

FILED IN THE DISTRICT AND COUNTY CLERKS OF EL PASO COUNTY, COLORADO

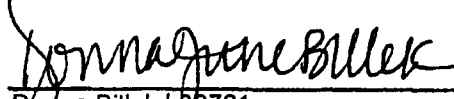
DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO Address: 270 South Tejon Street PO Box 2980 Colorado Springs, Colorado 80903		NOV 30 2015
State of Colorado in the matter of: Arrest Warrant		DR. LYNETTE CORNELIUS CLERK OF COURT
Agency: Colorado Springs Police Department    Agency Case Number: 15-47334		▲ COURT USE ONLY ▲ Case/File Number: 15 CR 5795-10 Division:                      Courtroom:
<b>REQUEST FOR SEALING OF ARREST WARRANT</b>		

COMES NOW, the People of the State of Colorado, by and through Dan May | 11379, District Attorney for the Colorado 4th Judicial District, and his Deputy District Attorney, Donna Billek | 30721, respectfully request this Court enter an Order, sealing the Arrest Warrant and Application, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

1. The Offense Case Report, 15-47334 supporting this Arrest Warrant was initiated by the Colorado Springs Police Department, El Paso County, Colorado, is an ongoing investigation.
2. If the information supporting this Arrest Warrant were to be released, it could jeopardize the continuing investigation, apprehension of suspect(s), and subsequent prosecution of same.
3. We are requesting the sealing of this document indefinitely, or until the completion or termination of the investigation.

WHEREFORE, the People of the State of Colorado respectfully request the Court enter an ORDER, sealing the Arrest Warrant and Application for Arrest Warrant, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

Respectfully Submitted,



Donna Billek | 30721  
 Deputy District Attorney  
 Colorado 4th Judicial District

# ARREST WARRANT

DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO

FILED IN THE DISTRICT AND COUNTY COURTS OF EL PASO COUNTY, COLORADO

WARRANT NUMBER: \_\_\_\_\_

NOV 30 2015

The People of the State of Colorado, Plaintiff

v.

DR. LYNETTE CORNELIUS  
CLERK OF COURT

DEAR JR., Robert Lewis; DOB: 04/16/1958, - Defendant

Whereas, J. SCHIFFELBEIN, Detective Colorado Springs Police Department has made an Application and Affidavit to the Court for the issuance of an Arrest Warrant, and;

Whereas the application is in proper form and probable cause is found to believe that the person named in the application has committed the offense of §18-3-102, MURDER IN THE FIRST DEGREE, CLASS ONE FELONY (F1) in violation of Colorado Revised Statutes within the County of El Paso and State of Colorado:

THEREFORE, any Peace Officer into whose hands this Arrest Warrant shall come is hereby ordered to arrest Robert Lewis DEAR JR.; DOB: 04/16/1958 and bring him/her without unnecessary delay before the nearest Judge of the County or District Court.

It is further ordered that Bond is set in the amount of NO Bond

DONE this day 27th of November, 2015

TIME \_\_\_\_\_ a.m. / 11:35 p.m.

BY THE COURT:

JUDGE Stephen J. Sletta

RETURN AND SERVICE: I have duly served this Arrest Warrant by arresting the aforementioned Defendant as required on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed: \_\_\_\_\_

Law Enforcement Agency: \_\_\_\_\_

DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO

WARRANT NUMBER: \_\_\_\_\_

15 CR 5795-10

FILED IN THE DISTRICT AND  
COUNTY COURTS OF  
EL PASO COUNTY, COLORADO

APPLICATION AND AFFIDAVIT FOR ARREST WARRANT

NOV 30 2015

The People of the State of Colorado, Plaintiff

V.

DR. LYNETTE CORNELIUS  
CLERK OF COURT

DEAR JR., Robert Lewis DOB: 04/16/1958; SSN: [REDACTED], White Male, 6'2", 240 pounds

The undersigned, a Peace Officer as defined in 16-2.5-101 Colorado Revised Statutes, as amended, being first duly sworn on oath, moves the Court to issue an Arrest Warrant for: Robert Lewis DEAR JR.; DOB: 04/16/1958, as provided in Rule 4.2 of the Colorado Rules of Criminal Procedure.

**AS GROUNDS THEREFORE**, the undersigned applicant states that the facts submitted in support of this request are set forth in the accompanying attachment designated as Attachment "A", which is attached hereto and made a part hereof, and that probable cause exists to believe that the aforementioned person has committed the offense of §18-3-102, MURDER IN THE FIRST DEGREE, CLASS ONE FELONY (F1); in violation of Colorado Revised Statutes 1973, as amended within the County of El Paso and State of Colorado.

It is respectfully requested that bond on this Arrest Warrant be set in the amount of: NONE.

 3373

Applicant: J. SCHIFFELBEIN 3343D  
Colorado Springs Police Department  
Position: Detective

Sworn and subscribed before me this day 27th of November, 2015

Stephen J. Sletta  
Judge

*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 DEAR JR., Robert Lewis DOB: 04/16/1958 SSN: [REDACTED]

This offense is fully documented in Colorado Springs Police Department Offense Report 15-47334 detailing the offense of:

§18-3-102, MURDER IN THE FIRST DEGREE, CLASS ONE FELONY (F1)

With the victim(s) identified as:

1. [REDACTED] DOB: Unknown; Age (0) Race: White; Gender: Male

On November 27, 2015, at approximately 11:30 a.m., The Colorado Springs Police Department (CSPD), and University of Colorado at Colorado Springs Police Department (UCCS) responded to a report of an active shooter at the Planned Parenthood located at 3480 Centennial Blvd in Colorado Springs, Colorado. Initial reports of multiple shots, reported as over twenty, being fired from an automatic weapon were received. Initial reports indicated at least one victim was shot. CSPD Officers and UCCS Officer responded and arrived on scene and immediately came under fire.

3480 Centennial Blvd. is located within the City of Colorado Springs, County of El Paso, State of Colorado.

Information related to the suspect described him as an older white male with facial hair standing near a truck in the parking lot of Planned Parenthood. The suspect was reported as shooting a long gun. The suspect was reported as walking into Planned Parenthood firing shots. Initial reports from responding officers included two people shot and medical response was requested. Officers reported active shooting continued and officers were being fired upon. This included responding police patrol cars.

Witnesses at the scene reported seeing a male suspect enter the Planned Parenthood building carrying black bags over his shoulder.

During the active shooter and response by the Colorado Springs Police Department, El Paso County Sheriff's Office, University of Colorado at Colorado Springs Police Department, multiple officers were shot and sustained injuries. Officer [REDACTED] of the Colorado Springs Police Department was shot in the left hand. Officer [REDACTED] with the Colorado Springs Police Department Tactical Enforcement Unit was shot in the left leg. Officer [REDACTED] with the Colorado Springs Police Department Tactical Enforcement Unit sustained a gunshot wound to the left hand and left upper arm area. Officer [REDACTED] with the Colorado Springs Police Department sustained a gunshot wound to the upper left arm. Sergeant [REDACTED] with the El Paso County Sheriff's Department sustained a gunshot wound to the right lower leg.

Officer [REDACTED] with the University of Colorado at Colorado Springs Police Department was also shot, and he succumbed to his injuries at the scene. It is currently unknown how many times Officer [REDACTED] was shot or the location of his gunshot wounds.

During the course of the active shooter situation, tactical officers reported that the suspect had shot at propane tanks that he had outside of the building next to a vehicle.

Information regarding a Mr. W [REDACTED] 02/17/183 was received that he was in the parking lot with his girlfriend, S [REDACTED] W [REDACTED] 11/02/78, and a friend named [REDACTED]. He reported as he was exiting his vehicle in the parking lot he was shot two times as he attempted to flee. He further reported that he

*Attachment 'A'*

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believed [REDACTED] had also been shot and was deceased on scene. He stated Ms. W [REDACTED] was also shot and wounded.

S [REDACTED] W [REDACTED] was interviewed by Detective Schiffelbein, and she advised that as she was in the parking lot of Planned Parenthood, an older white male approached her. She advised that the male told her she shouldn't have come here today and then shot her multiple times, striking her in the right upper arm.

There are other victims also associated with this incident, but this information is still being learned and the investigation is still on-going. It is believed that in addition to Officer [REDACTED] there is at least one other deceased victim.

Robert Lewis Dear, DOB: 04/16/1958, was contacted by Tactical Officers within the Planned Parenthood Building after he had indicated he was going to surrender. As Robert Lewis Dear was being placed into a patrol car, he yelled out a statement about the killing of babies.

Robert Lewis was interviewed by Detective J. Schiffelbein with the Colorado Springs Police Department and Detective S. Mackey with the El Paso County Sheriff's Department. During this interview, Robert Lewis Dear told Detectives that he had gone to the Planned Parenthood location because he was upset with them performing abortions and the selling of baby parts. Robert Lewis Dear stated he entered the building with 4 SKS rifles, after shooting somebody in the parking lot, and also shooting at a car in the parking lot as well.

Robert Lewis Dear continued on by saying that while inside of the building, he saw a police officer approaching a window with a gun, and because the tint on the window the officer could not see him (Lewis). Robert Lewis Dear advised he knew this person was a police officer because of the uniform he was wearing and shot him through the window. Based on the information provided by Robert Lewis Dear, it is believed that this officer is Officer Swasey.

Robert Lewis Dear advised he also shot at other officers as they arrived on scene, and stated he had placed the propane tanks outside and planned on shooting them to make them explode. Robert Lewis Dear stated he did shoot the propane tanks during the course of the shooting incident, but they did not explode.

Robert Lewis Dear had an injury to his right hand, and also had an injury to his lower abdomen which he said was from being shot by officers. Robert Lewis Dear stated he was wearing a homemade ballistic vest during the course of this shooting.

*Attachment 'A'*

Page 3 of 3

I would respectfully request that probable cause be found that DEAR JR., Robert Lewis DOB: 04/16/1958 did within the City of Colorado Springs, County of El Paso and State of Colorado, commit in violation of the Colorado Revised Statutes 1973 as amended, the offense of §18-3-102, MURDER IN THE FIRST DEGREE, CLASS ONE FELONY (F1).

 3343

Applicant: J. SCHIFFELBEIN 3343D  
Colorado Springs Police Department  
Position: Detective

Sworn and subscribed before me this day 27th of November, 2015

*Stephen J. Sletta*  
\_\_\_\_\_  
Judge