN#/ 0010 CHG/ 4 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 55482 - FTA ON TRAFFIC CITATION (M)  
CCN/ CR008112-11
- RN#/ 0015 CHG/ 5 WA CNTS/ 1 EVT/ 151023017599  
OFF/ 50426 - BURGLARY WHILE POSS OF GUN/DW (F)  
CCN/ 16CRN0007850000
- 2). ARREST DATE: 10/26/2015 AGY/ NORTH LAS VEGAS PD  
RN#/ 0005 CHG/ 1 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 54045 - WINDSHIELD/WINDOW OBSTRUCTED (M)  
CCN/ cr008113-11
- RN#/ 0006 CHG/ 2 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 55482 - FTA ON TRAFFIC CITATION (M)  
CCN/ cr008113-11
- RN#/ 0007 CHG/ 3 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 54087 - OPER VEH W/UNSAFE/UNSECURED LOAD (M)  
CCN/ cr008112-11
- RN#/ 0008 CHG/ 4 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 53720 - DRIVE W/O DRV-LIC (M)  
CCN/ cr008112-11
- RN#/ 0009 CHG/ 5 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 54094 - OWNER - PROOF OF INS REQ (M)  
CCN/ cr008112-11
- RN#/ 0010 CHG/ 6 BW CNTS/ 1 EVT/ 151026017749  
OFF/ 55482 - FTA ON TRAFFIC CITATION (M)  
CCN/ cr008112-11
- 3). ARREST DATE: 07/16/2011 AGY/ LV CITY MARSHAL  
RN#/ 2 CHG/ 3 UNK CNTS/ 1 EVT/ Unknown  
OFF/ 99999 - UNLAW TRANSFER O/PLATES, WARRANT, BW-E-1056170-C, LVC  
FAIL TO/ APPEAR
- RN#/ 3 CHG/ 2 UNK CNTS/ 1 EVT/ Unknown  
OFF/ 99999 - OPERATE UNREGISTERED VEH, WARRANT, BW-E-1056170-A, LVC  
FAIL TO/ APPEAR
- RN#/ 4 CHG/ 1 UNK CNTS/ 1 EVT/ Unknown  
OFF/ 99999 - OPR VEH W/O SEC/INSURANCE, WARRANT, BW-E-1056170-B, LVC  
FAIL TO/ APPEAR
- 4). CITE DATE: 12/02/2009 AGY/ LAS VEGAS METRO PD  
RN#/ 1 CHG/ 1 UK CNTS/ 1 EVT/ 091202-1381  
OFF/ 99999 - PL

\*\*\*\*\*

===== WORK CARD / BUSINESS LICENSE [ 1 ]

TYPE: WORKCARD                      DESCRIPTION: UNKNOWN  
JURISDICTION: UNKNOWN  
STATUS: APPROVED    ISSUE DATE:                      EXPIRATION DATE: 07/25/2016  
CN #/    BL #/    PRINTS/                      FP AGENCY/  
  
COMMENT/ SUPER PAWN - SALES 072511  
  
\*\*\* END OF SCOPE II RECORD \*\*\*

## **EXHIBIT “7”**



**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
RONALD EVANS  
Deputy District Attorney  
Nevada Bar #015218  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MARIO BLADIMIR TREJO,  
#2717641

Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

**ORDER DENYING DEFENDANT'S MOTION TO DISMISS  
CASE/PROSECUTORIAL MISCONDUCT AND PERJURY**

DATE OF HEARING: January 3, 2022  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the  
3rd day of January, 2022,

~~13th day of December, 2022,~~ the Defendant being present, IN PROPER PERSON, the

Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through RONALD  
EVANS, Deputy District Attorney, based on the pleadings and good cause appearing therefor,

//

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//

//

1 IT IS HEREBY ORDERED that the Defendant's Motion to Dismiss  
2 Case/Prosecutorial Misconduct and Perjury, shall be, and it is DENIED.

3 Dated this 4th day of January, 2022

4 

5  
6 STEVEN B. WOLFSON  
7 Clark County District Attorney  
8 Nevada Bar #001565

0A9 AB5 1E4C 198E  
Erika Ballou  
District Court Judge

9 BY /s/ RONALD EVANS  
10 RONALD EVANS  
11 Deputy District Attorney  
12 Nevada Bar #015218

13 CERTIFICATE OF MAILING

14 I hereby certify that service of the above and foregoing was made this 4th day of  
15 January, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

16 MARIO BLADIMIR TREJO, #2717641  
17 CLARK COUNTY DETENTION CENTER  
18 330 S. CASINO CENTER BLVD.  
LAS VEGAS, NEVADA 89101

19 BY /s/ L.M.  
20 Secretary for the District Attorney's Office

21  
22  
23  
24  
25  
26  
27  
28 18F16522X/lm/GU



1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 1/4/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 Michael Schwartz

Michael.Schwartz@clarkcountynv.com

18 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

19 CCDC Court Services

dsdcourtservices@lvmpd.com

20 DeLois Williams

Delois.Williams@clarkcountynv.gov

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
RONALD EVANS  
Deputy District Attorney  
Nevada Bar #015218  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MARIO BLADIMIR TREJO,  
#2717641

Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

**ORDER DENYING DEFENDANT'S MOTION TO SUPPRESS WITNESS  
TESTIMONY/IMPEACHMENT OF WITNESSES**

DATE OF HEARING: December 13, 2021  
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the  
13th day of December, ~~2022~~<sup>2021</sup>, the Defendant being present, IN PROPER PERSON, the  
Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through RONALD  
EVANS, Deputy District Attorney, based on the pleadings and good cause appearing therefor,

//

//

//

//

//

//

1 IT IS HEREBY ORDERED that the Defendant's Motion to Suppress Witness  
2 Testimony/Impeachment of Witnesses, shall be, and it is DENIED.

3 Dated this 4th day of January, 2022

4 

5  
6 STEVEN B. WOLFSON  
7 Clark County District Attorney  
8 Nevada Bar #001565

389 DBE B04B 8451  
Erika Ballou  
District Court Judge

9 BY /s/ RONALD EVANS  
10 RONALD EVANS  
11 Deputy District Attorney  
12 Nevada Bar #015218

13 CERTIFICATE OF MAILING

14 I hereby certify that service of the above and foregoing was made this 4th day of  
15 January, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

16 MARIO BLADIMIR TREJO, #2717641  
17 CLARK COUNTY DETENTION CENTER  
18 330 S. CASINO CENTER BLVD.  
LAS VEGAS, NEVADA 89101

19 BY /s/ L.M.  
20 Secretary for the District Attorney's Office

21  
22  
23  
24  
25  
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28 18F16522X/lm/GU

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo  
9

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12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 1/4/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 Michael Schwartz

Michael.Schwartz@clarkcountynv.com

18 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

19 CCDC Court Services

dsdcourtservices@lvmpd.com

20 DeLois Williams

Delois.Williams@clarkcountynv.gov

NOR

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

State of Nevada,  
Plaintiff(s)

Case No.: C-18-335315-1

vs.

Dept. No.: XXIV

Mario Trejo,  
Defendant(s)

**NOTICE OF RESCHEDULING HEARING**

PLEASE TAKE NOTICE that the Central Calendar Call hearing previously set on January 19, 2022, in District Court Department 10 has been vacated, and reset by the court to be heard on **January 19, 2022, at the hour of 8:30 am, for Status Check: Reset Trial Date, in District Court Department XXIV in the Regional Justice Center, 200 Lewis Avenue, 12<sup>th</sup> Floor, Courtroom 12C, Las Vegas, Nevada before the Honorable Judge Erika Ballou.**

Dated this 12th day of January, 2022



**55B F49 D9E7 E119  
Erika Ballou  
District Court Judge**

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**CERTIFICATE OF SERVICE**

I hereby certify that on or about the date e-filed, this document was electronically served to all registered users, copied through e-mail placed in the attorney's folder in the Regional Justice Center or mailed to the proper person as follows:

*Chapri Wright*  
Chapri Wright  
Judicial Executive Assistant  
Department 24

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Notice of Rescheduling was served via the court's electronic eFile  
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 1/12/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Michael Schwartz

Michael.Schwartz@clarkcountynyda.com

19 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

20 CCDC Court Services

dsdcourtservices@lvmpd.com

Supreme Court of Nevada **FILED**

JAN 21 2022

C-18-335315-1

*Alanna A. Spencer*  
CLERK OF COURT

The state of Nevada

Case No: ~~C-18-335315-1~~

Plaintiff

Dept. No: 24

VS.

Mario Trejo #2717641

Defendant, pro-se

Motion of appeal to the Jan. 3<sup>rd</sup> 2022  
Decision on dismissal of Case.

Comes now Maria Trejo Defendant in prose  
Respectfully pleading that this honorable  
court hears and grants my appeal to dismiss  
Case No: C-18-3353-15-1 with prejudice on  
the basis of prosecutorial misconduct by  
way of perjury, which also caused substantial  
prejudice against the defense in this matter.

I previously filed a motion to dismiss in the  
Eight Judicial District court of Clark  
County, the state followed through with a "response"  
which contained exhibits that help support  
my claim of perjury by the prosecutor.

In addition to this, in their "response" the state  
only request the denial of a motion to

appeals

RECEIVED  
APPEALS

FEB - 2 2022

CLERK OF THE COURT

C-18-335315-1  
NOASC  
Notice of Appeal (Criminal)  
4981043



490

47



1 witness testimony/impeachment of witnesses,  
2 which is not the motion argued in this matter  
3 and therefore not relevant as a response to  
4 my motion.

5 On Jan. 3<sup>rd</sup>, 2022 this matter was brought  
6 before Judge Erika Ballou in District  
7 court 24, I the defendant being mute due to  
8 a medical condition, was not only not given a  
9 proper means of communication but also had  
10 my oral/written argument cut off by the  
11 Judge, against the rules of engagement of  
12 court and thus denying the presentation of add-  
13 itional and relevant facts regarding the states  
14 response and the new evidence.

15 I hereby present to this honorable court  
16 with the relevant exhibits, proof, arguments,  
17 points and Authorities that support this motion.

18 -Legal Standard-

19 Americans w/ disabilities act (ADA):

20 A wide ranging federal legislation intended  
21 to make american society more accesible to  
22 people with disabilities. Disability is defined  
23 as a physical or mental impairment that  
24 substantially limits one or more of life's  
25 major activities, The (ADA) has several key  
26 components including the following:

27 \* All public services including state and  
28 Local governments, cannot deny services or

1 participation in programs or activities  
2 which are available to people without disabili-  
3 ties.

4 • Discrimination against people with disabili-  
5 ties or persons who assert rights under  
6 the (ADA) is Not permitted.

7  
8 Perjury: NRS 199.145 defines perjury  
9 as the making a willfull and false state-  
10 ment in a matter material to the to the  
11 issue or point in question; or making an un-  
12 qualified statement of that which the person  
13 does not know to be true.

14  
15 Amendment XIV, section I of the U.S. Constitution:  
16 "No state shall... Abridge the privileges or  
17 immunities of citizens...; Nor deny to any person  
18 within its jurisdiction the equal protection  
19 of the Laws.

20 -Points and Authorities-

21 Napue V. Illinois 360 U.S. 264, 269,  
22 795. (t. 1173, 34. Ed. 2d 1217 (1959)

23 states that under the due process clause  
24 of the 14<sup>th</sup> amendment, the Government "may  
25 not use false evidence including false  
26 testimony to obtain a tainted conviction"  
27 or "Allow it to go uncorrected when it appears  
28

1 U.S. v. Bundy, 968 F. 3d. 1019, 1030  
2 (9<sup>th</sup> cir. 2000). this power may be invoked  
3 in response to outrageous Government conduct  
4 that "does not rise to the level of a  
5 due process violation" id. (quoting U.S. v.  
6 Barrera Moreno, 951 F.2d 1089, 1091  
7 (9<sup>th</sup> cir. 1991), still there must be "flagrant  
8 misbehavior by the prosecutor" and  
9 "substantial prejudice" to the defendant, id  
10 at 1081. and "a defendant must show that  
11 the misconduct prejudiced his defense"  
12 quoting U.S. v. Kearns.

13  
14 Argument: Proof of fact-

15 The motion i set before Judge Erika Ballou of  
16 the Eight Judicial District court raised three  
17 Major Issues regarding the state committing  
18 perjury during Bail hearings.

19 The first issue of perjury is that the lead  
20 prosecutor of this case, Michael J. Schwartzer  
21 has on several occasions including on bail  
22 hearings heard April 6<sup>th</sup> 2020 and May  
23 10<sup>th</sup> 2021, by two different Judges, claimed  
24 i had access to and possession of explosives  
25 a shocking false claim used to destroy my  
26 Image and reputation, denying me the right to  
27 affordable bail while also giving the states  
28 arguement substantial weight.

1 The definition of an Explosive is: "A  
2 device or material that violently bursts or  
3 Ignites through a chemical reaction."

4 On April 22<sup>nd</sup> of 2021, D.A. Schwartz filed  
5 a motion of opposition to my motion for O.R.  
6 / reduced bail which I filed in the Eighth Judicial  
7 District Court. On page 5 of this opposition,  
8 Lines 13-14 - see Exhibit 1 - the state  
9 claims I was depicting "explosives" and  
10 firearms. additionally as part of their  
11 argument on April 6<sup>th</sup> 2020 he claims on  
12 record that I had and was "showing off"  
13 explosives - see Exhibit 2, however, at the  
14 time these claims were made, the state  
15 had information that the alleged explosive was  
16 in fact a replica collectors item, because on  
17 Sept 6<sup>th</sup> 2018, detectives searched my  
18 home, finding the alleged "explosive", photo-  
19 graphing it, examining it and not even seizing  
20 it because they immediately realized it was  
21 a replica - see exhibit 3 -

22 In their "response" to my motion to dismiss  
23 case, the state through stand-in prosecutor  
24 Ronald Evans, claims that they believed  
25 this item was a class 4 Explosive Because:  
26 • Instagram post of replica with legally owned  
27 firearms in this personal profile.  
28 • Caption on said post with caption reading

1 "When you need a piece of mind"

2 : And due to the realism of replica,

3 However, the caption on the instagram post  
4 is not indicative to ownership of explosive  
5 devices as it refers to the ownership of a  
6 pistol which provides defensive capabilities  
7 to americans under the 2nd Amendment.

8 The so-called realism of this collectors item  
9 doesn't excuse the jump from replica to  
10 class 4 explosive device because anyone with an  
11 internet connection can find and research identical  
12 replicas on Amazon or EBay. Along with the  
13 fact that detectives had already found this  
14 alleged "explosive" to be harmless.

15 and finally any firearms portrayed on instagram  
16 were legally owned and used legally for  
17 sparring and collective purposes which do not  
18 support the idea that at any point i had possession  
19 of explosives, thus supporting the fact of lack of  
20 due diligence and perjury by district attorneys.

21  
22 The replicas depicted in Exhibits 2 and 3  
23 are the same exact item, these photos and  
24 reports have been in possession of the state  
25 since 2018 and it could be considered prima  
26 facie evidence the fact ~~the~~ Detectives gave little  
27 to no response to this replica, yet the state  
28 claims they didn't have these reports or any

1 evidence proving this replica wasn't an  
2 Explosive device in an attempt to evade  
3 responsibility, even after they used these  
4 false statements to add shock value to  
5 their arguments and thus denying me the  
6 benefits freedom would provide me as a  
7 defendant in proper person.  
8

9 The second item of perjury is the fact  
10 that on several of the forementioned bail  
11 hearings - see exhibit 8 - D.A. Schwartz claimed  
12 I was a flight risk because allegedly I am in  
13 the country illegally, when in reality I am a  
14 permanent Resident with legal immigration  
15 status.

16 The proof of this lies in a scope record  
17 submitted by the the state in their "response"  
18 - see exhibit 7 - in this document, it my A.R.#  
19 or Alien Registry number as #A200409928  
20 along with a valid Social security number  
21 both items of which would not be listed on  
22 an undocumented illegal aliens scope record  
23 and a fact which contradicts the states claim  
24 in their response - see exhibit 5, Lines 21  
25 thru 23, additionally the state tries to  
26 twist the context of this matter by stating  
27 they claimed I wasn't "a citizen" when in fact  
28 if we look at - exhibit 1 - Lines 15 through 17

1 the prosecutor claims "Defendant is not  
2 in the country legally and is subject to  
3 federal deportation... Defendant should be  
4 considered a flight risk."

5 Mr. Schwartz made these claims during  
6 every bail hearing in order to give weight  
7 to his argument and prevent me from being  
8 granted affordable bail thus setting a length-  
9 ty pattern of perjurious misconduct by the  
10 state which prejudiced my defensive capabilities.

11  
12 The final issue of perjury by the state comes  
13 in regards to my medical issues which are the  
14 reason i am mute, The state admits in their  
15 response that their sole knowledge of my  
16 medical condition is highlighted in the  
17 document i've provided in-exhibit 9.

18 According to the definition of perjury in NRS.  
19 199.145 it is also stated as "Making an un-  
20 qualified statement of that which the person  
21 does not know to be true." In this matter  
22 and even admitted in - Exhibit 3 - the district  
23 attorneys have committed perjury because they  
24 do not have medical record, expertise or an  
25 expert to make a qualified claim or statement  
26 in regards to my medical condition, its severity  
27 or its causes yet they continuously have claimed  
28 an record that it occurred during the commission

1 of a crime and that it wasn't severe  
2 enough to merit freedom.

3 These claims have also denied me proper  
4 medical care since the jail has failed to  
5 provide the medical access needed to reverse  
6 my condition, leaving me mope in the process.  
7

8 At the Jan. 3<sup>rd</sup>, 2022 hearing to  
9 decide on this matter, Judge Erika Ballou  
10 denied me the opportunity to present these  
11 facts and to do so with a proper method  
12 method of communication as agreed upon  
13 by her and the court on Oct. 18, 2021  
14 and in accordance with the Americans  
15 with disabilities act.

16 Furthermore, she allowed the state to con-  
17 tinue with their Blatant misconduct while  
18 denying me my due process as outlined by  
19 the 14th amendment and my right to redress  
20 grievances as provided by the 1st amendment  
21, thus I find myself in need to seek out  
22 this higher court in an appeal to protect  
23 and uphold my constitutional rights.  
24

25 Conclusion-

26 I humbly request that this honorable court  
27 reverse the evidence provided and grants  
28 this motion for reasons stated Below:



1 • The state in their response fails to  
2 request the denial of My motion to dis-  
3 miss case, and instead request the denial  
4 of another motion previously heard.

5  
6 • I have, through overwhelming evidence,  
7 satisfied the burden of proof to show, the  
8 State has committed ~~mis-~~perjury and  
9 continues flagrant misconduct.

10  
11 • Because through the perjury committed  
12 by the state, i have been denied freedom  
13 and with it the economic resources, medical  
14 access, proper legal assistance and the proper  
15 legal research which pre-trial detainees  
16 are denied in these facilities.

17  
18 • If this honorable court decides not to  
19 grant my motion, i alternatively request the  
20 impeachment of D.A. Schwartzer and his  
21 office as they have proven prejudicial in  
22 this matter.

23  
24 I thank the Nevada supreme court  
25 for its time attention and consideration in  
26 this matter, i pray this motion is granted.

27 Dated: Jan. 8<sup>th</sup>, 2022

28 Signed: Mario Trejo, Def. in pro-se

Page 5 of Michael J. Schwartzers  
Motion of opposition to def. motion  
for reasonable Bail.

**EXHIBIT "1"**

- 1
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MARIO TREJO, ) No. 84724  
)  
Appellant, )  
)  
v. )  
)  
THE STATE OF NEVADA, )  
)  
Respondent. )  
)

DARIN F. IMLAY Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610  Attorney for Appellant	STEVE WOLFSON Clark County District Attorney 200 Lewis Avenue, 3 <sup>rd</sup> Floor Las Vegas, Nevada 89155  AARON FORD Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538  Counsel for Respondent
--	--

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 16 day of February 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

MARIO TREJO, #1258166  
HIGH DESERT STATE PRISON  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

BY /s/ Rachel Howard  
Employee, Clark County Public Defender's Office