

Riverside Police Department
Continuation Sheet

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02-22-2017

664-187(a) PC - Attempt
Murder

File #P17032034
Mike O'Boyle #0595

Additional Persons:

[REDACTED]

[REDACTED]

[REDACTED]

Narrative:

On 02-21-2017 at approximately 0017 hours Sgt. T. Banks called me about this officer involved shooting. Sgt. Banks requested I go to the command post and assist with the investigation. At approximately 0122 hours I arrived at the command post which was located at Garfield Street and Mac Arthur Road. I entered the crime scene at approximately 0140 hours.

Upon my arrival I began gathering details of what was known at that point in the investigation. The incident was still unfolding so I listened to my police radio for updates. While on-scene I learned Riverside Police Officers Christopher Carmona and Ramon Espinoza were riding as partners in a marked police unit. They conducted an occupied auto and occupant check to the front of 4041 Mac Arthur Road when they were fired upon by a male suspect. I was told both officers returned fire, possibly striking the suspect. I learned the suspect was tracked to a nearby residence located at [REDACTED] Riverside, California 92503.

While at the scene I observed the vehicle whose occupants Officers Carmona and Espinoza stopped to make contact with. The vehicle was a [REDACTED] bearing California license plate [REDACTED]

While at the scene I observed S/Garcia's vehicle (Saturn Aura) however at that point in the investigation I did not know it belonged to S/Garcia. At approximately 0416 hours Det. J. Brandt notified me the vehicle belonged to S/Garcia.

At approximately 0225 hours Detective R. Cobb asked me to draft a search warrant for [REDACTED] where the suspect had barricaded. At approximately 0315 hours I walked over to [REDACTED] in order to see the location for my description in the search warrant. I

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personally observed the location from a safe distance because the suspect was still believed to be armed.

After observing the location Sgt. M. Ortiz directed me to bloody shoe impressions he found on the street and sidewalk leading from the scene to Sage Avenue.

At approximately 0338 hours I left the scene for Magnolia Station. While at Magnolia Station I drafted a search warrant for [REDACTED] (Riverside). I also included four vehicles in the search warrant. Two vehicles were vaguely described in the search warrant because they were on the property at Sage Avenue and it was not safe for me to get their description. The other two vehicles were S/Garcia's Saturn Aura and the [REDACTED]

Upon completing the search warrant I followed the after-hours search warrant protocol for approval. I scanned the search warrant into a PDF file and emailed it to the Mid County and Western Region on call magistrate.

On 02-21-17 at approximately 0624 hours the Honorable Judge Gail O'Rane (Superior Court of Riverside) approved the search warrant. Judge O'Rane swore me in over the phone before emailing the approved version back to me. I attached a print-out of the Magistrate's return email for viewing.

After the search warrant was approved I drove back to the scene. I arrived at approximately 0648 hours and provided Sgt. C. Flores with a copy.

Additional Witness Statements:

While at the scene I interviewed [REDACTED] who live across the street from where the shooting occurred. [REDACTED] told me his family was inside their home when they heard gunshots outside. They went to the ground and when the shots were over [REDACTED] looked out the window. [REDACTED] said he observed an officer with his weapon drawn covering down on the people in the Kia which was parked across the street. According to [REDACTED] he saw his female neighbor lying face down in the street. I asked where the female neighbor lived and [REDACTED] pointed next door to [REDACTED]. [REDACTED] said he called 911 to find out what just happened.

I also spoke with [REDACTED] who is married to [REDACTED]. According to [REDACTED] their female neighbor recently broke up with her boyfriend. The boyfriend has been causing her (The neighbor) problems and another male had been staying there the past two or three weeks. [REDACTED] pointed at S/Garcia's gold Saturn Aura parked in the driveway at [REDACTED]. [REDACTED] said the car belonged to the male who's been staying there. [REDACTED] described him as Hispanic, approximately 6 feet tall, black hair, goatee, with a, "Big belly." [REDACTED] said the male stands outside drinking a 40 ounce beer every day.

I also spoke with [REDACTED] and [REDACTED] who live on [REDACTED]. [REDACTED] is [REDACTED]. They gave essentially the same statement as to what they observed.

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They told me they heard gunshots at around 10:40 pm. They went outside to look however they didn't leave their doorway because they were afraid. They observed a male running past their house towards the dead end of Sage Avenue. The male was running slowly and he appeared to be holding his leg as if something was wrong (Physically).

I asked [REDACTED] and [REDACTED] if they knew what house the male ran to. I also asked them to describe the male. [REDACTED] said they did not see what house the male ran to and they could not describe him because it was too dark.

While at the scene I assisted in processing the scene on Mac Arthur Road. I also took custody of a pocket knife and California ID card which belonged to [REDACTED]. The items were left on the hood of a police car therefore I booked them into property for safe keeping.

At approximately 1250 hours I walked over to [REDACTED]. I remained on the street and did not enter the home which was still smoldering. I was not needed and cleared without entering the property.

This concludes my supplemental report.

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JPEDROZA 9/18/2019 2:33 PM Unauthorized Release Prohibited

O'Boyle, Mike

From: Magistrate, MidWestern <MidWestern.Magistrate@riverside.courts.ca.gov>
Sent: Tuesday, February 21, 2017 6:26 AM
To: O'Boyle, Mike
Subject: [External] DOC022117-02212017061926
Attachments: DOC022117-02212017061926.pdf; ATT00001.txt

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**Riverside Police Department
PROPERTY REPORT**

File No.
P17032034

Date/Time
02/20/17 -22:53

Type of Complaint 187ATT - ATTEMPT MURDER		Address 4041 Mac Arthur Rd				
Victim	DOB	Sex	Race	Address		
Arrestee / Suspect	DOB	Sex	Race	Address		
Arrestee / Suspect	DOB	Sex	Race	Address		
Arrestee / Suspect	DOB	Sex	Race	Address		
Finder	DOB	Sex	Race	Address	Phone No.	
By Officer(s) M. J. Boyle	ID No. 595	Supvr. Approving	RMC/RSC Case No.		Property Clerk	
Item	Owner	Itemize, Describe, List Serial Numbers... Only 1 Article per line			Prop. Loc.	Rel. Dispo
MOB001		Kershaw folding knife			MAG	
MOB002		California identification card issued to [REDACTED]			MAG	

* Last Item *

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Superior Court of California, County of Riverside

Attachment B

Page 1 of 1 for Attachment B

You Are Therefore COMMANDED To SEARCH:

The residence:

██████████ Riverside, California 92504. The address is located within the City and County of Riverside, California. ██████████

██████████ The numbers ██████████ are affixed to the residence ██████████

██████████ There are two vehicles currently on the property to be searched. One vehicle is a truck and the other a sedan. The search shall include all rooms, attics, basements, and other parts therein, all safes, locked cabinets, containers, and boxes, the surrounding grounds and any garages, storage rooms, trash containers, and outbuildings of any kind located thereon. The search shall also include the two vehicles observed on the property.

AND

The vehicle parked to the front of 4041 Mac Arthur Road. Riverside, California:

Further described as a ██████████ bearing California license plate number ██████████. The vehicle is currently registered to ██████████. The search shall include all areas of the vehicle including the trunk, glove box, and any locked containers therein.

AND

The vehicle parked in the driveway of ██████████ Riverside, California.

Further described as a gold colored, 2007 year Saturn Aura. The vehicle currently has paper license plates that say, "EZ Finance." The vehicle's VIN number is ██████████. The search shall include all areas of the vehicle including the trunk, glove box, and any locked containers therein.

Superior Court of California, County of Riverside

Attachment C

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For the FOLLOWING PROPERTY or PERSON(s): (to be seized)

THE SUSPECT; whose identity has not been confirmed at this point however witness statements and preliminary information indicates he may be Marcelino Arthur Garcia, date of birth: 04-13-1977. The suspect has been described as a Hispanic male, approximately 35 years old, 5'11 to 6'0 tall, heavysset, facial hair described as a goatee. The suspect was possibly wearing a dark colored baseball cap, black jacket, and light colored blue jeans. THE SUSPECT possibly has a gunshot wound to the leg.

Any and all clothing worn by the suspect.

Bloody clothing.

Any and all firearms and ammunition.

Blood evidence

DNA reference sample from the suspect.

Any and all cell phones determined to belong to the suspect or in his custody and control.

Dominion and control items which tend to establish ownership or control over property and vehicles.

Any gang indicia or evidence of gang membership

Photographs and/or video footage taken by Riverside Police Department personnel during the execution of this search warrant.

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