

County/District Court
City and County of Denver, Colorado

THE PEOPLE OF THE STATE OF COLORADO

Case #2019-328112



**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT
AND THE ARREST WARRANT FOR THE PERSON(S) OF:**

**Francisco Ysidro Ruiz 02/13/1980, DPD #835492, Colorado SID # [REDACTED], FBI# [REDACTED].
For: Second Degree Burglary, C.R.S. 18-4-203, Class 4 Felony**

I, Detective Mylous Yearling #96045 of Denver Police Department District One Investigations, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed in the City and County of Denver in the State of Colorado, and that the offense was committed by the above named person(s), are the following:

On May 27, 2019, at 7:30 a.m., I, Detective Mylous Yearling, 96045, of DPD District One Investigations was assigned case #2019-328112 by Sgt. Scott Armstrong #07054 for additional follow-up investigation.

Detective Yearling reviewed the case and discovered that the reporting Officer's investigation revealed on May 26, 2019 at 0515 hours at 4600 N. Jason Street, Denver, CO. 80211, Mile High Comics, was illegally entered by an Unknown Suspect through the rear rolling door by force. The suspect then walked to the front of the store and broke the glass in the display cases, cutting himself and leaving blood evidence behind. The suspect then took 14 comic books from the display cases with an estimated total value of \$42,000 and fled in an unknown direction.

Officer Matthew Colby #16063 reported the following:

"On 05-26-2019 at approximately 1100 hours, while working as 112B, I was dispatched to the Mile High Comics located at 4600 N Jason St. on a Burglary call.

I arrived at the above location and contacted the complainant, [REDACTED] ([REDACTED]-1977), who related that overnight at approximately 5:15AM someone had broken into the store through the rear rolling door. This person entered the store and walked up to the glass display cases at the front entrance to the store. The suspect broke the glass to the display case and removed several high valued comic books and then exited the store. [REDACTED] went on to tell me that the suspect must have cut himself of the glass because he found a blood trail throughout the store.

I asked him to take me to the back of the store where the suspect broke in to the store. He walked me back and along the way showed me numerous drops of blood on the path to the rear door. When we go to the rear of the store I noticed a rolling door. The door had two holes in the door. One was smaller next to the locking mechanism on one side of the door. The other was a very large hole at the lower section of the other side of the door. There were 2 locking mechanisms on the door that, when closed, slid into the railing locking the door. Hanging from the ceiling was a Star Wars poster in front of the door. I noticed blood on the front and back of the left side of the poster. There was also a cardboard box with bloody shards of glass. I saw what appeared to be a black Nitrile/Latex glove in the box as

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well. Behind the Star Wars poster was a McFarlane Art book that had blood on it as well and another cardboard box containing blood stained items.

I called for Crime Lab to come out to process the scene and walked back towards the front of the store. Inside of the glass case I saw a bottle of cleaning chemicals that was covered in blood. There was also a bottle bleach cleaning chemicals sitting on the floor in front of the glass casing. There were shards of glass laying all over the floor in front of the display case as well as inside of the display case. Some of the glass shards had blood on them. One of the employees told me that there was another blood trail along another glass display case. I followed the droplets of blood next to the glass display case, but it did not lead to anything. I took pictures of the scene inside of the store and then walked outside to the rear of the store. I noticed a bloody rag/paper towel laying directly outside of the door on the ground as well as numerous shards of broken glass. I took picture of the exterior of the door as well as the bloody rag/paper towel.

██████ told me that his ██████ was working on uploading all of the video that they had of the suspect in the store. Another employee created a list of all the items that had been taken by the suspect along with the value of each item. When ██████ said that the video footage was ready, I went over to the computer to watch. The video shows the masked and gloved suspect in the store. He was wearing a white mask over his face, a black hoodie sweatshirt with a white undershirt, and blue jeans, his one foot was covered with a white cover of some kind and his other foot had on what appeared to be a black shoe of some kind. The suspect walks up to the glass display case looking at what is inside. He the pulls out what appears to be a knife and after a couple of failed attempts, he successfully breaks the glass and starts removing comic books selectively.

After a short time, it appears that the suspect realizes that he has cut himself on the glass. He walks over to a sink area in the front of the store and retrieves cleaning chemicals next to the sink. He then attempts to clean the carpet and floor in front of the glass display case where he has left blood. He then walks along the other glass display case looking in the case. The suspect takes a large black trash can that is in the front of the store and starts to put items in it; then walks with the trash can towards the rear of the store. At one point in the video, he has removed his masks and pulled up his hoodie; I took a picture of a paused screen of the suspects face. I did not watch all of the numerous videos that we were provided with from ██████.

Because the value of the products taken were so high, detectives were advised of the call. I waited for Crime Lab to arrive and showed him everything that I had found. I stood by as he processed the scene. When he was finished, I collected the itemized list of items taken from the employee totaling \$42518.00. I uploaded all of the pictures that I took using Axon Capture. ██████ provided Officer Reyes (15029) with a flash drive of all of the videos and I asked him to upload them. I contacted the Inquiry channel and had them contact nearby hospitals to see is anyone had come in with lacerations to a hand or arm within the last 5-6 hours. I put the listed of items taken into be scanned and completed this GO Report."

On 05/26/2019 at approximately 1139 hours, the Crime Scene Unit (CSU) (CSI Joel Charette #B14020) was requested to respond to 4600 N. Jason St. by 112B, Officer M. Colby (16063), referencing a Burglary. Charette processed the scene and collected evidence, including possible blood evidence.

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On May 28, 2019 Detective Yearling completed a lab request to have the blood evidence examined and run through CODIS in an attempt to identify the suspect. Detective Yearling also emailed Sgt. Armstrong and requested a rush on the DNA testing.

On May 28, 2019 at 1117 hours Detective Yearling contacted the complainant, [REDACTED] via telephone 303-[REDACTED]. [REDACTED] advised that he received a call at approximately 1050 hours on Sunday morning from an employee informing him that there had been a break in. [REDACTED] went to the business (Mile High Comics) and saw the cases broken, comics missing, and blood everywhere. The Officers arrived and went through the business with [REDACTED] and employees. [REDACTED] said that he checked the surveillance and observed the suspect, and did not recognize him. [REDACTED] explained that the employees do not recognize the suspect either. [REDACTED] said that the suspect appeared to know what he was looking for, cut himself on broken glass, and tried to clean up, before fleeing with merchandise. [REDACTED] advised that the items that were stolen had large price stickers on them and are generally not removed from the case or touched by anyone. They do not have serial numbers or anything specifically identifying them as belonging to Mile High Comics. Lastly, [REDACTED] explained that his surveillance video time is one hour behind, so the actual time would be 1 hour forward from what the camera clock is showing.

[REDACTED] said that an employee told him that a guy came in this morning and asked if they were offering a reward. He said that his name was [REDACTED] (720-[REDACTED]), and he may know who did this. This phone number belongs to [REDACTED] [REDACTED] 1987 per CLEAR, and she has a [REDACTED] named [REDACTED] (Possibly [REDACTED]).

On May 29, 2019 at 0957 hours Detective Yearling received Crime Stoppers tip #249-H25314 in which the unknown caller advised that the suspect could be [REDACTED] a Hispanic or Black male that he went to high school with approximately 20 years ago, as he describes [REDACTED] to be 36 yoa. The caller said that in High School [REDACTED] had a habit of stealing library cards from students, and stealing comic books from libraries. The caller also stated that he believes [REDACTED] lives in Wyoming. (Detective Yearling searched RMS and could not locate anyone with this name, per CLEAR there is no one with this name in Wyoming, and one person named [REDACTED] [REDACTED] 1979 in Colorado. (Detective Yearling pulled his DMV photo and this person does not appear to be the suspect that was captured on video in this case.)

On May 29, 2019 at 1000 hours Detective Yearling visited the scene; no additional evidence was located or collected. While at the scene Detective Yearling did not observe any HALO cameras or additional private cameras that might have recorded the incident. Complainant's [REDACTED] and [REDACTED] were on scene.

On May 29, 2019 at 1237 hours Detective Yearling contacted [REDACTED] 1984 via telephone 720-[REDACTED]. [REDACTED] is the male that told a Mile High Comics employee that he might know who the suspect is, if there is a reward. [REDACTED] explained to Detective Yearling that he used to work at [REDACTED] at [REDACTED] Wadsworth Blvd. in Lakewood until he was fired a month ago. [REDACTED] further explained that his firing had to do with a disagreement that he had with a frequent customer named Francisco Ruiz. [REDACTED] explained that he believes Ruiz could be the male that was captured on video in the Burglary at Mile High Comics. [REDACTED] advised that he does not have a DOB, address, or

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phone number for Ruiz but Ruiz frequented [REDACTED] as a customer and had even sold comics there. [REDACTED] explained that he just has a feeling that it is Ruiz, but he is also interested in a reward if one is available and it is determined that the suspect is Ruiz.

On May 29, 2019 Detective Yearling searched Leadsonline and it appears that the customer [REDACTED] was speaking about is Francisco Ruiz 02/13/1980 who has pawned comics on several occasions this year. Detective Yearling completed an ATL for Ruiz, and is watching Ruiz's pawns.

On May 30, 2019 Detective Yearling was contacted by Crime Stoppers and made aware of tip #249-H25327 which read as follows:

5/29/2019 10:55:14am

Tipster saw story on the news about comic book theft at mile high comics. Reporting party thinks the suspect is Francisco Ruiz III. He may live near south Sheridan in Denver. He no longer does business at tipster's work because he was trying to sell copies of comic books. Reporting party thinks he may still be doing business at [REDACTED] on Colfax and Kipling. code name is [REDACTED] (Detective Yearling received this same information yesterday from [REDACTED] [REDACTED] 1984 via telephone 720-[REDACTED] and issued an attempt to locate for Ruiz).

On May 30, 2019 Detective Yearling was contacted by Crime Stoppers and made aware of tip #249-H25329 which read as follows:

05/29/2019 4:27:44pm

Tipster had information regarding the comic book burglary that occurred at mile high comics in Denver. Tipster was watching the news and realized that the person who committed the crime is possibly [REDACTED] (dob [REDACTED]/93). Tipster stated that several parties were looking at the picture and thought that it could possibly be him. [REDACTED] works for a moving company and in the surveillance footage the party is wearing shoe covers that could be associated. It is unknown where [REDACTED] stays but tipster thought that it could possibly be with his unknown name girlfriend. Tipster would like to stay anonymous. Tipster also relayed that they will be looking for more information regarding [REDACTED] address and girlfriends name. (Detective Yearling searched [REDACTED] through NCIC and Leadsonline, he has not pawned any comic books in this year, and has a theft case in his history. Detective Yearling is watching [REDACTED] pawns and an ATL has not been created at this time.)

On June 3, 2019 at 1440 hours Tonya from the Lakewood PD Pawn Unit left a voicemail advising that she was at a pawn shop on Colfax and she received possible suspect information in regard to this case.

On June 3, 2019 at 1444 hours [REDACTED] from Mile High Comics left a message for Detective Yearling advising that several people have told him that the suspect looks like an ex-employee of Mile High Comics named Francisco Ruiz.

On June 4, 2019 at 0926 hours Detective Yearling contacted Tonya Pamp from the Lakewood Police Department via telephone 303-987-7240. Pamp advised that yesterday she was at [REDACTED] at [REDACTED] Colfax Avenue. While there the [REDACTED] and his employee [REDACTED] told Pamp that they saw the photo of the Mile High Comics Burglar and to them he looks similar to Francisco Ruiz who used to sell them items including comics.

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On June 4, 2019 Detective Yearling completed a 252b to the pawn unit to provide the serial number of the stolen Superman of America Certificate (# [redacted]). Detective Yearling searched the serial number through leadsonline and NCIC without success.

On June 4, 2019 Detective Yearling contacted [redacted] at 0955 hours. [redacted] advised that some of his employees believe that that suspect looks like an ex-employee Francisco Ruiz 02/13/1980. [redacted] said that so far no one has said that they are positive it is Ruiz, but he has additional employees that will review the video tomorrow and he will let Detective know if there is a positive ID. [redacted] also said that he noticed another comic book missing "Tales of Suspense # 39" valued at \$7000. Detective Yearling added that comic book to the property list.

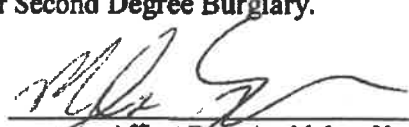
On June 5, 2019 at 1358 hours Mile High Comics [redacted] left a voicemail for Detective Yearling requesting a call back at 719-[redacted]. [redacted] advised that he has information about the Burglary.

On June 6, 2019 at 0700 hours Detective Yearling attempted to contact [redacted] via telephone, he did not answer and a message was left requesting contact.

On June 6, 2019 at 0946 hours [redacted] contacted Detective Yearling via telephone and [redacted] stated that he watched the surveillance video and he is positive that the suspect in the surveillance video from the Burglary is an ex-employee that he worked with named Francisco Ruiz. [redacted] said he has known Ruiz since [redacted] and seen Ruiz at least 30-40 times. [redacted] explained that he (himself) has [redacted] and during that time he was taught to be [redacted], and to [redacted]. Detective Yearling emailed a photo (Picturelink # [redacted]) of Francisco Ruiz 02/13/1980 to [redacted] and [redacted] emailed the photo back to Detective Yearling identifying the person in the photo as the Burglary suspect (Francisco Ruiz 02/13/1980).

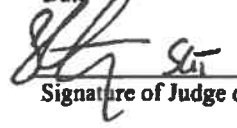
Based on this information, Your Affiant respectfully requests that this Probable Cause Warrant be issued for suspect Francisco Ruiz 02/13/1980, for Second Degree Burglary.

I affirm this information to be true and correct

 # 96045
Affiant Detective Mylous Yearling #96045

Subscribed under oath before me on

06/06/19 _____ 1048
Date Time

 Signature of Judge or Notary Public
SCOTT ARMSTRONG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184017879
MY COMMISSION EXPIRES APRIL 25, 2022

Printed name of Judge or My Commission Expires