

DISTRICT COURT, EL PASO COUNTY COLORADO		MAR 19 2017.
Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903		DR. LYNETTE D. CORNELIUS CLERK OF COURT ▲ COURT USE ONLY ▲
People of the State of Colorado v. Gustavo Antonio Marquez, Race W, Sex: M, Hgt: 508, Wgt: 195 Hair: Blk, Eyes: Bro DOB: 01/27/98		Case/File Number:
Agency Name: El Paso County Sheriff's Office	Agency Number:	Division: Criminal Ctrm:
ATTACHMENT A		

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 **Gustavo Antonio Marquez, Race W, Sex: M, Hgt: 508, Wgt: 195 Hair: Blk, Eyes: Bro** **DOB: 01/27/98.**

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.

SJG

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 ¾ of a mile of north of exit 123 on I-25 (I-25 runs parallel to Old Pueblo Road). The scene provided evidence consistent with the homicides occurring on the side of the road as opposed to being transported there. 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 gun shots.

Tattoos on the female victim lead to making identifications on both victims. The female was identified as _____ and the male victim was identified as _____

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

On Sunday March 12, 2017, at approximately 9:00pm I conducted an interview with _____ provided information that she was one of the last persons to see both victims alive. The victims had come to _____ house and made arrangements to receive a ride from "Tavo." _____ stated that "Tavo" and possibly a friend named Diablo were both contact and picked up the victims from her house. _____ 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 _____ the victims left with "Tavo." It should be noted, neither victim had been confirmed alive since leaving with "Tavo."

On Tuesday March 14, 2017, I contacted Mr. Marquez at 2147 Woodson Way Fountain, Colorado, which is his residence. Mr. Marquez stated he was with _____ on March 11, 2017. He denied being with "Diablo", later identified as Marco Antonio Garcia-Bravo DOB:10/30/96. He said he drove _____ around for a while looking for a party. _____ 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 _____ 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 that two unknown men returned his vehicle to him. Mr. Marquez told me that _____ were no longer in the vehicle and he never questioned the unknown males as to their whereabouts.

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 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. Then, at 1059 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 [redacted] someday. She stated this was over [redacted] 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 [redacted]. Ranyn stated she saw a picture of [redacted] holding a sign that read "Me, [redacted] 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 [redacted]. 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 Diablo, at 210 South Murray Apartment # 305. Marco consents to a search of his cellular telephone. The search reveals a picture of Marco (Diablo), Joey, and Marquez (Tavo) taken on March 11, 2017 at 08:25 p.m.

On March 19, 2017 Mr. Marquez is 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 tells Officer Mitchell he has 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 knows as Casper. Mr. Marquez stated Mr. Garcia-Bravo is driving Mr. Marquez Ford Escort and they pick 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

Mr. Marquez said Mr. Garcia-Bravo drove them around the city arriving at Old Pueblo Road. He said as soon as Mr. Chacon got in the car he put his arm around her and pointed a gun at her stomach. 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 good bye 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 and saw her fall. He said he believed that 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 believes the handgun is 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 drives the car and hits a guard rail near a rail road crossing. He says after that Mr. Garcia-Bravo drives them to a Shell Station on Pikes Peak and Hancock, where they get gas to prove they are in Colorado Springs, He states Mr. Garcia-Bravo then drives them to 2242 Bijou Street Colorado Springs, Colorado for a kickback (party). Mr. Marquez says Mr. Chacon took the gun into Mr. Velarde's bedroom and removed 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 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 him. Mr. Marquez told me that using the area of God's Pantry in Fountain was his idea.

The details provided by Mr. Marquez are consistent with him being present during the shooting of

I would respectfully request that probable cause be found that **Gustavo Antonio Marquez**, Race **W**, Sex: **M**, Hgt: **508**, Wgt: **195** Hair: **Blk**, Eyes: **Bro** DOB: **01/27/98**, 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 19 day of March, 2017

Judge/Magistrate: 