

DISTRICT COURT, EL PASO COUNTY COLORADO	
Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903	
People of the State of Colorado v.	▲ COURT USE ONLY ▲
Joseph Arthur Rodriguez, Race: W, Sex: M, Hgt: 506, Wgt: 165, Hair: Bro, Eyes: Bro SSN: DOB: 08/05/1998, Defendant.	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:

Joseph Arthur Rodriguez, Race: W, Sex: M, Hgt: 506, Wgt: 165, Hair: Bro, Eyes: Bro SSN: / DOB: 08/05/1998, Defendant.

This offense is fully documented in Offense Report(s) and 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 18-8-105(1)(3)Accessory 1 count, a class 4 felony

With the victim(s) identified as:

- 1.
- 2.

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

On Sunday, March 12, 2017, at approximately 8:22 AM, the El Paso County Sheriff's Office (EPSO) dispatch center received a call from Tracy Tolle, a passing motorist, who stated he discovered two bodies on the side of Old Pueblo Road, in unincorporated El Paso County, Colorado, approximately three quarters of a mile south of the intersection with Hanover Road. Officers with the Fountain Police Department (FPD) and deputies with the Sheriff's Office responded to the scene. After initial response by uniformed officers, detectives with the EPSO Investigations Division were also called to the scene.

SAS

[Handwritten signature]

Both victims had apparent gunshot wounds. Five spent 9mm bullet casings were recovered in the area around the bodies. The body of the female victim bore evidence that it may have been moved.

The victims have been identified as _____, _____, and _____.

After the victims were identified, I performed an interview at the Office of the Sheriff (OTS) with a friend of the victims, _____. During her interview, _____ stated that _____ and _____ arrived at her house on Saturday evening (March 11, 2017), prior to being picked up and driven away by a male known as "Tavo". The victims were not seen alive after leaving _____ house with "Tavo."

_____ provided the contact information for "Tavo" (telephone 719-822-8936). Based on "Tavo's" telephone number, he has been identified Gustavo Antonio Marquez (DOB 1/27/98).

The EPSO Jail Management System (JMS) shows that Mr. Marquez was released from the Criminal Justice Center (CJC), on February 28, 2017. He was booked by FPD, on February 24, 2017, for multiple offenses including 2nd Degree Assault. During Mr. Marquez arrest, he provided telephone number (719)822-8936.

Mr. Marquez' criminal history lists arrests for 2nd degree assault, 3rd degree assault, 2nd degree burglary, kidnapping, child abuse, engaging in a riot, interference with school staff, and felony theft.

On Tuesday, March 14, 2017, I contacted and interviewed "Tavo", Gustavo Marquez. Mr. Marquez admitted to picking up _____ and _____ from _____'s residence _____ (Colorado Springs, Colorado), on Saturday, March 11, 2017. Mr. Marquez said he was driving his blue 2002 Ford Escort, Colorado license _____, VIN: _____. Mr. Marquez also stated that he routinely provided rides to _____ and _____ for the suspected purpose of buying illegal drugs.

On March 11, 2017, after picking up _____ and _____ from _____, Mr. Marquez drove to God's Pantry, at 102 N. Main Street, in Fountain Colorado. _____ stated that she wanted to meet someone to buy cocaine, and did not want Mr. Marquez in the vehicle. Mr. Marquez said he exited the vehicle, and _____ and _____ drove on without him.

Mr. Marquez stated that after letting _____ drive his vehicle away, it returned driven by two unknown males. One of them stated, "Get in the car fool." Mr. Marquez got into his vehicle, and was driven several blocks away. The other males then got out of the car, and he drove himself home. He states he never saw _____ or _____ again.

Information gleaned as a result of executed search warrants for Facebook Messenger content, revealed that Mr. Marquez, and an associate, Anthony Bravo aka "Diablo", were in communication during the evening on Saturday, March 11, 2017. Antonio Bravo has since been identified via pictures on his Facebook account, as Marco Antonio Garcia-Bravo (DOB 10/30/96). A picture on Mr. Garcia-Bravo's Facebook account shows him standing on a roof with Mr. Marquez.

Analysis of the Facebook Messenger accounts indicated that three messages were sent between Mr. Marquez and Mr. Garcia-Bravo, starting at 10:42 PM and ending at 10:43 PM (March 11, 2017). The next Facebook communication between them occurred at 2:25 AM, on March 12, 2017, which consisted of a Facebook Messenger call from Mr. Garcia-Bravo, to Mr. Marquez. The call lasted 26 seconds. Those messages were deleted before Facebook responded to the Sheriff's Office search warrants on March, 13, 2017.

Mr. Garcia-Bravo has an extensive criminal record including arrests for felony possession of a weapon on school grounds, interference with school staff, obstructing a peace officer, carrying a concealed weapon, failure to appear, possession of a schedule II controlled substance, false reporting, possession of a handgun by a juvenile, and introducing contraband into a detention facility.

During analysis of [redacted] cell-phone, messages were recovered between [redacted] and an associate later identified as Gabriel Perez. The messages sent from Mr. Perez to [redacted] on March 12, 2017, stated that [redacted] and [redacted] were in the company of "Diablo", after they were picked up from [redacted] house by Mr. Marquez.

On Wednesday, March 15, 2017, Mr. Perez arrived at the OTS for the purpose of an interview. During the interview, he consented to allow detectives to communicate with Mr. Marquez, using his cell-phone. A message was sent to Mr. Marquez stating, "They said you did this and they have proof that I might have been there..."

Mr. Marquez did not deny participation in the homicide, but responded instead, "Wtf niggah yuh wasnt with me calm down."

Additionally, Mr. Marquez cell phone records from Metro PCS were obtained via search warrant. Analysis of those records revealed that on the night of the murders, Mr. Marquez was not in the vicinity downtown Fountain for several hours. The records indicate that after picking up the victims, he traveled in a southern direction from the area of his house to the area of the crime scene.

Later, on March 15, 2017, Detective Kurt Smith contacted Ranyn Vargas (DOB 12/26/97). Ms. Vargas stated that on Friday, March 10, 2017, her friend Joey Rodriguez told her that he was

"going to kill _____ someday". She that Mr. Rodriguez' threat related to rumors that _____ stole Ms. Vargas' purse and other items during a party at Mr. Rodriguez' house. Mr. Rodriguez told Ms. Vargas that he would "take care of it".

Ms. Vargas also stated that she received screenshots of Facebook Messenger posts from Mr. Rodriguez, which described kidnapping a friend named _____, a friend of _____ Ms. Vargas stated she saw a picture of _____ holding a sign that said, "Me, _____ and _____ stole from them."

Ms. Vargas stated additional screenshots stated, "don't trust Casper don't trust no one everybodys in it payaso, damion, Leticia, joey, sleepy, lita, angel, lexi all of them."

Ms. Vargas explained that Mr. Rodriguez lives in the area of Potter Drive at the "Rustic Apartments".

Detective Smith performed a records query and identified Joey Rodriguez as Joseph Arthur Rodriguez Junior (DOB 08/05/1998). The driver's license photograph for Joseph matches the Facebook profile picture, which Ms. Vargas showed Detective Smith to identify Joey Rodriguez. Mr. Rodriguez address was identified as 1124 Potter Dr. Apartment C Colorado Springs, Colorado.

On March 15, 2017, while Marco Garcia-Bravo participated in an interview at the OTS, his cell phone was downloaded after he signed a cell-phone search waiver. A picture found of Mr. Garcia-Bravo's cell-phone, shows Mr. Marquez (Tavo), Mr. Garcia-Bravo, and Mr. Rodriguez together on Saturday, March 11, 2017.

On Thursday, March 16, 2017, Detective Andrew Thompson contacted Mr. Rodriguez at 1124 Potter Drive, Apartment C. Detective Thompson was invited to enter Mr. Rodriguez's apartment after he answered the door. Mr. Rodriguez was asked to go to the OTS to participate in an interview, but he refused. After being shown pictures of Mr. Rodriguez, Detective Thompson immediately recognized him as the male who goes by the nickname "Joey Rodriguez".

Mr. Rodriguez admitted Mr. Marquez briefly visited his apartment on March 11, 2017. Mr. Rodriguez stated Mr. Marquez was in the company of a woman, but he refused to disclose the identity of the woman with Mr. Marquez.

After contacting Mr. Rodriguez at his apartment, Detective Thompson spoke with the Colorado Department of Youth Corrections, and confirmed that Mr. Rodriguez is currently on parole. His probation officer is Robert Ramos. When Mr. Ramos was contacted he said Mr. Rodriguez missed his last parole appointment, on March 3, 2017.

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I queried Mr. Rodriguez' criminal history and learned that he has past arrests for felony possession of a weapon on school grounds, interference with school faculty, 1st degree assault, 2nd degree assault, 3rd degree assault, harassment, contempt of court, failure to appear, carrying a concealed weapon, and introducing contraband into a detention facility.

At approximately 4:15 PM, arrived at the OTS for the purpose of an interview. As a result of the interview, she was identified as is Facebook name.

During the interview stated that she was at 2242 E. Bijou Street, on February 27, 2017, at approximately 4:00 AM. Mr. Rodriguez, along with several associates including Endo Velarde (aka Sleepy), Lita (unknown last), and Lexi (unknown last) were also at the address. While in a back room of the apartment, was asked to walk out to a truck in the parking lot. Mr. Rodriguez walked with her while carrying a large metal pipe.

rode in the truck from the apartment to a nearby 7-11 Store with Lita and Mr. Rodriguez. While at the 7-11 store, Lita took cell-phone away, and told that the phone would be searched. Mr. Rodriguez placed a blindfold on s face preventing her from seeing. Mr. Rodriguez stated that he carried the pole because he "didn't have his strap". Strap is a common street term for pistol.

described being transported to and unknown hotel room. Lexi, Lita, and Mr. Rodriguez were present in the hotel room. Lexi began to assault by punching her in the face and "tazing" her with a pink tazer. was questioned about giving out an address associated with a gang shooting at the nearby "Rustic" apartments. All three suspects threatened to assault if she ran from the hotel room. While in the hotel, the suspects searched through cell phone looking for evidence that she released certain information.

After several hours at the hotel room, was blindfolded again and walked back out to the pickup. Mr. Rodriguez pushed head down while in the truck to keep her out of view. stated that her leg feel asleep due to the position she was forced into.

described being driven to an unknown house with multiple unknown adults and children. Mr. Rodriguez was present at the house, but he left after another adult was told to watch because she was "kidnapped". While at the house, was ordered to watch after the kids in the house.

stated that she later escaped and ran away from the house. She never recovered her cell-phone.

On Friday March 17, 2017, Detective Kurt Smith conducted a Mirandized interview with Mr. Rodriguez. During this interview, Mr. Rodriguez told Detective Smith that Mr. Marquez showed up at his address, 1124 Potter Drive Apt C, Colorado Springs, Colorado, with an unknown female. Mr. Rodriguez later said that he was asked by Mr. Marquez to say Mr. Marquez was at his residence with a female. Mr. Rodriguez made up this alibi to aid Mr. Marquez in evading prosecution.

On Sunday March 19, 2017, I conducted an interview with Mr. Marquez. During this interview, Mr. Marquez said Mr. Rodriguez was at 1124 Potter Drive apt C, when Mr. Marquez and Mr. Garcia-Bravo arrived with [redacted] and [redacted] in Mr. Marquez's vehicle. Mr. Marquez said Mr. Rodriguez had a crow bar and took [redacted] cell phone. Mr. Marquez said Mr. Rodriguez said, "Give me your cell phone! I'm not fucking playing!" as he raised the crow above his shoulder and pointed it at [redacted].

On Friday March 24, 2017, Detective White conducted a Mirandized interview with Alexandria Romero, aka Lexi, at the Office Of The Sheriff at, 27 E. Vermijo Avenue, Colorado Springs, El Paso County State of Colorado.

Ms. Romero said she was present when [redacted] was brought to a hotel room at Platte Ave and Peterson Road, in Colorado Springs by Mr. Rodriguez. Ms. Romero said [redacted] was brought into the hotel room wearing a blindfold. Ms. Romero said she punched [redacted] in the face, "giving her a fat lip."

Ms. Romero confirmed she tazed [redacted] several times with a pink tazer. Detective White asked her how many times she tazed [redacted]. Ms. Romero replied, "3, 4 times." She was then asked where she tazed [redacted], she replied, "On her side."

Ms. Romero said that [redacted] was moved and taken to "Brea's" house at Whitney Young Manor, previously identified as 2133 Delta Drive, Apartment E, Colorado Springs, Colorado, in a white pickup truck that she knew was stolen. Ms. Romero told Brea that [redacted] needed to be watched as she had been kidnapped and is responsible for 2242 E. Bijou Ave and 1124 Potter Drive apt C being shot up.

Ms. Romero said she left 2133 Delta Drive apt E with Mr. Rodriguez. After Ms. Romero and Mr. Rodriguez heard that [redacted] had escaped from 2133 Delta Drive apt E, Mr. Rodriguez told Ms. Romero that [redacted] was not supposed to leave alive.

During this interview, Ms. Romero confirmed that she was at 1124 Potter Drive apartment #C with Joseph Rodriguez 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 when Mr. Marquez said he is dating [redacted]. Ms. Romero said she then got the idea to have Mr. Marquez pick up [redacted] so she [redacted].

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 _____ and _____. 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 _____ and _____. Ms. Romero did not go outside but said Mr. Rodriguez had _____ cell phone when he came back inside the apartment.


Ms. Romero said later that night she met 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. Rodriguez and asked "where's the phone", Mr. Rodriguez 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. Rodriguez. 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 for _____ 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 _____ and _____ into his car.

I respectfully request an arrest warrant be issued for Mr. Rodriguez, as I believe there is probable cause to believe that Joseph Arthur Rodriguez, Race: W, Sex: M, Hgt: 506, Wgt: 165, Hair: Bro, Eyes: Bro SSN: _____ DOB: 08/05/1998, did within the County of El Paso and State of Colorado, committed, 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 18-8-105(1)(3)Acessory 1 count, a class 4 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: 

11:44 AM