

RI ISW 0725201812

# STATE of CALIFORNIA, COUNTY of RIVERSIDE, SEARCH WARRANT and AFFIDAVIT (AFFIDAVIT)

Detective Karla Beler swears under oath that the facts expressed by him/her in the attached and incorporated Statement of Probable Cause are true and that based thereon he/she has probable cause to believe and does believe that the articles, property, and persons described below are lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below, and are now located at the locations set forth below. Wherefore, Affiant requests that this Search Warrant be issued.

Karla Beler  
(Signature of Affiant)

HOBBS SEALING REQUESTED:  YES  NO  
NIGHT SEARCH REQUESTED:  YES  NO

## (SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF RIVERSIDE: proof by affidavit, under penalty of perjury, having been made before me by Detective Adrian Tillett that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "" (s), in that:

- it was stolen or embezzled;
- it was used as the means of committing a felony;
- it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- it tends to show that a felony has been committed or that a particular person has committed a felony;
- it tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- there is a warrant to arrest the person;
- a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;
- when the property or things to be seized include an item or any evidence that tends to show a violation of Labor Code 3700.5 or tends to show that a particular person has violated Labor Code 3700.5;
- when the property or things to be seized include a firearm or any other deadly weapon at the scene or, or at the premises occupied or under the control of the person arrested in connection with, a domestic violence incident involving a threat to human life or physical assault as provided in subdivision (b) of Section 12028.5;
- when the property or things to be seized include a firearm or any other deadly weapon that is owned by, or in the possession of, or in the custody or control of, a person described in subdivision (a) of Section 8102 of the Welfare and Institutions Code.
- when the property or things to be seized include a firearm that is owned by, or in the possession of, or in the custody or control of, a person who is subject to the prohibitions regarding firearms pursuant to Section 6389 of the Family Code, if a prohibited firearm is possessed, owned, in the custody of, or controlled by a person against whom a protective order has been issued pursuant to Section 6218 of the Family Code, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law.

You are Therefore COMMANDED to SEARCH:

Silver 2012 Chrysler Sebring convertible, CA Lic# 7JPW282 Registered to Arthur Levario and Lucia Mansuetti at 2098 Calle Diablo, Hemet, CA 92545  
Currently stored at: Riverside Police Department Magnolia Station, 10540 Magnolia Ave. Ste B, Riverside, Ca 92505

For the FOLLOWING PROPERTY or PERSON(s):

SEE ATTACHMENT "B" HERE INCORPORATED BY ATTACHMENT

AND TO SEIZE IT / THEM IF FOUND and bring it / them forthwith before me, or this court, at the courthouse of this court. This Search Warrant and Affidavit and attached and incorporated Statement of Probable Cause were sworn to as true and subscribed before me on this 25 day of July, 2018, at 2:20 ~~AM~~ / P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

Reviewed for legal sufficiency by Deputy D.A. S. Shouka/email

[Signature]  
(Signature of Magistrate)

HOBBS SEALING APPROVED:  YES  NO  
NIGHT SEARCH APPROVED:  YES  NO

Judge of the Superior Court of California, County of Riverside, Dept. 43

Larrie R. Brainard  
(Magistrate's Printed Name)



**Affiant's Declaration****TRAINING & EXPERIENCE:**

I have been a sworn peace officer for more than 16 years and have the following experience:

- Patrol – 5 years
- RUSD School Resource Officer – 4 years
- Detective, Crimes Against Property – 6 months
- Detective, Sexual Assault and Child Abuse – 7 years
- Detective, Crimes Against Persons (Robbery/Homicide) – 9 months

Your affiant is employed as a Police Detective for the Riverside Police Department. Your affiant is presently assigned to the Centralized Investigation Bureau as an investigator responsible for crimes against person's investigations including robberies, homicides and officer involved shootings. Your affiant has conducted follow-up investigations for robbery and homicide investigations often and has made arrests and/or presented cases to the district attorney's office for various robbery, battery, assaults, threats and homicides. In addition, she has assisted on many homicide investigations and has consulted with experienced investigators in the unit on investigations. Your affiant has testified in court numerous times on various offenses, including preliminary hearings, motion hearings, and jury trials.

Your affiant currently serves on the board of directors for the California Sexual Assault Investigator's Association.

Prior to this assignment, your affiant was assigned to the Riverside Police Department's Field Operations in the capacity of Police Officer for approximately 9 years. In that assignment, your affiant worked with city and community leaders to address and resolve community livability issues, conducted proactive enforcement activities, and worked closely with detectives and investigators of reported and suspected crimes. Your affiant conducted surveillances, worked with informants, participated in undercover operations, participated in searches and compliance checks, and was the investigating case-agent or co case-agent on various and numerous investigations, including child abuse, sexual assault investigations, robberies, homicides and officer involved shootings. This gave your affiant considerable experience in interacting with and arresting known and/or admitted criminals for various offenses

Your affiant investigated and made arrests for several cases related to robbery and homicides during her tenure with the Riverside Police Department. Your affiant also spoke with and interviewed people who were suspected of, or admitted to robbery or homicide through field contacts, interviews, and arrests.

Your affiant graduated from the Riverside County Sheriff's Department basic peace officer academy in 2002. Your affiant has received about 500 hours in advanced training since the academy.

JFD  
7/25/18

Your affiant possesses basic, intermediate, and advanced P.O.S.T. certificates. Your affiant holds a Bachelor of Arts Degree with a concentration in Business Administration from the University of La Verne.

**PROBABLE CAUSE:**

During the course of my duties, I have learned the following information based upon my discussions with the named victims/witnesses/suspects or by having read the reports of or talked with other Riverside Police Officers and Hemet Police Officers who have spoken directly with the victims/witnesses/suspects.

I am a Detective with the Riverside Police Department assigned to the Centralized Investigations Bureau Persons Unit. On 7/20/2018 at 2030 hours, I was called out to assist with an Officer Involved Shooting investigation that occurred at around 2000 hours at the intersection of Arlington and Streeter, in the City and County of Riverside. I arrived at the scene and attended the brief of the incident provided by Riverside Police Sgt. Pete Elliott.

The incident started in the city of Hemet, CA. Two Crime Suppression officers attempted to contact a subject that was driving a vehicle associated with a 246PC call on 7/13/18. The suspect fired rounds into a field in close proximity to a mobile home park. A license plate was obtained from witnesses on 7/13/18, CA license plate: 7JPW282. The vehicle was registered to Arthur Levario or Lucia Mansuetti at 2098 Calle Diablo, Hemet, CA 92545. The vehicle was a silver Chrysler Sebring convertible with a black top. Detective Paez and Sgt. Mouat were working in the Crime Suppression Unit on 7/20/18 and saw the suspect vehicle pull into the driveway of 2098 Calle Diablo, Hemet, CA. A passenger exited the vehicle and went inside the residence. When the driver did not exit the vehicle, the officers approached on foot and attempted to speak to the driver. The officers were wearing Hemet Police uniforms, including vests with Hemet patches, name tags and badges. The driver made eye contact with the officers and fled. The officers returned to their vehicle and pursued the suspect. Near the intersection of Florida/California in Hemet, the suspect fired a weapon at the officers. Hemet Police continued to follow the suspect. Somewhere on Highway 74, the suspect again fired rounds at law enforcement. The suspect drove at speeds exceeding 100 mph and presented a danger to the public. The pursuit eventually came into the city of Riverside.

*J.P.*  
7/25/18

The suspect once again fired rounds at officers near Van Buren and Barton Road. The Riverside Police Department helicopter unit observed the suspect vehicle as it proceeded into the city of Riverside. The suspect was speeding excessively, running red lights and driving into oncoming traffic.

The suspect drove west bound into oncoming east bound traffic on Arlington Ave. just west of Streeter Ave. He began ramming vehicles with his vehicle when he could not get through traffic. Officers saw him and ordered him to show them his hands. He initially complied and then turned to reach for something in the passenger seat. Fearing for their safety and the public's safety and given the suspect's disregard for others, an officer involved shooting occurred and the suspect ultimately died from being shot by police. The deceased driver was identified by the Riverside County Coroner at Arthur Levario, date of birth 5/31/73. His address of record was 2098 Calle Diablo, Hemet, CA.

A loaded .40mm semi-automatic handgun was found on the passenger seat of the suspect's vehicle. It appeared to have a double feed malfunction. One shell casing was stuck in the barrel and a live round was partially fed into the chamber. There were additional live rounds in the magazine. The weapon was removed from the vehicle and rendered safe.

The **silver 2012 Chrysler Sebring convertible (lic# 7RYU822)** was towed to the **Riverside Police Department Magnolia Station located at 10540 Magnolia Ave. Suite B, Riverside, CA 92505** as evidence. As described in Attachment B, I request permission to search **Levario's** vehicle for any firearms, ammunition, expended casings, Blood/DNA/Latent fingerprints/Trace evidence that would aid in this investigation, dominion and control and to video tape, photograph and/or take digital images, at the discretion of the searching officers, inside and outside of the vehicle to include any and all items in the passenger compartment and trunk compartment. Therefore, based on my training, experience, and the above facts, I believe I have substantial cause to believe the above-described property or a portion thereof will be in the described vehicle when the warrant is served.

  
7/25/18

**Superior Court of California, County of Riverside**

**Attachment B**

Page 1 of 2 for Attachment B

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

1. **Blood/DNA/Latent fingerprints/Trace evidence** – Samples of any blood, sources of DNA, latent fingerprints, and any and all trace evidence located in or on the vehicle that will aid in this investigation and/or help to confirm the identity of the suspect.
2. **Photograph, Digital Image During Search Warrant Service** - Peace Officers or assigned representatives are authorized, during the execution of this search warrant, to video tape, photograph and/or take digital images, at the discretion of the searching officers, inside and outside of the vehicle to include any and all items in the passenger compartment and trunk compartment.
3. **Firearms** – Any **firearm**, including handguns or rifles. **Arthur Levario** was in possession of a .40 caliber automatic handgun when he was shot by police. At this point in the investigation it is unknown if it is the handgun used when he fired shots at police officers.
4. **Ammunition** - for said weapons, including powder, bullets, other projectiles or gun component parts. Any gun cleaning kits, holsters, gun cases and magazines.
5. **Documents** - relating to sales, transfers, possession, purchase, or location of ammunition for any firearm. Any **document** tending to show possession or control of any firearms at the location to be searched.
6. **Dominion and Control** - Any items tending to establish the identity of persons who have dominion and control of the location, premises, automobiles, or items to be seized, including delivered mail, whether inside the location or in the mail box/s, bills, utility bills, telephone bills, miscellaneous addressed mail, personal letters, personal identification, purchase receipts, rent receipts, sales receipts, tax statements, payroll check stubs, keys and receipts for safe deposit box(s), keys and receipts for rental storage space, keys and receipts for post office box or mail drop rentals, ignition keys, car door and trunk keys, vehicle ownership certificates or "pink slips," and/or vehicle registration slips, recordation of voice transmissions on telephone answering machines, audio tapes and telephone message receipt books,

Superior Court of California, County of Riverside

Attachment B

Page 2 of 2 for Attachment B

and written phone messages, and photographs tending to show occupation of the residence / business and connection between co-conspirators, whether identified, or unidentified, also digital pagers which will document telephone numbers of co-conspirators, and if found, to activate the digital pagers' display mechanism and to obtain messages from the pagers, answering machines, tape recorders, and any other recording devices, and to play such devices to obtain their messages. Any examples of handwriting including letters, address books, business records, canceled checks, notes, and/or lists.

7. Spent Casings – for said weapons, expended casings. Officers from Hemet Police Department and Riverside Sheriff's Office were shot at from the suspect vehicle. It is likely the vehicle has spent casings in the passenger compartment

*JDE*  
7/25/15

RIVERSIDE POLICE DEPT - Restricted Information  
Public Records Act Request  
JPEDROZA 5/6/2020 12:38 PM Unauthorized Release Prohibited