



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

Christopher Faustino Poot-Baca (11/03/1999), [REDACTED], Social Security Number [REDACTED], Colorado Driver's License number [REDACTED], a white male, 5'04" tall, 163 pounds in weight, brown eyes, and black hair, currently residing at 929 North Kalamath Street, Denver Colorado 80204; For C.R.S. 18-4-301; 18-6.5-103 Robbery At-Risk, a class 3 Felony.

I, Detective Michael A. Gillit, #05063, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed, and that the offense was committed by the above named person(s), are the following:

Your Affiant, Detective Michael Gillit, #05063, is a duly sworn Police/Peace Officer of the Denver Police Department and has been so employed so since April of 2005. Further, Your Affiant states that on February 13th, 2019, at approximately 1300 hours Your Affiant became involved in the investigation of a Robbery of an At-Risk Adult report completed by Officer Adam Tanvas 16049 and Corporal Michael Clayborn 06163. The Robbery was reported to have occurred at South Monaco Street and East Dakota Avenue, located in the City and County of Denver, State of Colorado.

This Affidavit and Application for Arrest Warrant is based in part on information received from Officer Tanvas and Corporal Clayborn who wrote the following Statements:

Officer Tanvas:

"On 1/14/19 at approximately 2030 hours, while working car 342G, I was dispatched to S. Monaco St. and E. Dakota Ave. on a robbery call. Investigation revealed that an unknown suspect approached the victim as she was waiting at the bus stop. The suspect then grabbed the victim's purse while pushing her to the ground. The victim suffered a injury to her right knee. The victim was transported to St. Joe's by ambulance. The suspect fled north on S. Monaco St. on foot. Y-91 not called. Neighborhood Survey Completed."

Corporal Clayborn:

"On 01/14/2019, while working car 347S, I was dispatched to South Monaco St and East Alameda Avenue, on a Robbery in Progress. Upon arrival the victim was receiving medical attention inside the ambulance. Once the victim was transported to the hospital, via ambulance, I photographed the scene and collected two evidence items. I then proceeded to the District 3 Station, to package the items of evidence. I then transported the items to the Property Bureau."

02/13/2019

At approximately 1300 hours, Your Affiant received the follow up investigation for this case. Your Affiant reviewed the police report and obtained the above information.

Your Affiant was advised that a CODIS return was received related to this case and was assigned the case as follow up. Your Affiant reviewed the Denver Crime Laboratory CODIS Match Laboratory Report that was listed under the Attachments on this report and observed that Denver Police Forensic Scientist Eric Duvall and Forensic Scientist Andrew Carmel reported the following results:

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- "1. The male DNA profile from the can (1024878-2) resulted in a CODIS hit to Colorado offender Christopher Poot-Baca. The CODIS hit was a match at 13 or more genetic loci.
2. The information in this report is provided only as an investigative lead and any possible connection or involvement of the individual(s) listed must be determined through further investigation. It is required that you obtain an additional DNA sample(s) from the subject(s) for testing and comparison to the forensic unknown profile(s) and completion of a final DNA report.
3. Additional information is contained in the previous forensic biology and DNA reports for the DPD case(s).

Identifying Information

Name: CHRISTOPHER POOT-BACA

DOB: 11-03-1999

END OF REPORT"

Your Affiant searched the Denver Police Picture Link system and located a photograph of the listed party, Christopher Poot-Baca (11/03/1999) and located the most recent photograph under DPD number 787961 which was taken on 04/20/2018. Your Affiant completed a 6 photographic lineup and Christopher Poot-Baca (11/03/1999) was randomly placed in position number 4. Your Affiant contacted Detective Kenneth Klaus 85015 and requested that he assist with showing the photographic lineup. Detective Klaus advised that he would be available and met with Your Affiant at the listed victim's home address, [REDACTED] in Denver. Your Affiant contacted the listed victim, [REDACTED] ([REDACTED] / [REDACTED] / [REDACTED]) at the front door and advised her of who we were and why we were there. [REDACTED] invited Your Affiant and Detective Klaus into her home and Detective Klaus stated that he would like to show [REDACTED] a lineup. [REDACTED] directed Detective Klaus into the kitchen where they sat at a table. Your Affiant stood several feet away from the table in the living room behind [REDACTED] in order not to accidentally influence her in any way. Detective Klaus advised [REDACTED] of the photographic lineup admonition and she stated that she understood and signed. Detective Klaus then showed [REDACTED] the first photograph and she stated "Doesn't seem to be the one." Upon viewing the second photograph [REDACTED] stated "No" the third she stated "No" the fourth she stated "Possibility. Had a lot more hair and did not have tattoos." the fifth stated "No" and the sixth stated "No" Your Affiant then entered the kitchen and sat at the table with [REDACTED] and Detective Klaus. Your Affiant asked [REDACTED] what she meant by "Possibility" related to the photo in position 4 of the lineup. [REDACTED] advised that the male in the photograph had similar eyes to what she remembers in her head but stated that he had longer hair and she did not recall any tattoos on his face. [REDACTED] stated that she remembers the male at the bus stop drinking a "Coke" and when he finished he threw it on the ground. [REDACTED] stated that she knows that there were no other cans on the ground and was certain that it was "Coke" [REDACTED] stated that she told the Officers on scene about the can.

Your Affiant returned to the Denver Police Administrative building and observed that there were several photographs associated with this case in evidence. Your Affiant obtained a copy of the photographs and observed that one of the photographs taken by Corporal Clayborn showed showed an overview of the crime scene and there was a single coke can on the sidewalk directly next to the bus stop. Corporal Clayborn also photographed a bottle that was found on scene. Your Affiant contacted Corporal Clayborn by phone and he stated that he was advised by Officer Tanvas that the victim described the can that she observed the suspect drinking from as a "purple in color cherry coke can" and stated that the can recovered was the exact description provided by the victim and there were no other cans on scene or in the area. Your Affiant requested that Corporal Clayborn add that information into this case as a supplementary statement when he returns to work.

Your Affiant contacted Detective Shabazz by phone and was directed to a file on his computer that contained his current synopsis of his investigation. Your Affiant observed the following:

"19-31417 [REDACTED] DOB: [REDACTED]
1-15-19

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On this date, Detective Shabazz received this case for follow up. On 1-14-19, DPD Officer Adam Tanvas #16049 responded to this incident and completed the report for Robbery under DPD case 19-31417. The victim was identified as [REDACTED] DOB: [REDACTED]; the suspect was unidentified. Officer Tanvas completed a written statement as follows:

"On 1/14/19 at approximately 2030 hours, while working car 342C, I was dispatched to S. Monaco St. and E. Dakota Ave. on a robbery call.

Upon arrival, I contacted the victim, [REDACTED] who stated that a Hispanic male, approximately 20-30 years old, approximately 5'4", medium build, with black curly hair, wearing a blue knit cap, green jacket and dark colored pants grabbed her black purse. Ms. [REDACTED] stated that while the male was grabbing her purse, he pushed her to the ground. Ms. [REDACTED] then stated the male was able to take her purse and her white lunch box and fled northbound on S. Monaco St. towards E. Alameda Ave. Ms. [REDACTED] stated she tried to get up and chase after him, but her right knee was injured and was unable to get up. Ms. [REDACTED] then stated she started to tried to flag someone down for help.

[REDACTED] and [REDACTED] stopped to assist Ms. [REDACTED]. Both parties stated that they did not witness the incident, they only stopped to help when Ms. [REDACTED] was trying to flag down someone.

Ms. [REDACTED] stated that the suspect and her were at the bus stop for approximately 5 minutes before he took her purse. Ms. [REDACTED] stated that while they were waiting at the bus stop, she noticed the suspect was drinking a coke can and when he was done drinking the can he threw it to the ground at the bus stop. The can was collected at the scene and placed into property as evidence. Also collected was a set of black headphones that were at the scene. Ms. [REDACTED] also stated that when the suspect was fleeing north bound, she did not see him turn east or west on any of the streets before E. Alameda Ave.

Ms. [REDACTED] stated that the suspect took her black purse, which contained her black [REDACTED] smart phone and black fold over wallet. Inside the wallet was \$ [REDACTED] cash, Colorado Identification card, [REDACTED] credit card, [REDACTED] credit card, [REDACTED] credit card, [REDACTED] credit card and [REDACTED] credit card.

Ms. [REDACTED] stated that the best phone number to contact her at is [REDACTED]

Ms. [REDACTED] was transported to St. Joe's Hospital by DHMC #64. I followed the ambulance to the hospital. I reinterviewed Ms. [REDACTED] with my Body Worn Camera. I took photos of Ms. [REDACTED] injury. The attending doctor, Bruce Evans MD., confirmed that Ms. [REDACTED] injury is SBI. I recieved a completed SBI form from Dr. Evans. I sent it to records to be scanned into the report."

Officer Michael Clayborn #06163 responded and provided a written statement as follows:

"On 01/14/2019, while working car 347S, I was dispatched to South Monaco St and East Alameda Avenue, on a Robbery In Progress.

Upon arrival the victim was receiving medical attention inside the ambulance. Once the victim was transported to the hospital, via ambulance, I photographed the scene and collected two evidence items.

I then proceeded to the District 3 Station, to package the items of evidence. I then transported the items to the Property Bureau."

Detective Shabazz reviewed the contents of the report.

BWC

Detective Shabazz reviewed the BWC footage for this incident.

CAD

Detective Shabazz obtained a copy of the CAD report for this incident.

XXXXXXXXXXXXXXXXXXXXXXXXXX

1-29-19

On this date, Detective Shabazz responded and met with Ms. [REDACTED] at her residence and conducted an interview with her. During the interview, Ms. [REDACTED] confirmed the facts of this incident as follows:

She was at the bus stop at north bound S. Monaco Parkway at Dakota Ave. She said the suspect came to the bus stop and was walking around. The suspect then grabbed her purse; when she resisted and tried to hold on to her purse the suspect then hit her, which caused her to fall down. The victim related that when she fell down, she suffered a leg injury. She was yelling for help. She said a car stop and asked if she was okay and

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another car stopped behind the first car and she asked them to call the police. The victim related that the police showed up a short afterwards and then then ambulance arrived.

1-30-19

On this date, Detective Shabazz prepared a Photographic Line-up to be presented to Ms. [REDACTED]. On this date, Detective Shabazz and Curtis Johnson responded and met with Ms. [REDACTED] at her residence. Detective Johnson presented the Photographic Line-up to Ms. [REDACTED] and she did not identified any of the photos.

1-31-19

On this date, Forensic Sketch Artist Cynthia Marsh responded to Ms. [REDACTED]'s residence and was able to make a sketch. The digital copy of the sketch of the suspect was then forwarded to the detective.

XXX

On this date, Detective Shabazz make a Crime Stopper Bulletin with the sketch of the suspect and forwarded it to the chain of command.

On this date, Detective Shabazz completed the lab request for the DNA testing of the Coke Can and forwarded to the chain of command for an expedited test.

Thomas Finlayson

On this date, Detective Shabazz spoke with [REDACTED] ([REDACTED]); he is the victim's nephew. He wanted to know about the nature of the incident and where the investigation was. He said he was concerned for his aunt. He is a retired NYPD Lieutenant. Detective Shabazz advised of the incident and informed him that we were doing everything we can to figure out who had assaulted and robbed the victim.

2-5-19

On this date, Detective Shabazz received the original drawing from Forensic Artist Cynthia Marsh.

On this date, Detective Shabazz received a message to contact [REDACTED] Card Fraud Department at 800-206-8856. Case number [REDACTED]. Detective Shabazz called and spoke with a representative who provided the following information:

Ms. [REDACTED]'s card was used in person at Marcos Mexican Restaurant for \$22.97 on 1-15-19 at 11:37 am; 2701 W. 7th St; an online purchase to the Apple iTunes store for \$32.48 on 1-15-19; an online purchase at Gun Parts Corp for \$38.15.

On this date, Detective Shabazz Googled Marcos Mexican Restaurant and found Marcos Mexican Grill located at 2701 W. 7th Ave, Denver CO 80204; phone number: [REDACTED]; their hours are Mon-Fri from 7:00 am to 2:00pm; they are closed on Saturdays and Sundays.

On this date, Detective Shabazz sent an email to Marcos Grill to see about any videos of the transaction at the restaurant.

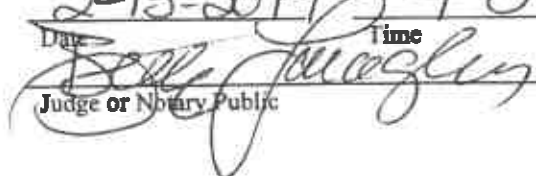
On this date, Detective Shabazz received a reply email from [REDACTED] relating that he operates a Food truck and has no recorded videos."

Based upon the above facts, your Affiant respectfully request that a warrant be issued for the suspect identified as Christopher Faustino Poot-Baca (11/03/1999), For C.R.S. 18-4-301;18-6.5-103 Robbery At-Risk, a class 3 Felony.

I affirm this information to be true and correct


Signature of Affiant

Subscribed under oath before me on

2-13-2019 4:59 pm
Date Time

Judge or Notary Public

My commission expires: _____

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ARREST WARRANT

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

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

Bail fixed at \$

At first appearance -

Signature of Judge

Billy Faragher

Date

2/13/2019

Printed name of Judge

Billy Faragher

I HEREBY CERTIFY that I executed the above warrant on (date) _____ by taking _____ (name of person arrested) into custody and placing said person in the _____ Jail for safekeeping until further order of the court.

Signature of Arresting Officer