

County/District Court

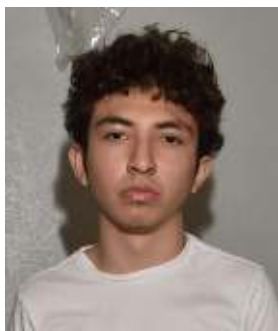
THE PEOPLE OF THE STATE OF COLORADO
City and County of Denver, Colorado



Offense Case No. 2022-404902

**AFFIDAVIT AND APPLICATION FOR AN ARREST
WARRANT FOR THE PERSON OF:**

Diego Eugene Lopez, DOB: 08/09/2005, a Hispanic male, approximately 5'07" and 110 pounds, with brown hair and brown eyes, who is pictured below in a photo captured in Your Affiant's presence on August 18, 2022:



For the crimes of CRS:

- 1- 18-3-102(1)(a), First Degree Murder, a class 1 felony,
- 2- 18-4-302, Aggravated Robbery, a class 3 felony,
- 3- 18-8-610(1)(a), Tampering with physical evidence in a felony crime, a class 6 felony,
- 4- 18-12-108.5(1)(c)(I), Possession of a handgun by a juvenile, a class 2 misdemeanor.

I, Detective Daniel ANDREWS, 96015 of the Denver Police Homicide Unit, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that the above listed offenses occurred and were committed by Diego Eugene LOPEZ, are the following:

Monday, August 8, 2022

At 2:56 p.m., [REDACTED], the [REDACTED] at 9200 W. Saratoga Pl., called 911 to report that a man was down behind the rec center and appeared "to have been shot in the face." [REDACTED] was alerted to this by [REDACTED] who'd been walking her daughter's dog in the park behind the rec center and observed the body. Since she'd left her phone at home, [REDACTED] went into the rec center and asked them to call for help.

Denver Police and Fire were both dispatched to the incident. Denver Fire Engine 30, with Firefighter [REDACTED] aboard, arrived and quickly determined the victim was dead and beyond resuscitation. Firefighter [REDACTED] called Denver Health Medical Center Emergency Medicine Physician [REDACTED] who pronounced the victim deceased at 3:05 p.m. Denver Police Officers secured the scene, and notified investigators.

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Your Affiant was assigned as the lead investigator, and Homicide Unit Detective Phillip COLEMAN was assigned as the secondary. He was tasked with responding to the scene to initiate that portion of the investigation, while Your Affiant waited at Denver Police Department Headquarters (DPD HQ) to interview a witness.

That witness, [REDACTED], a [REDACTED], told Your Affiant that he was at his post, between 1:00 and 1:45 p.m., when he observed who he believed to be a teenaged male walk east past the pool, and eventually out of his sight. This male caught [REDACTED] attention because he was wearing a black hoody, with the hood up, and black sweatpants, which was inconsistent with the hot weather. Before losing sight of the male [REDACTED] saw him “high five” an unknown party, in what he thought was a normal interaction, like he might have with one of his friends. Several minutes after this [REDACTED] heard what at the time he thought was a firework, but he later realized was a gunshot, from the direction where he’d last seen the male in the hoody.

After interviewing [REDACTED], Your Affiant responded to the scene to assist Detective COLEMAN there.

Upon arrival Your Affiant visually examined the victim, a very young, apparently Hispanic male, and saw that he was wearing the clothing [REDACTED] had described. He was on his back, in a grassy, and relatively secluded area behind the rec center. The victim’s face and head showed numerous signs of blunt and sharp force injury, and a possible gunshot wound as well. Live handgun ammunition, the base plate for a handgun magazine, and one fired cartridge casing were present, as well as footwear impressions, in blood, that didn’t match the tread pattern of the victim’s shoes.

Criminalists from the Denver Crime Lab responded and thoroughly processed the crime scene. While that was occurring Detective COLEMAN contacted an area resident who had surveillance cameras on the exterior of their home. In reviewing that footage, Detective COLEMAN found that the victim got out of the passenger side of what appears to be a Scion coupe, at 1:12 p.m. The victim walked away from the Scion and towards the area where his body was eventually discovered. At 1:14 p.m. the Scion pulls away and drives towards the pool; the same general direction the victim just walked.

Denver Office of the Medical Examiner’s (DOME) Medicolegal Death Investigators [REDACTED] and [REDACTED] arrived at approximately 7:00 p.m. Their examination showed additional trauma to the victim’s torso, what could be described as defensive wounds to his right hand, and a possible gunshot wound to his neck. No identification, wallet, money, cell phone or jewelry were recovered from his body. A mobile fingerprint reader was utilized on scene in hopes of identifying him, but that was unsuccessful. He was transported from the scene to the DOME pending an autopsy.

Tuesday, August 9, 2022

Your Affiant attended the external portion of the victim’s postmortem examination at the DOME. The examination was performed by Forensic Pathologist Ian PUFFENBERGER, M.D. The victim was found to be 5’02” tall, and to weigh only 95 pounds, when fully clothed. Once he was undressed, he was found to have two distinctive tattoos which investigators utilized to immediately begin trying to identify him.

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The victim had dozens of sharp force injuries, most of which were concentrated around his face and head. One of the sharp force injuries damaged his [REDACTED]. He also had significant blunt force injuries to his head, at least one of which caused [REDACTED], as well as a gunshot wound to the torso. The gunshot wound path enters through the victim's left scapula and out the base of his left neck, meaning he'd been shot in the back. Additionally, Your Affiant observed two pattern injuries to his face and neck which may have been caused by the tread of a shoe.

Dr. PUFFENBERGER ruled the death a homicide and stated that he'd be calling the manner of death something like "the combined effects of sharp and blunt force injuries of the head and neck, and a gunshot wound of the torso." His formal, finalized autopsy report has yet to be published.

Of the 101 homicides Your Affiant has been either the primary or secondary investigator on, this victim suffered injuries indicative of the most violent assault Your Affiant has seen. Further, Your Affiant doesn't recall being involved in a case where one victim was assaulted in so many different ways; stabbed, beaten-probably "pistol whipped," shot and possibly stomped on.

At 12:16 p.m. Your Affiant was alerted to the fact that Denver Police Officer Danny YOUNGBLOOD had been dispatched to [REDACTED], which is in northeast Denver, to speak with [REDACTED] about [REDACTED]. [REDACTED] told Officer YOUNGBLOOD that [REDACTED], Josiaz "JoJo" ARAGON, DOB: 08/10/2007, was last seen leaving with an unknown party who possibly goes by "[REDACTED]" on Sunday around noon. She said that repeated attempts to reach him by phone, by her and his friends, had been unsuccessful over the last 24 hours. Based on the physical description she provided of JoJo, including his two tattoos, Your Affiant believed that [REDACTED] was this victim. Consequently, Your Affiant responded to [REDACTED], forthwith.

At 12:52 p.m. Your Affiant spoke with [REDACTED]. She reported that [REDACTED] was last seen wearing the exact clothing this victim was found in, and further described his tattoos and physical appearance, which confirmed for Your Affiant that [REDACTED] is this victim. (Official confirmation was delayed as JoJo has never been fingerprinted, and due to the gruesome injuries inflicted to his face by his killer(s) a photo identification would have been too traumatic for [REDACTED].) Your Affiant told [REDACTED] that [REDACTED] had been murdered, which, understandably, caused her to [REDACTED]. She was able to confirm his phone number and said that he had a red Apple iPhone. She said that "[REDACTED]" who claims to be a gang member, had been threatening to shoot up their house, including saying he was going to do it on the victim's birthday. Your Affiant left [REDACTED] in the care of one of the DPD's Victim Specialists, and went to speak with the [REDACTED].

[REDACTED] was contacted with [REDACTED] as they were leaving their home to go be with the victim's family. [REDACTED] having already learned of [REDACTED] death from his [REDACTED], who was notified by [REDACTED] was obviously distraught.

[REDACTED] stated she'd last been in touch with the victim by text message at 12:23 p.m. on Monday, August 8, 2022, as he was on the way home from the store with his mom. This would have been approximately one hour before he was murdered. [REDACTED] provided background information on several parties and incidents which Your Affiant started to investigate to determine if they have anything to do with this murder. One of those is a boy named [REDACTED] (sic) who turned 15 the day after the victim, and reportedly had been threatening to shoot the victim, or shoot into his home, as also described by [REDACTED].

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█████ explained that JoJo was friends with 15-year-old █████, who went by █████ and was killed in a shootout on April 11, 2020. After that, according to █████ █████ enemies became JoJo's, including █████

Your Affiant researched the victim and found that he was listed as a witness in a July 14, 2022, aggravated assault/shooting that occurred at █████. The victim in that incident was █████ █████. In reviewing that report, which was taken only about 3 weeks before the victim, JoJo's murder, Your Affiant read a report documenting a conversation between JoJo and Night Shift Unit Detective Patrick HANLON, during which JoJo said that █████ █████, which █████ blamed him for. █████ had sent JoJo photos of JoJo's home via Instagram with threats to shoot the house up. (Note: The investigation into █████ shooting was eventually closed as unfounded under the belief that his wound was self-inflicted).

Wednesday, August 10, 2022 (JoJo's 15th birthday)

Your Affiant authored a sealed affidavit and application for a search warrant for the victim's call detail records, which was signed by the Honorable Judge Renee Goble at 9:57 a.m. Your Affiant served it upon T-Mobile shortly thereafter, with a request for the records to be expedited, which comes with a significant fee.

The DOME confirmed the victim's identity based on his dental records.

█████ contacted Your Affiant to report that she'd been told, although not personally seen, that a young man who Your Affiant identified as "█████" had posted on Facebook that he was "going to jail for the shooting." Your Affiant found several social media pages for █████ and preserved them. Given the privacy settings Your Affiant couldn't see any of the posts but at least one of the profile pictures showed a young man hiding his face behind two handguns. Your Affiant found it significant that the post referenced a shooting, as that detail had not yet been made public. A Crime Stoppers tip to this effect was also received, and that tipster claimed that this party, "█████ and █████" were friends.

Later that day another tip was received regarding the █████ party, indicating that JoJo was "set up" by being brought to the park so █████ could shoot him.

Thursday, August 11, 2022

Your Affiant started the day back in the area of the scene with an expanded search for video evidence. Additional footage of the Scion was located by speaking with area residents who reviewed their home security video footage. At least one of those cameras recorded footage which made it appear as if the driver of the Scion wasn't familiar with the neighborhood and/or his destination.

An anonymous party contacted Crime Stoppers to report that "yesterday" █████
█████
█████
█████

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[REDACTED]

Your Affiant published a Special Bulletin, for law enforcement only, with numerous photos of the Scion asking for assistance in locating and identifying it.

At 9:45 a.m., [REDACTED]

She was confident that she'd last seen JoJo on Sunday, around noon, when he left with his friend [REDACTED] who she'd never met, and who picked him up in a vehicle different from the aforementioned Scion. She also said that he'd gone to Bear Creek High School (BCHS) for the fall semester of the 2021-2022 school year. Your Affiant found this detail significant as BCHS is less than three miles north of this murder scene, and therefore may provide some explanation as to why the victim was in the area of the Southwest Rec Center, which is about 20 miles away from his home.

[REDACTED]

At the end of the conversation Your Affiant provided more detailed information about [REDACTED] injuries than he had during the death notification on Tuesday, knowing that the DOME was soon to make those details public.

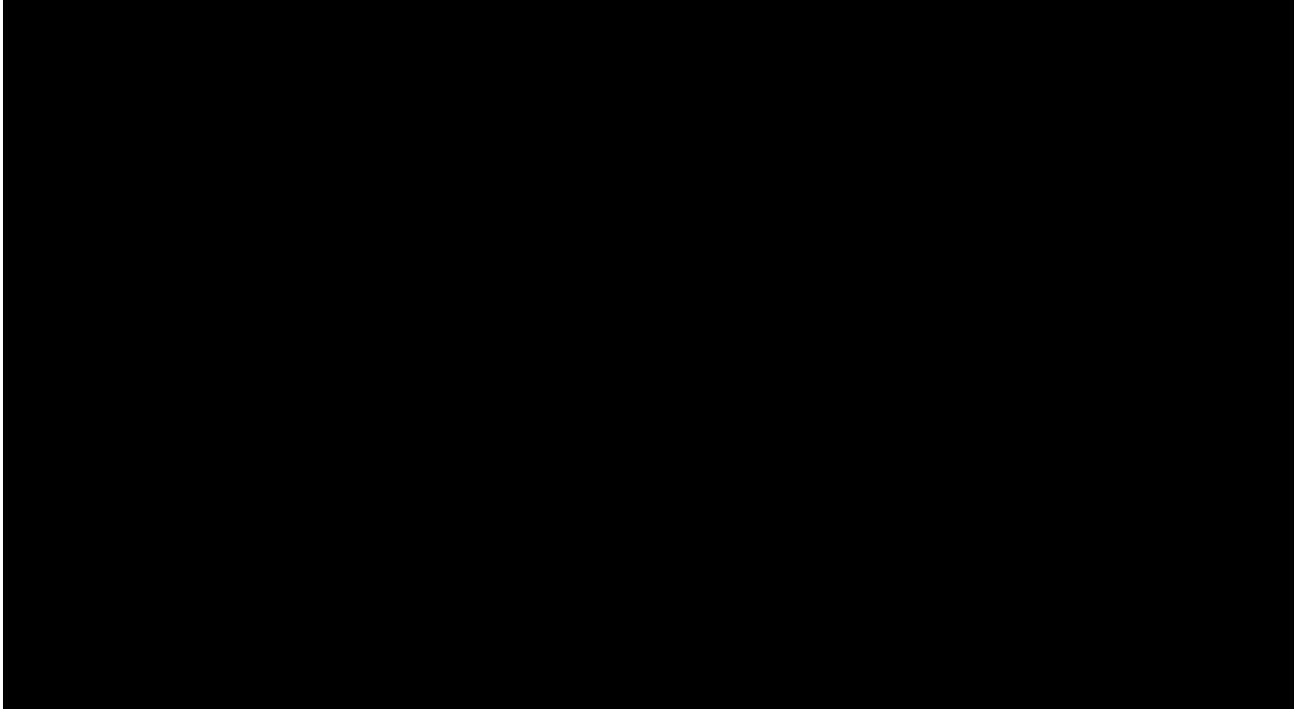
At about noon, the DOME, in response to numerous media requests, issued an information release stating that the victim's "cause of death is multiple sharp and blunt force injuries with a gunshot wound. The manner of death is homicide." Not long thereafter Your Affiant began seeing numerous reports in the local media with headlines like, "Teen found dead in southwest Denver was shot, stabbed, beaten" (Denver Gazette).

At 12:16 p.m. Your Affiant received a call from Lakewood Police Department Detective [REDACTED], who is the High School Resource Officer at BCHS, and has provided valuable assistance to Your Affiant in a prior homicide investigation. He provided background information about the victim, including that he was very charismatic, but often dressed and behaved as if he was a "wannabe" gang member, although was never involved in any serious trouble at the school.

Detective [REDACTED] said that although BCHS isn't back in session yet, the teachers have been present preparing for the year ahead, as has he. He reported that the day before, he'd been contacted by a school

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administrator, who'd been contacted by a schoolteacher, who'd been contacted by a student, regarding "Diego." According to the student, Diego sent him/her pictures of bloody hands. Detective [REDACTED] received screenshots of the text, as shown below, between [REDACTED], which do not include any identifying information for Your Affiant to follow up on. In addition to the screen shot of the text, he also received a screenshot of what appears to be Diego's [REDACTED] (pictured below), with the



Detective [REDACTED] told Your Affiant that he knew Diego LOPEZ, DOB: 08/09/2005, from the prior school year, and was aware that prior to that he'd been a Denver Public Schools student. He stated that Diego hadn't been in trouble at school. Diego had provided [REDACTED] to the school as his home address, a detail which immediately caught Your Affiant's attention as it's only a few minutes' walk from the murder scene. His cell phone number was not listed in the school records. Your Affiant researched Diego and found no record that he was on probation or parole, and no criminal history.

At about 2:00 p.m. Your Affiant spoke with [REDACTED] a couple of blocks from the rec center, and around the corner from Diego. Your Affiant knows the location of the [REDACTED], and their full names, but is anonymizing them in this affidavit to protect them, for the immediate future, given their proximity to the potential suspect. [REDACTED] explained to Your Affiant that on Monday, August 8, 2022, the day of this murder, at approximately 1:15 p.m., she was walking the kids to the pool. As they were approaching W. Saratoga Pl., she noticed a young man, who is hereinafter referred to as the person of interest (POI), about 15 years old, running, but not as if he was exercising. She thought that was strange, and all the more so given that he was wearing a jacket, possibly with a hat on, and long pants. She could only describe him further as having olive or brown skin. She thought his clothing was unusual for the hot weather. He ran past them going north after which she didn't notice where he went. They walked a little further and [REDACTED] noticed money on the sidewalk, in the path of where the POI had just run. [REDACTED] picked it up and put it in her bag. As they were leaving the pool that afternoon, sometime shortly before 3:00 p.m., [REDACTED] noticed the police starting to arrive, but had no idea why. This is consistent with the 911 call placed by [REDACTED] at 2:56 p.m.

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██████████ then told Your Affiant that when she got home that evening ██████████ showed her the \$20 bill, and ██████████ noticed that there appeared to be blood on it, so she told ██████████ to put it down. ██████████ said they were in the middle of doing something else, so she forgot about it, until she was watching the news on Wednesday night and learned of the murder a short distance from their home at which time she decided to notify law enforcement.

██████████ provided the bill to Your Affiant. Your Affiant looked at the bill and saw suspected blood on the back of it. The \$20 was submitted for laboratory analysis.

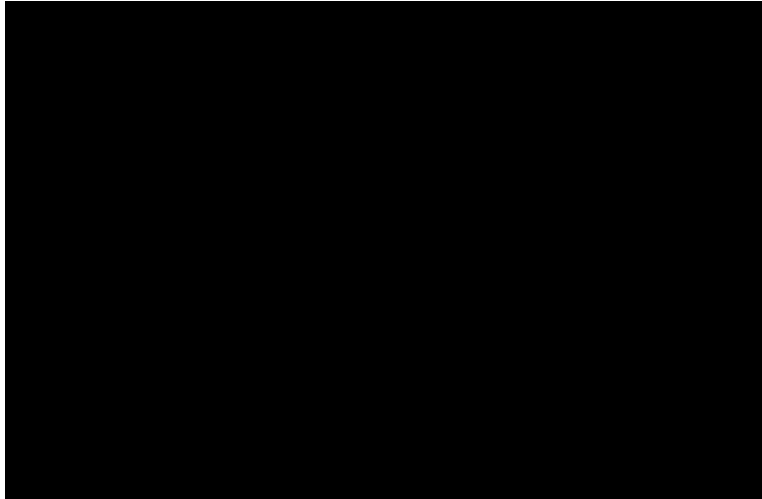
After leaving the ██████████ home Your Affiant began searching for video surveillance footage along the path the POI was described as running, which is in the in direction of Diego's home. Your Affiant provides the below map for Your Honor's reference.

The red pin in the upper right corner is Diego's home. The green pin in the lower center is the rec center and the yellow triangle east, or to the right of the rec center, is the area of the murder scene. The red circle on W. Garrison St. north of W. Saratoga Pl. is the location where ██████████ saw the male running and the \$20 bill was found.



To date Your Affiant has found two homes, in the areas of the blue boxes, with video surveillance footage, that captures the POI, who generally fits Diego's description, and that provided by ██████████ ██████████, running towards the rec center at about 1:15 p.m., and then away from the rec center and towards Diego's home at 1:33 p.m. One of those images is provided below for reference:

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While it's obviously impossible to tell the exact make and model of this person's tennis shoes, they could be the "white air forces" [REDACTED]. Also, it appears to Your Affiant that this person has bushy bangs sticking out from their hood, which is consistent with Diego's hairstyle, as pictured in his [REDACTED] picture above.

Officers also spoke with an area resident who recalled seeing a POI during the relevant time frame, running by his residence while he was working in the yard, which he thought was "strange" given the heat of that time of the day, the heavy clothing the male was wearing, and the fact that he didn't appear to be a "typical runner."

[REDACTED], who lives in the neighborhood, also provided a written statement to Officers who were in the area providing follow up outreach. She reported that on the day of the homicide, at about 1:00 p.m., she was walking her dog and entered the park from the west, which is at or near the same place surveillance footage shows the victim entering the park. She remembered seeing a teenage boy, who she described as wearing similar clothes to the victim, which is also similar to how the POI was dressed, sitting on a park bench talking on a cell phone.

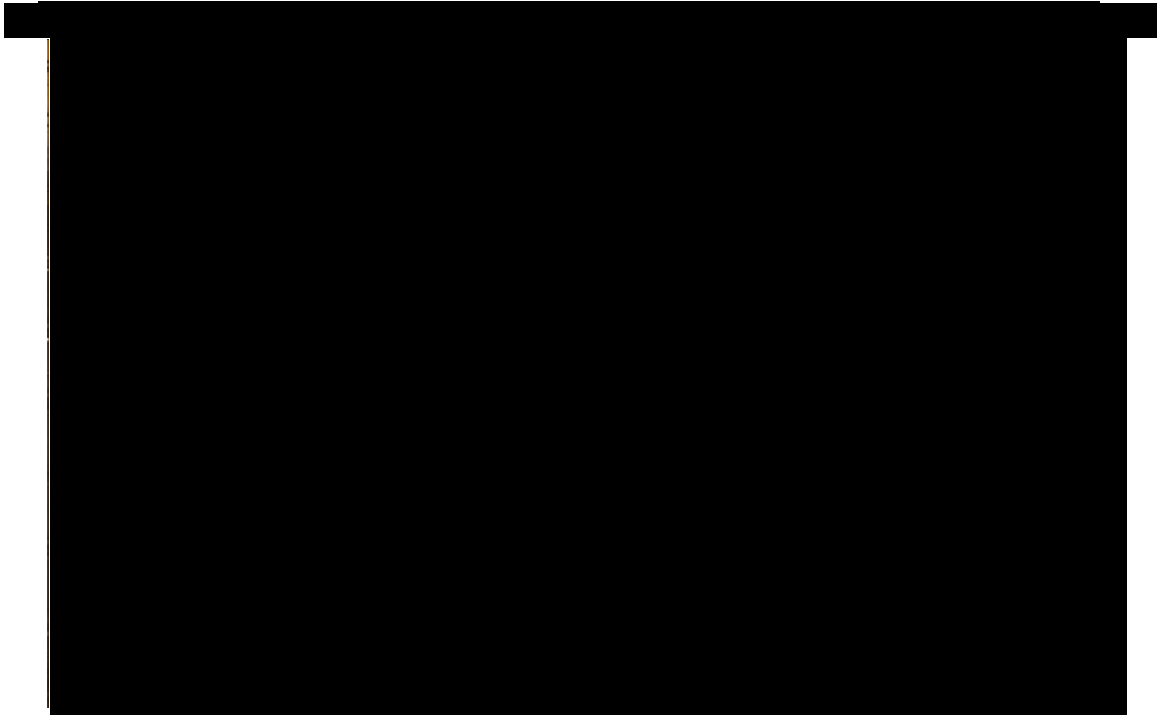
From his review of the video surveillance and knowledge of the timing of these events, Your Affiant is certain this would have been the victim, or another, unknown party, and not POI. [REDACTED] said that she continued walking and eventually laid down in the shade of a tree in the southwest corner of the park (lower left center of the map above). She said she was "pretty sure" she saw the same boy from the bench walk past the pool towards the baseball diamond, which is consistent with the [REDACTED] [REDACTED] observations. After some time passed, she heard a "loud bang/crack" which she assumed was a firework, coming from somewhere near the baseball diamond, but didn't see anything. When she and her dog left the park, they left in a direction where they wouldn't have encountered the victim, who at that time was dying or dead.

After leaving the area of the scene Your Affiant stopped by the victim's [REDACTED] house for a follow up conversation. She said that she'd been hearing, and seeing on social media, that [REDACTED] [REDACTED] and [REDACTED] were all involved somehow and even heard that people were accusing her of setting the whole thing up since [REDACTED]. [REDACTED] was adamant that she'd last spoken to [REDACTED] on Monday, August 8, the day of his murder, and showed Your Affiant her call log as proof. She said that it was a FaceTime call and at the time JoJo and his mom, who she saw on the call, were

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shopping. Consequently, Your Affiant suspects that in her grief [REDACTED] became confused or lost track of time in reporting she last saw JoJo on Sunday, not Monday, which is immaterial to this investigation regardless.

Your Affiant then requested [REDACTED] look at her text messages to see when she last communicated with JoJo that way. She stated that it was at 12:23 p.m. on Monday, and after a brief exchange during that time, she never heard from him again. Your Affiant asked to see the exchange, at which time she laid her phone on the table and Your Affiant observed the below:



[REDACTED] said she believed JoJo had recently purchased the gun, which Your Affiant has determined to be a Taurus 9mm, for protection given the threats he'd been receiving. It is unclear when the picture was taken, where, or who's lap the gun is on, but based on Your Affiant's research the portion of the steering wheel that's visible in the picture is consistent with a Scion. However, Your Affiant notes that at the time he was murdered, which was roughly an hour after [REDACTED] received this picture, JoJo was not wearing blue jeans.

[REDACTED]
[REDACTED]
[REDACTED]

Friday, August 12, 2022

[REDACTED] called Your Affiant, very upset, at 4:10 p.m., saying she'd just been informed by a family friend that [REDACTED] had posted a video documenting JoJo's murder on his Snap Chat account. [REDACTED] Snap Chat accounts were preserved by Detective COLEMAN. To date, Your Affiant has never heard from anyone else about this video, nor has its existence ever been confirmed.

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Sunday, August 14, 2022

Detective [REDACTED] sent Your Affiant the below photo, which is from a [REDACTED] page with a username of "Diego." He stated that an anonymous student sent the photo, which the student said was posted on Saturday, August 13, 2022, on Diego's profile.



Monday, August 15, 2022

Your Affiant received the victim's call detail records from his carrier, T-Mobile. During a review of those records Your Affiant found that the victim's phone connected with a phone number ending in [REDACTED] 8 times between 11:41 a.m. and 1:20 p.m., on the day of the murder. The [REDACTED] number then called the victim's phone 4 times after the murder. Of course, those calls went unanswered. As stated above, [REDACTED] reported the person she observed, who Your Affiant believes is the victim, sitting on the park bench was talking on the phone. Based on the timeline Your Affiant has established, he believes the victim would have been talking to the person using the [REDACTED] number at that time. Therefore, this person is the last person known to have spoken with the victim and is not someone who has come forward to report the content of that conversation to investigators. Additionally, in reviewing the call detail records which were obtained for the time period covering July 8, 2022, to August 10, 2022, Your Affiant found that the only time the victim's phone connected with the [REDACTED] number was on the day of his murder. T-Mobile also provided subscriber information for this phone number.

Finally, the records demonstrated that the victim's phone left the area of his murder before being turned off, probably to avoid tracking, about 15 minutes later. Therefore, in addition to the \$20 bill believed to have been taken from the victim, the victim's phone was also apparently stolen from him.

The above information was the basis for an affidavit and search warrant to trap and trace Diego's Snap Chat account. The affidavit and warrant were signed by the Honorable Judge Tanja WHEELER at 4:56 p.m. and served upon Snap Chat that evening.

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Tuesday, August 16, 2022

At about **10:15 a.m.**, Forensic Scientist [REDACTED] called Your Affiant to report that she'd analyzed 5 photographs of shoe prints in blood from the crime scene and all 5 were consistent with Nike Air Force 1's, which is the shoe that Diego [REDACTED] in a field.

Your Affiant authored an application and affidavit for a sealed search warrant for 8 social media accounts belonging to the victim, [REDACTED] [REDACTED] and [REDACTED] based on the information above.

Your Affiant contacted Detective [REDACTED] to obtain Diego's school schedule and learned that he'd possibly disenrolled from BCHS in the past couple of days.

Wednesday, August 17, 2022

Your Affiant called Detective [REDACTED] at approximately **8:00 a.m.** and learned that Diego had not showed up at BCHS for what should have been the first day of school for the 2022/2023 year.

The above information was the basis for search warrants signed by the Honorable Judge Tanja WHEELER for Diego's home at [REDACTED] as well as to collect non-testimonial evidence from Diego.

Thursday, August 18, 2022

The warrants were executed at approximately **4:30 p.m.**, with the assistance of the Denver Police Fugitive Unit and METRO/SWAT Unit. Diego had been located with help of a trap and trace search warrant, obtained by Fugitive Unit Detective Matt BAUGHMAN, on his cell phone, [REDACTED]. Several parties, including Diego's [REDACTED], exited the house when ordered to do so. However, according to METRO/SWAT Sergeant Perry SPEELMAN, who was covering the front door of the home, Diego, looking through the open front door of the home through which [REDACTED] had just exited, observed the SWAT Officers, and retreated into the interior of the home causing Sergeant SPEELMAN to lose sight of him. Diego's [REDACTED] exited the home, and [REDACTED] closed the front door. [REDACTED] then opened the front door, with Diego by his side, and they both exited. Your Affiant suspects that Diego disobeyed the initial orders to exit the home and instead retreated inside to hide or destroy evidence related to this homicide investigation.

During the execution of the search warrant numerous items of potential evidence were collected, including a pair of white Air Force 1 tennis shoes from Diego's closet, as well as the jeans and watch from the above [REDACTED] picture. Diego was photographed, and a saliva sample was collected for his DNA profile to be developed from. Your Affiant observed a couple of minor, healing, possible sharp force injuries to Diego's right hand. While those injuries were being photographed, [REDACTED] who retained counsel for the family not long after the execution of the warrant, volunteered that they were "fishing injuries" from the trip the family had taken the weekend before this homicide.

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Several cell phones were found in the home. Your Affiant called Diego's number, and an iPhone rang, with Your Affiant's number displayed on the home screen. Once Your Affiant hung up, the phone went to the lock screen, with the passcode buttons visible, and the text "Passcode required after restart" across the top. Your Affiant knows that Diego's phone was on at the time the search warrant execution began because it was being geo-located, so the fact that it was now requiring a passcode after apparently being restarted, indicates to Your Affiant that Diego, or someone else in the house, either restarted the phone, or even reset it, probably in an attempt to make it more difficult to recover data from it. Restarting/resetting this phone may be the reason Diego retreated into the home when first ordered by SWAT Officers to exit.

Friday, August 19, 2022

Your Affiant authored a sealed affidavit for a search warrant for Diego's phone which the Honorable Judge Tanya WHEELER signed at **11:00 a.m.** Your Affiant later delivered the phone to the Denver field office of the United States Secret Service, USSS, who has an advanced electronics forensic laboratory, and requested they attempt to download the data from the phone.

████████████████████ and Your Affiant had a recorded phone conversation at 11:22 a.m. During that conversation ██████████ said that after speaking with ██████████, ██████████, it was her impression that JoJo had gone to the park where he was murdered, with at least \$200 cash in hand, to buy a gun due to the threats he'd been receiving.

Sunday, August 21, 2022

████████████████████, texted Your Affiant to report he'd engaged in some back and forth via Facebook Messenger with the user of a Facebook page which had a name ("██████ that seems to disrespect JoJo, asking why they were commenting on Facebook posts about ██████████ murder with the laughing emoji. ██████████ sent screenshots of the conversation to Your Affiant, which he's preserved as evidence. Your Affiant reviewed the publicly viewable information on the page and saw that the profile picture is of two young men, one of whom is pointing a gun with a green laser sight at the camera. In the bio they listed "N\$M..." which is probably a reference to the North Side Mafia criminal street gang.

Tuesday, August 23, 2022

Snap Chat finally sent the historical data which was part of the aforementioned trap and trace search warrant for Diego's account. In summary Your Affiant made the following findings:

- Diego Lopez is the listed subscriber, with a phone number of ██████████ and an email address of ██████████
- The photos and/or videos of the bloody hand and shoe(s) were not in the returned data, but there was evidence that several pieces of data had been deleted
 - Snap claims that once users have deleted data like this from their account, no one, including Snap themselves, can recover it

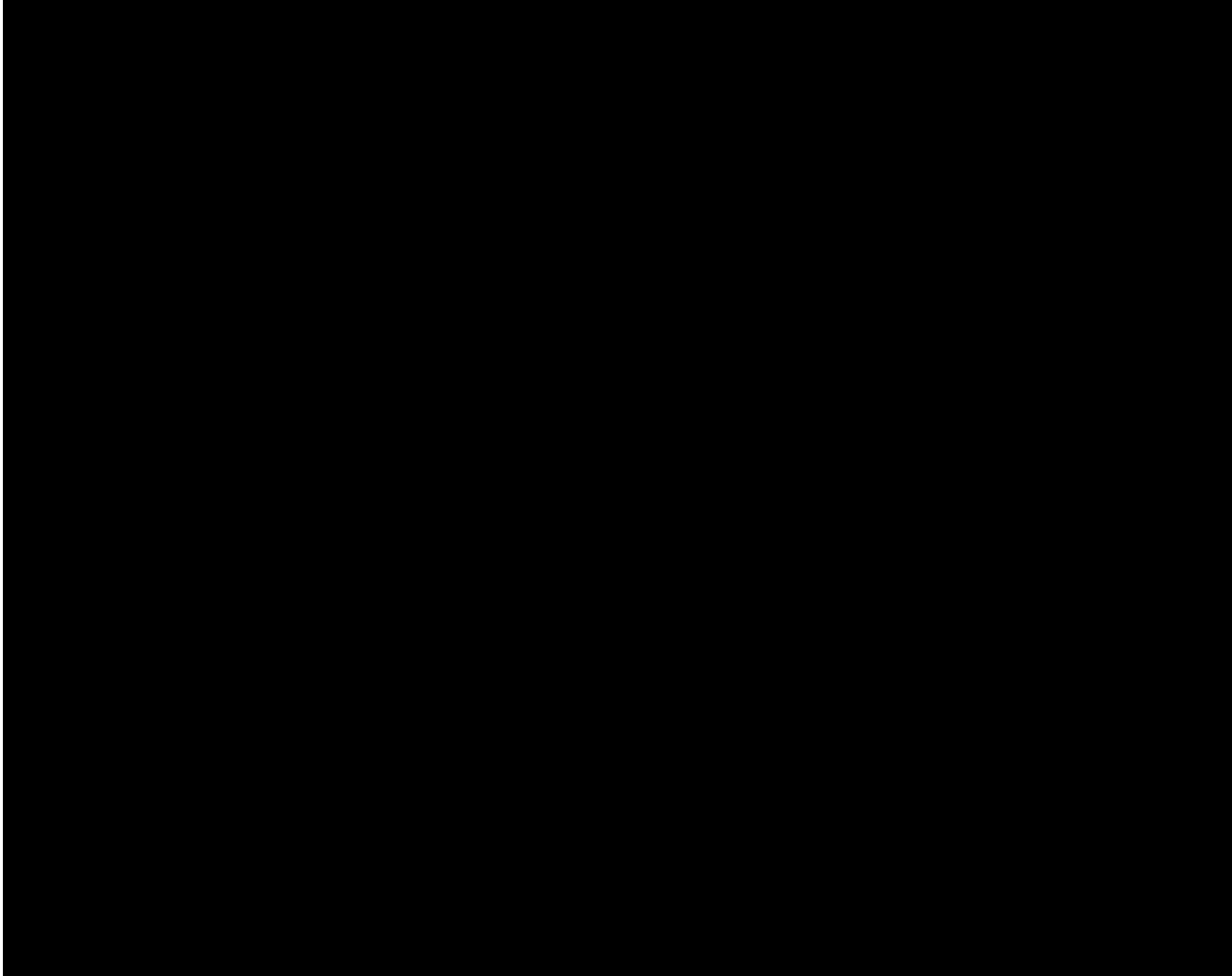
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- A video was observed of a handgun, with text of “800 lmk” added, which Your Affiant reads as the pistol being for sale for \$800
- Two days before the murder Diego’s hair and mustache looked just like it does in the Snap Chat picture on page 10 above, which is very different than how he appeared 10 days later during the search warrant, after he’d apparently gotten a substantial haircut, and shaved his goatee
- In the days before the murder, he recorded a brief video showing him standing about 100 yards from the eventual homicide scene, demonstrating his familiarity with the area
- Less than an hour before the murder, he posted a video to Snap Chat depicting money and a handgun, apparently on his bedroom floor, which Your Affiant recognizes from the search warrant, as shown here (UTC is 6 hours ahead of MDT, so this was posted at 12:45 p.m.):



- The morning after the murder he took a picture of his right hand (he’s apparently right-handed based on other photographs Your Affiant has viewed), holding a crucifix and documenting the same apparent sharp force injuries, although much “fresher,” that Your Affiant observed during the execution of the search warrant, as shown here:

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- Lastly, a conversation between Diego and [REDACTED] on Wednesday, August 10, 2022, was of particular interest. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
 - Note: Your Affiant’s team has searched for, but not found, any police record of other similar “fights” in the police precinct in which Diego lives over the relevant time frame

Wednesday, August 24, 2022

Upon receiving the historical data for Diego’s call detail records, which Detective BAUGHMAN previously obtained, Detective COLEMAN noticed that on the night of the murder, about 8 hours after it occurred, Diego obtained a different or new cellular phone, which was noticeable in the records because the IMEI number (International Mobile Equipment Identity) changed. While it’s of course possible that there’s an innocent explanation for this, such as an early birthday present, when considered with everything else known about Diego Your Affiant believes it’s more likely that he changed devices

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in an effort to avoid detection or hinder this investigation. Upon learning this Your Affiant realized that the phone seized during the search warrant and attributed to Diego, almost certainly wasn't the device he was carrying and using on the day of the murder. Also of note, when Your Affiant spoke with Diego's [REDACTED], moments after the search warrant was executed [REDACTED], [REDACTED] mentioned that Diego had an iPhone, but didn't say anything about him having gotten a new one 10-days prior.

Tuesday, August 30, 2022

Your Affiant and Detective COLEMAN conducted a recorded interview with [REDACTED] [REDACTED] in Detective [REDACTED] office at BCHS. In summary [REDACTED] affirmed that [REDACTED] [REDACTED] [REDACTED]

which were eventually forwarded to Detective [REDACTED] and then Your Affiant, as detailed beginning on page 9 above. She confirmed that Diego sent her a Snap Chat video of his bloody hand and shoe, on or near his birthday, which is two days after this murder, but then quickly deleted them, so that when she went back to view them again, she was unable to. This demonstrates to Your Affiant that Diego is aware of the value of electronic evidence to investigators and sought to avoid detection by deleting the incriminating video.

By the end of the interview, [REDACTED] was covering most of her face with her t-shirt and in tears, saying that she didn't want to be involved, apparently at least in part out of fear of retaliation.

Wednesday, August 31, 2022

The USSS notified Your Affiant that they're unable to obtain any data from Diego's phone with the currently available software programs.

Detective COLEMAN authored an affidavit for a search warrant for Diego's Apple account, which was signed by the Honorable Judge Tanja WHEELER. This search warrant was sought to determine if Apple has in their constructive possession any data from Diego's phone or other Apple devices, which he backed up to the iCloud.

Friday, September 2, 2022

Based on the information above, Your Affiant authored search warrants for Diego's Google records, and the call detail records for the [REDACTED] number which JoJo was last in touch with before his murder.

Wednesday, September 7, 2022

Meta returned the data for the 6 Facebook and 2 Instagram pages which were the subject of the search warrant which was signed on August 17, 2022. That data package included thousands of pages of messages and hundreds of images and videos, so it will take some time to review all of it, but Your Affiant and Detective COLEMAN have made the following findings so far:

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█ [REDACTED]
█ [REDACTED]
█ [REDACTED]
█ [REDACTED]
█ [REDACTED]
█ [REDACTED]

- Of greatest interest, an Instagram conversation was found in JoJo’s records between him and “█, █”
 - Your Affiant suspects this account name is a reference to westside diego lopez
 - Your Affiant has observed in Diego’s Snap Chat that he refers to himself as “dlo”
 - In fact, once during the conversation JoJo says, “Diego,” and █ responds, so Your Affiant is attributing this account to Diego LOPEZ
 - JoJo and Diego begin communicating on July 8, 2022, about a gun deal, specifically JoJo selling a .45 caliber █ with an extended magazine and laser sight for \$900
 - In reviewing the entire conversation Your Affiant believes they’ve done a gun deal in the past, because Diego offers to return “your f80,” as partial payment for another gun
 - The “f80” is believed to be a typo for p80, or Polymer 80, which is a “ghost gun” manufacturer, one of which Diego appeared to display in a Snap Chat post
 - Ghost guns are currently very popular with the criminal element because they’re sold as a kit and therefore don’t have serial numbers or require background checks, which makes them very difficult, if not impossible to trace
 - On the day of JoJo’s murder, August 8, 2022, Diego messages JoJo at 9:52 a.m. to say he’s back, which is consistent with Diego being out of town the weekend prior, and asks “what’s the word”
 - JoJo asks to meet, and Diego sends him the Southwest Rec Center location where JoJo’s body is later found, telling him to come there, and saying, “I got 9 for you,” in an obvious reference to the \$900 price they’d agreed upon for the █
 - At 1:13 p.m. JoJo says he’s at the location, and Diego replies that he’s “down the street,” and “3 minutes away,” which is consistent with the video evidence showing who’s believed to be Diego running from his home towards the park
 - In a prophetic message, JoJo tells Diego to come alone, because he doesn’t trust others
 - There’s one final exchange of messages, ending at 1:22 p.m., as they apparently attempt to find each other in the park, and then there’s no further communication between the two
 - This timing is consistent with the aforementioned video evidence as well

Given that that JoJo was “pistol whipped” with a gun, stabbed repeatedly, apparently had his head stomped on, and was shot once in the back, it’s possible that more than one suspect was involved. While the evidence gathered up to this point most definitively implicates Diego, Your Affiant has also

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investigated several other parties, but has yet to find a conclusive link between any of them, and this homicide.

Monday, September 12, 2022

The above information was the basis for a search warrant, which was signed by the Honorable Judge Tanja WHEELER, and served upon Meta, for Diego's [REDACTED] Instagram account, and two other social media pages, and served that day.

Tuesday, September 13, 2022

T-Mobile returned the data for [REDACTED] which was the number the victim was in communication with before his death. The subscriber information showed the account owner to be [REDACTED] with a listed address in northeast Denver. Detective COLEMAN went to the listed address and observed one vehicle parked in the driveway. This vehicle perfectly fits the description of the Scion which dropped the victim off near the SW Rec Center, minutes before his murder:



Additional investigation by Detective COLEMAN and Your Affiant associated this vehicle with [REDACTED]. Your Affiant suspects that [REDACTED] could be a nickname for [REDACTED].

Tuesday, September 20, 2022

Google returned Diego's data related to his Gmail address pursuant to the previously issued search warrant. Your Affiant observed several emails sent to Diego's Gmail address on the night of the murder regarding password resets, which is consistent with him having obtained a new phone and needing to set up, or log in to his various accounts, such as Snap Chat. Of most probative value, Your Affiant found an email sent from Meta to Diego's Gmail, on the day of the murder, at 1:39 p.m., regarding a request to delete his [REDACTED] Instagram account. Your Affiant reminds the court the video surveillance footage recorded who is believed to be Diego walking back towards his house at 1:33 p.m., after the murder, and that it was the [REDACTED] Instagram account which was used to arrange the gun deal meeting during which JoJo was murdered. Therefore, it appears that within just a few minutes of arriving back home, Diego attempted to further insulate himself from this homicide by deleting the social media account which directly ties him to the victim, and the location of the murder, contemporaneously.

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The Honorable Judge Tanja WHEELER signed the CDR warrant for [REDACTED] and [REDACTED] and a refreshed Google warrant for more of Diego’s data.

Wednesday, September 28, 2022

Meta returned the data for the victim’s Instagram page, and the [REDACTED] Instagram page attributed to Diego, as well as the [REDACTED] Facebook page. A great deal of data was returned (i.e.- the pdf of the [REDACTED] Instagram page is 33,000+ pages) but during a very cursory review of that data Your Affiant hasn’t observed anything to implicate other people in the victim’s murder, apart from Diego. There is transactional data in the [REDACTED] package that appears to indicate that Diego logged out of his Instagram page minutes after the murder, as already evidenced in the email from Meta which was found in his Google return.

Forensic Scientist [REDACTED] published a forensic biology report regarding the DNA evidence in this case. In summary the report documents the following findings:

- [REDACTED]
- [REDACTED]
- [REDACTED]

SUMMARY:

Over the past 7 weeks, the investigation has conclusively demonstrated the following circumstances and facts, as explained in detail above:

- Diego LOPEZ and the victim, Josiaz “JoJo” ARAGON, were involved in an on-going conversation, on Instagram with Diego using his [REDACTED] page, about a gun transaction- specifically a [REDACTED] caliber
- Given that Diego mentioned returning a different gun, a p80 “ghost gun,” to the victim, this was apparently not the first time they’d bought/sold/traded guns with one another
- On August 8, 2022, the day of the victim’s murder, the young men agreed to meet, with Diego sending the location of the Southwest Rec Center to the victim as the meeting location
- Diego’s own Snap Chat account contained a short video of what appears to be a 9mm handgun, and a large amount of cash, which was arrayed on his bedroom floor spelling [REDACTED] on the morning of August 8, 2022
- Video evidence was recovered showing the victim arriving in a Scion coupe, exiting the vehicle around the corner from the park, and then walking into the park and out of the camera’s view
 - That video demonstrates that the victim is alone, and appears perfectly healthy/uninjured
- Your Affiant was finally able to identify and interview the young man who drove the Scion, [REDACTED], who confirmed that the victim asked him for a ride to the rec center, and had his cellular phone in his possession when he exited the car

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- The Instagram records demonstrate further communication between Diego and the victim when he arrives at the park, specifically that Diego says he's "down the street," where his house at [REDACTED] [REDACTED] is, and "3 minutes away," which is a fair estimation of how long it would take to jog from Diego's to the park
 - Video surveillance footage has been recovered showing someone, who fits Diego's build and general appearance, running, alone, from the direction of his home towards the park in this time period
- Ironically, the victim tells Diego to come alone as he doesn't trust other people
 - Your Affiant believes it's worth pointing out that Diego does not respond to the come alone request with a statement like, "My best friend is with me, but you can trust him," which is another potential indicator that Diego acted alone
- The last [REDACTED] communication between the two is at 1:22 p.m., which is within the timeframe that [REDACTED], [REDACTED], recalled seeing someone dressed exactly as the victim was, exchange a friendly "high five" type greeting in the general area where the victim's body would soon be discovered
- Based on Your Affiant's knowledge of the facts and circumstances of this case, along with his training and experience in sequencing and reconstructing crime scenes, the following events are then believed to have occurred:
 - The gun deal transpired, with Diego receiving the [REDACTED] caliber, and the victim receiving the \$900 that Diego said he would pay for it
 - The victim turned to walk away, towards where [REDACTED] said he was waiting in the Scion
 - Diego shot him once in the back, with his 9mm handgun, with this bullet exiting the victim's neck (all ammunition recovered on scene, including the 1 fired cartridge casing was 9mm)
 - Then, in an unknown order, Diego pistol whipped the victim, causing the baseplate of his 9mm magazine to come off, which accounts for the live 9mm bullets on scene, as well several of the pattern injuries to the victim's face, stabbed the victim repeatedly with an edged weapon that's never been recovered, and even stomped on his head causing two other pattern injuries
 - At the conclusion of the assault Diego not only gathered up the weapons, including both handguns and the edged weapon used in the assault, but he took the victim's cell phone, and the money he'd just paid him for the [REDACTED]
 - Diego fled on foot back towards his home, dropping a \$20 bill, with a fraction of a fingerprint, in blood, on it
 - Diego's hands would have obviously been bloody from the violent assault, and therefore the victim's blood was transferred from Diego's hand, to this \$20 that he dropped
 - Both eyewitnesses and neighbor's video cameras saw someone fitting Diego's build and general appearance running back towards his house in the relevant time frame
- Soon after arriving home Diego takes a picture(s) of apparent blood on his hand(s) and his white Air Force 1's
- Several shoe prints, in blood, were documented at the murder scene, all of which have been found to be generally consistent with the bloody Nike Air Force 1's which Diego sent pictures of
 - No other shoe prints were documented on scene

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- Within minutes of arriving home Diego then begins taking concrete steps to insulate himself from the crime and the ensuing investigation by requesting to delete the Instagram page he was communicating with the victim on
- Diego turns off the victim's phone, about 15 minutes after the murder, probably aware that it could be geo-located, or "pinged"
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Diego then deleted all these messages and deactivated his account [REDACTED]
 - This statement is corroborated by Diego's Snap Chat data, which showed that several photos and videos were deleted after the murder
- Continuing his efforts to insulate himself from the crime, the night of the murder he obtained a new/different cellular phone than what he'd been using to communicate with the victim, and had carried to the scene
- In the 10 days between the murder and the search warrant executed on his home, Diego cut his hair and shaved his goatee to alter his physical appearance, and either hid or discarded the shoes, pants and hoodie he wore to the murder, the two handguns, and the money
- During the execution of the warrant Diego was observed to have a healing sharp force injury to his right hand, a photograph of which was later found, apparently having been taken the day after the murder, showing it to be much fresher
- Forensic evidence, specifically the swabs collected from the victim's left hand on scene, has now been found to conclusively demonstrate that Diego and the victim were in physical contact, and the \$20 bill which shows that after Diego had the victim's blood on his hand(s) he handled this money

While other people, [REDACTED] and [REDACTED] most intensely, but others as well, have been investigated based on tips and leads, no circumstantial or physical evidence has been found to implicate them in this homicide, nor have investigators even been able to connect them to Diego, who's known to be involved. Cell phone data for [REDACTED] and [REDACTED] is pending, and Your Affiant will thoroughly investigate any leads that generates, or other leads which come in.


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Based on the totality of the facts, circumstances and evidence detailed above, Your Affiant respectfully requests Your Honor issue an arrest warrant for FIRST DEGREE MURDER, AGGRAVATED ROBBERY, TAMPERING WITH PHYSICAL EVIDENCE AND POSSESSION OF A HANDGUN BY A JUVENILE for Diego LOPEZ, for the murder of Josiaz "JoJo" ARAGON, at [REDACTED] W. Saratoga Pl., in Denver, CO, on August 8, 2022.

This affidavit has been reviewed and approved by Your Affiant's supervisor, Sergeant Scott Hagan, 01004.

I affirm this information to be true and correct: /s/ Detective Daniel Andrews, 96015

Subscribed under oath before me on September 30, 2022 12:48 p.m.
Date Time



Judge ~~or Notary Public~~

My commission expires: N/A

ARREST WARRANT

To all Sheriffs, Peace Officers and Police Officers with the said State:

You are hereby commanded to take Diego Eugene LOPEZ and bring him without unnecessary delay before a Judge of the County Court to be dealt with according to law.

Bail fixed at \$ Detention Screen



Signature of Judge

Date September 30, 2022

Hon. Tanya E. Wheeler

Printed name of Judge

I HEREBY CERTIFY that I executed the above warrant on (date) _____ by taking Diego Eugene LOPEZ, DOB: 08/09/2005, into custody and placing said person in the _____ Jail for safekeeping until further order of the court.

Signature of Arresting Officer