

Redacted

DATE FILED: February 2, 2023  
DATE FILED: February 2, 2023 10:16 AM

# Exhibit A

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/28/2022

Matthew Haynes, cellular phone \_\_\_\_\_ email \_\_\_\_\_

\_\_\_\_\_ co owner of Club Q was interviewed by SA Justin Kempf and SA Jason Walter at the FBI Colorado Springs Resident Agency. Also present during the interview was Haynes partner Brandon, and CSPD Detective Nicole Black. After being advised of the identity of the interviewing Agent and the nature of the interview, Haynes provided the following information:

During the summer of 2022 Haynes employed a manager, Leon Pantoya, who has been claiming that he kicked Anderson out of Club Q during a previous visit. Haynes does not believe that Pantoya is telling the truth about this prior incident but Pantoya can be reached at \_\_\_\_\_ Pantoya was living at the Satellite Hotel on the 9th floor, B wing.

Haynes additionally provided an audio recording of a March 2022 phone call from an unknown party using phone number \_\_\_\_\_ during which the unknown person said "call the bomb squad." This resulted in a call to the Colorado Springs Police Department who responded to club Q. Around the same time the club received text messages from an unknown individual. A spreadsheet containing these messages was provided by Brandon and is attached to this communication.

Brandon reviewed records from Club Q's point of sale system on his laptop which revealed multiple financial transactions with a patron named Anderson Aldrich. Screenshots of that transaction information are attached and a summary of those transactions is described below:

On August 31, 2021 at 7:16 PM there was a transaction handled by employee Adam Martinez also listed as Connie. This transaction included a \$59.00 purchase of two Karaoke entries, two double Jack Daniels, Gayoli Fries, a Sierra Mist, a double Absolut, a double Captain Morgan and was paid for by customer Anderson Aldrich with Visa card ending in \_\_\_\_\_.

On August 31, 2021 at 8:16 PM there was a transaction handled by employee Adam Martinez also listed as Connie. This transaction included a \$14.00 purchase of a double Grey Goose and was paid for by customer Anderson

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Investigation on 11/23/2022 at Colorado Springs, Colorado, United States (In Person)File # \_\_\_\_\_ Date drafted 11/23/2022by Justin Kempf

Continuation of FD-302 of (U) Interview of Matthew Haynes, On 11/23/2022, Page 2 of 3

Aldrich with Visa card ending in .

On August 31, 2021 at 8:48 PM there was a transaction handled by employee Connie also listed as Adam Martinez. This transaction included a \$12.00 purchase of a double Absolut and was paid for by customer Anderson Aldrich with Visa card ending in .

There was an additional voided transaction for \$25.00 on August 31, 2021 for Visa card ending in .

On November 5, 2021 at 9:39 PM there was a transaction handled by employee Jeremiah G. This transaction included a \$55.00 purchase which included an entertainment fee, a double Jack Daniels, a Sierra Mist, a double Grey Goose, a single Grey Goose, a single Fireball, and an order of Gayoli Fries. The purchase was made by customer Anderson L Aldrich with Visa Credit card ending in .

On February 5, 2022 at 7:09 PM there was a transaction handled by employee Jeremiah G. This transaction included a \$28.00 purchase which included a charge for a Saturday Drag Show, three Smirnoff single drinks and was paid for by customer Anderson Aldrich with Visa debit card ending in .

On February 6, 2022 at 10:37 PM there was a transaction handled by employee Daniel Aston. This transaction included a \$15.00 purchase of a Jack Daniels double and a Redbull paid for by customer Anderson Aldrich with Visa debit card ending in .

On February 19, 2022 at 9:03 PM there was a transaction handled by employee Daniel Aston. This transaction included a \$17.00 purchase of a Double Smirnoff and a single Smirnoff paid for by customer Anderson Aldrich with Visa debit card ending in .

On October 1, 2022 at 9:14 PM there was a transaction handled by employee Mikey Anderson. This transaction included a \$20 purchase of a double Well Vodka, a COS Apple single, and a Fireball shot paid for by customer Anderson Aldrich with Visa debit card ending in .

On October 29, 2022 at 9:33 PM there was a transaction handled by employee Derrick Rump. This transaction included a purchase of a Double Well Vodka, a Single Absolute and an order of Gayoli Fries, and was paid for by customer Anderson Aldrich with Visa debit card ending in .

On November 19, 2022 at 10:15 PM there was a transaction handled by employee Ashtin Gamblin. This transaction included a \$5.00 "Friday DJ After

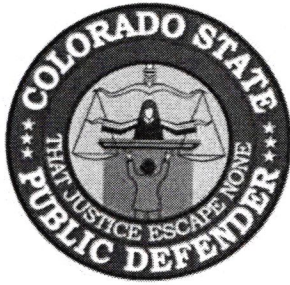
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930" purchase and was paid for by customer Anderson Aldrich with Visa debit card ending in .

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# Exhibit B





## OFFICE OF THE STATE PUBLIC DEFENDER

MEGAN A. RING  
STATE PUBLIC DEFENDER

January 18, 2023

### Second Request

The 4th Judicial District Attorney's Office  
District Attorney Michael Allen  
105 E. Vermijo Ave  
Colorado Springs, CO 80903

Re: Case No. 22CR6008, Surveillance of Club Q

Dear Mr. Allen, Ms. Viehman, and Mr. Short,

In our review of discovery, it has come to our attention that we have not been provided certain materials that tend to negate guilt or mitigate punishment in this case. *See* Crim. P. 16(I)(a)(2); *People v. Rodriguez*, 786 P.2d 1079, 1082 (Colo. 1989). In our letter dated January 2, 2023, we requested that you disclose to us:

"Any and all video footage, raw or edited, taken or preserved on 11/19/22 from 6pm until 3am 11/20/23. " *See* Letter dated 1/2/23.

On January 2, 2023, we made sure you were aware that while we had received approximately 7 clips of edited video from the evening of November 19, 2022, none of them were longer than 5 mins in length. We asked that you comply with your discovery obligations and disclose the surveillance to us.

In court on January 13, 2023, you made representations on the record to Judge McHenry that your office had disclosed to us surveillance from Club Q. Our staff has discovered this was not true. The surveillance that was discovered to us last week, the week of January 9, 2023, was NOT surveillance from Club Q. The surveillance that we did receive which was NOT from Club Q appears to be jail surveillance and our staff confirmed this with members of your office. However, the jail surveillance files are in a format that cannot be opened. Your staff also represented to us that they were working to disclose functioning jail surveillance files. To date, we have still never received the actual footage from Club Q. We have only received approximately 7 clips of edited video from the evening of November 19, 2022, however none of them are longer than 5 mins in length, which is what we had received when we sent you our first request to comply with your constitutional discovery obligations on this issue, on January 2, 2023.

Based on your representations to the Court on the record on January 13, 2023, that you had the discovery of the surveillance from Club Q, and your claim that we have it; we are requesting that you disclose to us all Club Q surveillance that is in your possession immediately.

PUBLIC DEFENDER • 30 PIKES PEAK, SUITE 200  
COLORADO SPRINGS, COLORADO 80903-1603  
PHONE: (719) 475-1235 • FAX: (719) 475-1476

To be clear we are requesting pursuant to *Brady v. Maryland*, 373 U.S. 83, 87 (1963), *Kyles v. Whitley*, 514 U.S. 419 (1995), *Giglio v. United States*, 405 U.S. 150 (1972), *United States v. Bagley*, 473 U.S. 667 (1985), and Crim. P. 16(I)(a)(1), (2), the disclosure of:

1. Any and all video footage, raw or edited, taken or preserved on 11/19/22 from 6pm until 3am 11/20/23.

Please provide these materials as soon as possible but no later than **5:00 p.m. on Tuesday January 18, 2023**. If you believe that this material has already been sent to us to in discovery, please inform us of the bates stamp page number of these documents.

A hard copy of this letter will follow in the mail. If we do not hear from you by **5:00 p.m. on Tuesday January 18, 2023**, we will consider that as a formal refusal of our request.

If you made a misrepresentation to the Court on January 13, 2023, you need to correct the record immediately with the Court and also inform us when you will discover this material to us.

Sincerely,



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Joseph Archambault (No. 41216)  
Chief Trial Deputy State Public Defender



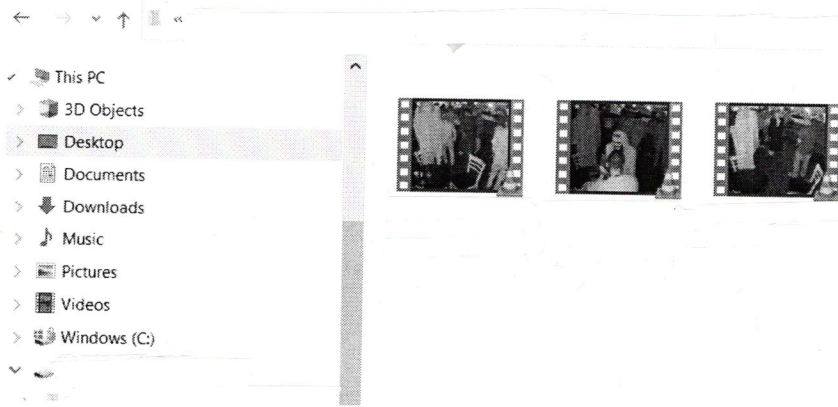
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Michael Bowman (No. 48652)  
Deputy State Public Defender

# Exhibit C



Channel 3 on 10-29-22 has 3 videos



Channel 3 on 10-30-22 has 653 videos

