

<b>DISTRICT COURT, EL PASO COUNTY COLORADO</b>		
Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903		
People of the State of Colorado v.		▲ COURT USE ONLY ▲
Diego Carlos Chacon, Race W, Sex: M, Hgt: 509, Wgt: 150 Hair: Bro, Eyes: Bro DOB: 04/25/1998, Defendant		Case/File Number:
Agency Name: El Paso County Sheriff's Office	Agency Number: 1	Division: Criminal Ctrm:
<b>ATTACHMENT A</b>		

The following Affidavit is submitted to the Court to document the probable cause in support of a request for the issuance of an Arrest Warrant for **Diego Carlos Chacon, Race W, Sex: M, Hgt: 509, Wgt: 150 Hair: Bro, Eyes: Bro** DOB: 04/25/1998.

This offense is fully documented in Offense Report detailing the offense(s) of: **18-3-102(1)(a) Murder in the first degree, 2 counts, a class 1 felony, 18-3-302(1)(4)(a)(II) Second Degree Kidnapping, 2 counts, a class 3 felony, 18-4-302(1)(c) Aggravated robbery, 1 count, a class 3 felony, 18-6-401(1)(a)(7)(a)(1) Child abuse, 1 count, a class 2 felony.**

The facts set forth within this affidavit are based upon information Your Affiant has gained from this investigation, Your Affiant's personal observations, Your Affiant's training and experience, and/or information related to Your Affiant by other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a search warrant, Your Affiant has not included each and every fact known to him concerning this investigation, but has set forth only the facts that are necessary to establish probable cause to believe that evidence of a crime has occurred.

With the victim(s) identified as:

- 1.
- 2.

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Your Affiant will be referred to as "I" in the remainder of this document.

On Sunday March 12, 2017, at approximately 9:00 am, I was assigned to investigate two bodies found on the east side of Old Pueblo Road approximately ¼ of a mile north of exit 123 on I-25 (I-25 runs parallel to Old Pueblo Road). The scene provided evidence consistent with the homicides occurring at the scene. Shell casings were present and blood patterns matched the position of the bodies. Both appeared to be juveniles, one female and one male, with no identification at the scene. Both bodies had multiple wounds consistent with gunshots.

Tattoos on the female victim lead to making identifications on both victims. The female was identified as [redacted] and the male victim was identified as [redacted]. A search of Facebook and interviews with friends and family showed the victims connected to Gustavo Antonio Marquez DOB: 01/27/98 AKA "Tavo".

I conducted an interview with [redacted] the mother of [redacted] Sunday March 12, 2017, at approximately 7:00 pm. [redacted] said the [redacted] runaway from home on Saturday March 11, 2017 sometime around 8:00 pm. [redacted] said she was driving around the neighborhood of [redacted] in Colorado Springs, near [redacted] best friend's house. [redacted] called the Colorado Springs Police Department (CSPD) to report [redacted] as a runaway at approximately 8:30 pm. She informed CSPD the best place to look for [redacted] was [redacted] received a phone call from CSPD, at approximately 9:44 pm stating [redacted] was at [redacted] house but left with a boy named [redacted] with a phone number of [redacted].

On Sunday March 12, 2017, at approximately 9:00pm, I, conducted an interview with [redacted] provided information that she was one of the last persons to see both victims alive. The victims had come to [redacted] house and made arrangements to receive a ride from "Tavo." [redacted] stated that "Tavo" was contacted and picked up [redacted] and [redacted] from her house. [redacted] showed me contact information for "Tavo" on her phone, pictures she felt were important on the phone, and several individuals that were friends or joint contacts to include "Tavo." According to [redacted], the victims left with "Tavo." It should be noted, neither victim had been seen alive since leaving with "Tavo."

On Tuesday March 14, 2017, I contacted Mr. Marquez at 2147 Woodsong Way Fountain, Colorado, which is his residence. Mr. Marquez stated he was with [redacted] on March 11, 2017. He denied being with "Mr. Garcia Bravo", later identified as Marco Antonio Garcia-Bravo DOB:10/30/96. He said he drove [redacted] around for a while looking for a party. According to Mr. Marquez [redacted] wanted some cocaine so she told Mr. Marquez to allow him to let her take his car to complete a drug deal. Mr. Marquez said [redacted] took his car to see her "plug" (common term for a drug dealer) and left him at God's Pantry in Fountain, Colorado where he passed out. Mr. Marquez stated, sometime later, two unknown men returned his vehicle to him. Mr. Marquez told me that [redacted] were no longer in the vehicle and he never questioned the unknown males as to where [redacted] were.

Mr. Marquez did not say his cell phone was taken and had physical possession of the cellular telephone number belonging to 719-822-8936. Mr. Marquez confirmed that he drives a 2002

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dark blue Ford Escort two-door coupe. He showed me damage to the right front quarter panel of the vehicle and said he saw it when his vehicle was returned to him. The damage appeared white and along the front corner passenger side bumper.

A search warrant was submitted to AT&T for the call detail records for 719-822-8936. Detective Kurt Smith analyzed the cell phone records using CellHawk, which is a web-based program that maps GPS location based on the call detail records.

The records demonstrated that on March 11, 2017 at 10:57 p.m. the cellular telephone accessed the cell tower in the area of Ray Nixon power plant with the directionality pointed south east towards Old Pueblo Road and Hanover Road. At 10:59 p.m. the cellular telephone accessed the tower in the area of Old Pueblo Road and Hanover Road.

On March 12, 2017 at 1231 a.m. the cellular telephone accessed a tower in the area of Bijou Street and Union Boulevard in Colorado Springs, Colorado.

On March 15, 2017, I was present for an interview conducted by Detective Smith with Ranyn Vargas, DOB: 12/26/1997. Ms. Vargas stated that on Friday, March 10, 2017, her friend Joey Rodriguez told her that he was going to kill ' ' someday. She stated this was over taking Ranyn's purse and some other items at a party at Joey's house. She stated that Joey told her he would take care of it. She stated that she received screenshots of Facebook messenger post from Joey that described a kidnapping of ' ' Ranyn stated she saw a picture of ' ' holding a sign that read "Me, ' ' stole from them."

Ranyn stated the screenshots from Joey stated "don't trust Casper don't trust no one everybodys in it payaso, damion, Leticia, joey, sleepy, lita, angel, lexi all of them." Ranyn stated Joey lives in the area of Potter Drive at the Rustic Apartments.

Based on a records check, Detective Smith identified Joey Rodriguez as Joseph Arthur Rodriguez Junior, DOB: 08/05/1998. The driver's license photograph for Joseph matches the Facebook profile picture Ranyn showed us for Joey Rodriguez. Joey was identified as living at 1124 Potter Dr. Apartment C, Colorado Springs, Colorado.

It was also discovered on February 9, 2017 Joey was contacted in the area of Palmer Park Boulevard and Potter Drive with Endo Velarde, DOB: 07/30/1998 and ' ' Endo lives at 2242 E Bijou Street, Colorado Springs, Colorado.

On March 15, 2017 Detective Watts contacted Marco Antonio Garcia-Bravo, who uses the name Mr. Garcia Bravo, at 210 South Murray Apartment # 305. Marco consented to a search of his cellular telephone. The search revealed a picture of Marco (Mr. Garcia Bravo), Joey, and Marquez (Tavo) taken on March 11, 2017 at 08:25 p.m.

On March 19, 2017, Mr. Marquez was contacted by Colorado Springs Police Officer Mitchell in the area of Astrozon and Chelton(Colorado Springs) due to reports of a male walking in the

street. Officer Mitchell observed Mr. Marquez walking in the median and falling into traffic. During the contact Mr. Marquez told Officer Mitchell he had information on the double homicide involving

I responded to the Sand Creek substation and conducted a Mirandized interview with Mr. Marquez. Mr. Marquez stated the following: On Saturday March 11, 2017 he is with Mr. Garcia-Bravo and Diego Chacon, who he knew as Casper. Mr. Marquez stated Mr. Garcia-Bravo was driving Mr. Marquez's Ford Escort and they picked up Mr. Marquez said they were driven to Mr. Rodriguez's house on Potter Drive, where Mr. Rodriguez threatened with a crowbar and took phone from him.

Mr. Marquez said as soon as Mr. Chacon got in the car Mr. Chacon put his arm around and pointed a gun at her stomach. Mr. Marquez said Mr. Garcia-Bravo drove them around the city arriving at Old Pueblo Road. He said begged for her life numerous times during the drive and told to stop because it would not change their mind. Mr. Marquez said Mr. Garcia-Bravo offered a chance to say goodbye to her family. He handed her a cell phone, when did not log into her Facebook account Mr. Garcia-Bravo took the phone back stating, "You lost your chance."

Mr. Marquez said when they arrived at Old Pueblo Road Mr. Chacon forced out of the car. He stated were forced to take the "execution position." Mr. Marquez stated Mr. Chacon fired two shots at Mr. Marquez said he believed hands were on her head when Mr. Chacon fired the gun. Mr. Marquez stated Mr. Chacon appeared calm as if he had done this before then handed the gun to Mr. Garcia-Bravo. Mr. Garcia-Bravo fired at who he believed had his hands in his sweat shirt and immediately fell forward. Mr. Marquez said Mr. Garcia-Bravo fired multiple shots to include shooting after he fell to the ground.

Mr. Marquez stated he believed the handgun was a Smith and Wesson semi-automatic handgun. He said Mr. Chacon was proud of the gun talking about it and showed it Mr. Marquez and Mr. Garcia-Bravo. He said after the shooting Mr. Garcia-Bravo drove the car and hit a guardrail near a railroad crossing. Mr. Marquez agreed to show me the guardrail near the railroad crossing. When we arrived I saw blue paint transfer present that would be consistent with a vehicle striking it.

He says after that Mr. Garcia-Bravo drove them to a Shell Station on Pikes Peak and Hancock, in Colorado Springs where they purchased gas to prove they are in Colorado Springs. The video pulled by the gas station manager showed Mr. Marquez paying for gas and Mr. Chacon being in the store at approximately 11:42 pm on Saturday March 11, 2017.

Mr. Garcia-Bravo drove Mr. Chacon and Mr. Marquez to 2242 Bijou Street (Endo Velarde's House), Colorado Springs, Colorado for a kickback(party). Video was checked at the Epic Remedy Grow house at 2280 East Bijou Ave., Colorado Springs. The video shows a vehicle matching the description of Mr. Marquez's. The driver was wearing a letterman style jacket

with white sleeves matching the jacket seen in video of Mr. Garcia-Bravo at a McDonalds drive in earlier in the evening of Saturday March 11, 2017.

Mr. Marquez said when they arrived at 2242 East Bijou Ave. Mr. Chacon took the gun into Mr. Velarde's bedroom and removed the magazine. Mr. Chacon then threw the gun on the bed along with the magazine.

Mr. Marquez provided a handwritten statement of the events that occurred on Saturday March 11, 2017. I asked him if this was a true statement of events, Mr. Marquez said it was. During the interview, I mentioned his statement saying, "your story" and Mr. Marquez corrected me by saying, "not a story this is the truth." I asked him about the statement he provided to me about him staying at God's pantry while [redacted] drove his car to meet the "plug". Mr. Marquez said that he made that up as an alibi and was told to do so by Mr. Garcia-Bravo on Monday March 13, 2017. Mr. Garcia-Bravo told him it had to be an alibi that does not mention Mr. Garcia Bravo. Mr. Marquez told me that using the area of God's Pantry in Fountain was his idea.

On Friday March 24, 2017, Detective White conducted a Mirandized interview with Alexandria Romero, aka Lexi, at the Office Of The Sherrif at, 27 E. Vermijo Avenue, Colorado Springs, El Paso County, State of Colorado. During this interview Ms. Romero confirmed that she was at 1124 Potter Drive apartment #C with Joseph Rodriquez aka "Chino", Marco Gracia-Bravo aka "Diablo" and Mr. Marquez aka "Tavo" on Saturday March 11, 2017.

While at this address the name [redacted] was mentioned, Mr. Marquez said he is dating [redacted]. Ms. Romero said she then got the idea to have Mr. Marquez pick up [redacted] so she could be brought back and Mr. Garcia Bravo, Mr. Chacon and Mr. Marquez could beat her up and scare her.

Ms. Romero said the Mr. Garcia Bravo and Mr. Marquez drove Mr. Marquez's car, a 2002 Blue Ford Escort, to pick up [redacted]. Ms. Romero made a phone call to Diego Carlos Chacon aka Mr. Chacon. After the phone call Mr. Chacon showed up at 1124 Potter Drive apt C, Mr. Garcia and Mr. Marquez returned with [redacted]. Ms. Romero did not go outside but said Mr. Rodriquez had [redacted] cell phone when he came back inside the apartment.

Ms. Romero said later that night she meet up with Mr. Chacon, Mr. Garcia Bravo and Mr. Marquez and "Sleepy's house" (Endo Valarde 2242 East Bijou Ave.). Mr. Chacon and Ms. Romero were in a back bedroom and she could see a gun in Mr. Chacon's waistband. Mr. Chacon told Ms. Romero, "They are gone! 'Diablo' did one and I did the other."

Ms. Romero said Mr. Garcia Bravo went to Mr. Rodriquez and asked "where's the phone", Mr. Rodriquez said right here and handed him a phone with the battery missing. Ms. Romero does not know where the phone went after Mr. Garcia Bravo took it from Mr. Rodriquez. Ms. Romero talked to Mr. Marquez who told her, "things got out of hand."

Ms. Romero confirmed that she believee if she would not have asked fo to be brought to the Potter Drive address she would be alive. She continued by stating the she believed Mr. Chacon's role was to murder because he was carrying the only gun and Mr. Gracia-Bravo's role was as kidnapper and murder and Mr. Marquez was the kidnapper because he could get into his car.

Ms. Romero said that was the target and was only murdered because he was with

The details provided by Mr. Marquez and Ms. Romero are consistent with them having knowledge that Mr. Chacon was present during the kidnapping and shooting of

I would respectfully request that probable cause be found that **Diego Carlos Chacon, Race W, Sex: M, Hgt: 509, Wgt: 150 Hair: Bro, Eyes: Bro** DOB: 04/25/1998, did within the County of El Paso and State of Colorado, commit in violation of the Colorado Revised Statutes 1973 as amended, the offense(s) of **18-3-102(1)(a) Murder in the first degree, 2 counts, a class 1 felony, 18-3-302(1)(4)(a)(II) Second Degree Kidnapping, 2 counts, a class 3 felony, 18-4-302(1)(c) Aggravated robbery, 1 count, a class 3 felony, 18-6-401(1)(a)(7)(a)(1) Child abuse, 1 count, a class 2 felony.**

Applicant 

Detective Rosario S. Hubbell /07050

Law enforcement agency: El Paso County Sheriff's Office

Sworn and subscribed before me this 24 day of MARCH, 2017

Judge/Magistrate: 