

THE PEOPLE OF THE STATE OF COLORADO



County/District Court
City and County of Denver, Colorado

Offense Case No. 2020-107555

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

Mark HOWARD, dob: 05-09-1985, a black male, 6'5", 228 pounds with black hair and brown eyes, DPD [REDACTED], SSN [REDACTED], FBI [REDACTED], SID [REDACTED], Colorado DL [REDACTED], aka Tyler Wright, dob: 01-03-1988, for one count of Murder in the First Degree, C.R.S. 18-3-102 (1) (f), a Class 1 Felony, one count of Murder in the First Degree, C.R.S. 18-3-102, (1) (b), (Felony Murder), a Class 1 Felony and one count of Assault in the First degree, C.R.S. 18-3-202, a Class 3 Felony



Mark HOWARD

I, Detective Randal Denison, 96007, Your Affiant states 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 has been a Police Officer for over thirty-five years and has been employed with the Denver Police Department since April 1996. Your Affiant has served in various capacities and units. In July 2001, Your Affiant was assigned to the Denver Police Crimes Against Persons Bureau as a Detective. In April 2004 Your Affiant was assigned as a Detective in the Homicide Unit and currently holds that position.

Your Affiant has received specialized training including, but not limited to General Criminal Investigation Techniques, Crimes Against Persons Investigations, Investigation of Sex Crimes, Homicide Investigations, Domestic Violence Related Homicides, Pathology for Investigators, Strangulation, Child Death Investigations, Aquatic Death and Homicide Drowning Investigation, Homicide Cold Case Training, Buried Bodies and Skeletal Remains, Crime Scene Reconstruction, Bloodstain Pattern and Bullet Pattern Analysis, DNA and Cell Phone Technology.

On Wednesday, February 19, 2020 Your Affiant and fellow Homicide Unit Detective Neil Baker were assigned to investigate to the shooting death of Marquis, "Sak" Johnson, dob: 01-09-1994 that occurred

on that date at approximately 1:25 am at [REDACTED] E. Technology Way, apartment [REDACTED], in the City and County of Denver.

On Wednesday, February 19, 2020 at approximately 2:10 am Your Affiant was contacted by Homicide Unit Supervisor, Sergeant Scott Hagan. Sergeant Hagan advised Your Affiant of the death and requested he respond.

Your Affiant responded to Denver Police Department Headquarters, arriving at approximately 3:05 am on that date to conduct investigation.

Detective Baker responded to the scene at [REDACTED] E. Technology Way to conduct investigation. Detectives Daniel Tregembo, Jami Sisneros and Kari Johnson responded to Denver Police Department Headquarters to assist with the investigation.

Your Affiant knows the following based on personal knowledge, speaking with fellow Officers and Detectives, conducting interviews and reviewing reports and evidence.

Your Affiant learned that on Wednesday, February 19, 2020 at approximately 1:25 a.m. the Denver Combined Communication Center received multiple 911 calls reference gunshots in the area of [REDACTED] E. Technology Way, in City & County of Denver. [REDACTED], a resident at [REDACTED] E. Technology Way, reported hearing approximately six to seven gunshots from an adjacent apartment or the parking lot. Another caller, who identified herself as [REDACTED] reported her friend had been shot. Uniformed Officers from the Denver Police Department responded to the location, a multi-story apartment complex with attached garages. Upon making entry to apartment [REDACTED], a black male, later positively identified as Marquis Floyd Johnson, aka, "Sak", dob: 01-09-1994, was located inside the apartment on the floor near the front door with an apparent gunshot wound. Denver Health Medical Center, Paramedics, ambulance 55 arrived on scene and Marquis Johnson was pronounced deceased at 1:49 a.m. by Dr. McVaney, DHMC.

Officers located several witnesses inside apartment [REDACTED], [REDACTED] dob: [REDACTED], [REDACTED] dob: [REDACTED], and [REDACTED] dob: [REDACTED] and transported them to Denver Police Department Headquarters for interviews.

Officers on scene observed multiple spent cartridge casings inside apartment 305 and on the exterior of the location in the parking lot. Officers located a discarded pistol near outside the apartment building. This pistol seized and identified as a [REDACTED] [REDACTED] [REDACTED] caliber semi-automatic pistol, serial number [REDACTED].

Detective Daniel Tregembo obtained a Search Warrant for apartment [REDACTED], [REDACTED] E. Technology Way. The warrant was reviewed and approved by Deputy District Attorney Chad Harple and Judge Adam Espinoza.

Detective Baker and Crime Scene Investigators executed the search warrant at [REDACTED] E. Technology Way, apartment [REDACTED]. Detective Baker later told Your Affiant that they had recovered numerous spent 40 and 45 caliber cartridge cases near Marquis Johnson's body.

Your Affiant personally conducted a video recorded interview with a witness, [REDACTED] dob: [REDACTED]. [REDACTED] said that she was at the victim's apartment for a "pajama party" with several other females. The victim was known to her as "Sak". She knew "Sak" to reside in the master bedroom of the apartment but was unaware of any other residents. [REDACTED] knew "Sak" to sell marijuana. A second male was also present in the apartment known to her as, "[REDACTED]". [REDACTED] said the group were hanging out and playing games. "Sak" had told them he was expecting other people to come to the party. [REDACTED] heard a knock and "Sak" walked over to open the front door. [REDACTED] observed a White or Hispanic female, dressed in black clothing, walked into the apartment pointing a handgun. A black male, dressed in black, with a mask over his face, followed the female inside the apartment, also brandishing a handgun. [REDACTED] said "[REDACTED]" began shooting at the armed intruders and a gun battle ensued. [REDACTED] hid. When the shooting stopped she observed "Sak" to be shot on the floor. She said [REDACTED] had been shot in the leg and he and a female left the apartment to go to the hospital.

Your Affiant personally conducted a video recorded interview with a witness, [REDACTED] at Denver Police Department Headquarters. [REDACTED] said she had been at the apartment with three of her female friends for a, "pajama party". There was a knock at the door and the male resident known to her as, "Sak" opened the door. A Hispanic or white female came into the apartment followed by a black male, both of whom were armed with guns and disguised. Someone started shooting. A male known to her as [REDACTED] started shooting at the male and female. She and the other females hid in other rooms. When the shooting stopped she came out and found that Sak had been shot and was on the floor. [REDACTED] has been shot. She was giving [REDACTED] a ride to the hospital and he called the Police on the way and met with them.

Your Affiant personally conducted a recorded interview with a witness/victim [REDACTED] Mr. [REDACTED] told Your Affiant that he had been staying with a friend Marquis Johnson at Johnson's apartment. Johnson was having a, "pajama party" for some female friends. There was a knock on the door and Johnson opened the front door. When Johnson opened the door, two suspects, he described as a white or Hispanic female and a black male forced their way into the apartment. The suspects were both armed with semi-automatic type pistols and pointed their guns at Johnson. [REDACTED] said he was in fear for his life and the others. He said he was seated near the kitchen island and armed himself with 38 caliber revolver that belonged to Johnson. The suspects started shooting and one of them shot Johnson. He shot five or six times at the suspects and believes he may have hit the male suspect. [REDACTED] said the suspects fled the apartment and he reloaded the revolver. [REDACTED] said he found he had been shot in the leg and left with [REDACTED] ([REDACTED]) to get a ride to the hospital. While in route to the hospital [REDACTED] called 911 and met with Police at a 7-11 Store.

Your Affiant is aware the witnesses described the black male suspect as being tall and wearing a mask so they could not identify him.

Your Affiant learned that a black male, who had identified himself as Tyler Wright, dob: 01-03-1988, had driven himself to Porter Hospital Emergency Room, 2525 S. Downing Street, Denver CO arriving at 1:41 am. The male was suffering from multiple gunshot wounds. Officers responded to Porter Hospital and were able to determine that the male who had identified himself as Tyler Wright arrived in a silver Chevrolet Suburban, CO temporary tag [REDACTED] and was accompanied by a Hispanic female identified as Roxanne Rodriguez-Hernandez, dob: 05-11-1995. Security camera recordings from the Hospital show only the male who identified himself as Tyler Wright and Roxanne Rodriguez-Hernandez arrive at the

hospital in the silver Chevrolet Suburban. The male who identified himself as Tyler Wright told Officers that he and his girlfriend, Roxanne Rodriguez-Hernandez had gone to purchase drugs in the area of Yale Ave. and Broadway. They were confronted by three, (3) men who tried to rob them, and he was shot. Roxanne Rodriguez-Hernandez told the Officers that another vehicle had pulled up next to their vehicle in the area of the Denver Tech Center and someone shot Wright multiple times. There were no signs of bullet defects in the vehicle and all of the windows were fully intact. The man who identified himself as Wright was then transferred to Denver Health Medical Center for emergency surgery. The Chevrolet Suburban was impounded and towed to a secure vehicle bay at the Denver Police Department Crime Lab, 1371 N. Cherokee St., Denver, CO 80204.

Denver Police Department, Major Crimes Unit Detectives obtained records for Tyler Wright and found his photograph to appear to be the male who had identified himself as Tyler Wright.

Your Affiant is aware that the shooting at apartment [REDACTED] E. Technology Way occurred at approximately 1:25 am. The man who identified himself as Tyler Wright and Roxanne Rodriguez-Hernandez arrived at Porter Hospital at 1:41 am. The distance from the shooting scene to Porter Hospital is approximately 8.8 miles.

Your Affiant believes that this does not appear to be a random act. The male and female intruders passed by multiple other apartments on their way up three flights of stairs to the victim's unit, [REDACTED] Witnesses stated that they did not hear the intruders say anything when they entered the apartment. Witnesses stated that both the male and female were armed and that their firearms were drawn as they entered. Witnesses also stated that the intruders were wearing masks when they entered the apartment.

Detectives researched similar calls for that area and found no other shooting type incidents had occurred that evening.

Detective Daniel Tregembo obtained a Search Warrant for the silver 2004 Chevrolet Suburban, CO temporary tag [REDACTED]. The warrant was reviewed and approved by Chief Deputy District Attorney Daniel Cohen and Judge James Zobel.

On Thursday, February 20, 2020 Your Affiant, Detective Baker and Crime Scene Investigators executed the Search Warrant on the 2004 Chevrolet Suburban, CO temporary tag [REDACTED] During the search a [REDACTED] 40 caliber semi-automatic pistol, serial number [REDACTED] with ammunition, an additional pistol magazine, ammunition, firearm related accessories, clothing and face masks matching that described as being worn by the suspects was recovered from the vehicle. In addition, "zip tie" plastic fastening devices attached to each other were recovered from the vehicle. Your Affiant is aware that, "zip ties" fastened together are commonly used as restraint devices and are often times used on victims of home invasion or take-over type robberies. During the search of the vehicle, a Colorado Identification Card to Tyler Wright and Colorado Driver License issued to Roxanne Rodriguez-Hernandez were recovered. Detective Baker who conducted the scene investigation told Your Affiant that the brand of ammunition loaded in the [REDACTED] 40 caliber semi-automatic pistol was the same brand as those recovered at the scene.

Homicide Unit, Crime Analyst Craig Springarn researched registration records for the Chevrolet Suburban that the male who identified himself as Tyler Wright and Roxanne Rodriguez-Hernandez had

arrived at Porter Hospital. Analyst Springarn and found the listed owner of that vehicle to be Mark Howard, dob: 05-09-1985. Analyst Springarn located a report made by Roxanne Rodriguez-Hernandez in 1985 in Adams County, CO in which she listed the suspect as her ex-boyfriend, Mark Howard, dob: 05-09-1985.

On Thursday, February 20, 2020 Your Affiant attended the Post Mortem examination of Marquis Johnson conducted by Doctor Meredith Frank at the Denver Office of the Medical Examiner. Doctor Frank showed Your Affiant x-rays of Johnson and indicted two apparent bullets within the body. During the procedure Your Affiant observed apparent gunshot wounds to Johnson's head, torso, left hand, right ankle and left thigh.

On Friday, February 21, 2020 Your Affiant was notified by ATF Investigator/Intelligence Specialist Jason Clemons that a trace had been completed on the [REDACTED] 45 caliber semi-automatic pistol, serial number [REDACTED], recovered outside of [REDACTED] E. Technology Way. The records indicate that pistol was purchased by Roxanne Rodriguez-Hernandez, dob: 05-11-1995, 1349 Dean Drive, Northglenn, CO at a Bass Pro outdoor/sporting goods store in El Paso, Texas on August 1, 2019.

On Saturday, February 22, 2020 at 11:05 am Your Affiant and Detective Baker attempted to interview the male who identified himself as Tyler Wright at DHMC, room B 410 where he was an admitted patient under the name Tyler Wright. The male identified himself to the Detectives as Tyler Wright. Your Affiant introduced the Detectives to the male and explained that they would like to speak to him about what happened. The male who identified himself as Wright said he would like to wait until he was released from the hospital and no interview was conducted.

On Monday, February 24, 2020 Your Affiant spoke with Denver Police Department Crime Lab Firearms Unit, Forensic Scientists, Supervisor Chuck Reno and Zach Kotas. Reno and Kotas told Your Affiant that preliminary examination of the 40 caliber and 45 caliber cartridge cases recovered inside of the apartment [REDACTED] E. Technology Way where Marquis Johnson was shot and killed, were fired from the [REDACTED] 40 caliber semi-automatic pistol recovered from the Chevrolet Suburban that Tyler Wright and Roxanne Rodriguez-Hernandez arrived at Porter Hospital in and the [REDACTED] 45 caliber semi-automatic pistol that was recovered from the ground outside of [REDACTED] E. Technology Way and had been purchased by Roxanne Rodriguez-Hernandez.

On Monday, February 24, 2020 Your Affiant obtained Arrest Warrants for Tyler Wright, dob: 01-03-1988 and Roxanne Hernandez-Rodriguez, dob: 05-11-1995.

On Monday, February 24, 2020 Detective Baker went to Denver Health Medical Center, (DHMC) to serve an Arrest Warrant and place a hold on the male who had identified himself as Tyler Wright. Detective Baker learned that male had left the hospital on Sunday, February 23, 2020 the male had left the hospital without being discharged or notifying staff.

Detective Baker obtained still photographs of the male who had identified himself as Tyler Wright leaving the hospital, a male who had accompanied him and the vehicle they left in. Detective Baker learned that the vehicle the males left in was registered to [REDACTED], dob: [REDACTED] and identified the driver as [REDACTED], dob: [REDACTED]. In researching records for [REDACTED] Jr., Detective Baker learned that Mark Howard, dob: 05-09-1985 is a listed associate.

On Friday, February 28, 2020 a Crime Stoppers bulletin was released to the public with photographs of Tyler Wright and Roxanne Rodriguez-Hernandez.

On Friday, February 28, 2020 Your Affiant and Detective Baker were contacted by a witness/victim, [REDACTED] told the Detectives that he has seen the Crime Stoppers bulletin and that he recognized the female as a woman he had been introduced as, "Roxy" at Marquis Johnson's apartment in the past.

On Friday, February 28, 2020 the Denver Police Department was contacted by [REDACTED] of Tyler Wright. Mr. Byrd said he had seen the Crime Stoppers Bulletin and identified the male as [REDACTED] Tyler Wright. Mr. Byrd said that [REDACTED] Tyler Wright has been in Omaha, Nebraska in a treatment program and has not left the state.

Detective Baker reviewed still photographs of the male who had identified himself as Tyler Wright in a gurney at Porter Hospital without a shirt on and compared the tattoos on that male booking photographs of Mark Howard and Tyler Wright. Detective Baker found the tattoos matched those of Mark Howard, dob: 05-09-1985, and not Tyler Wright.

The Arrest Warrant for Tyler Wright, dob: 01-03-1988 was cancelled.

Based on the foregoing information, Your Affiant respectfully requests that a warrant be issued for Mark HOWARD, dob: 05-09-1985, a black male, 6'5", 228 pounds with black hair and brown eyes, DPD [REDACTED], SSN [REDACTED], FBI [REDACTED], SID [REDACTED], Colorado DL [REDACTED], aka Tyler Wright, dob: 01-03-1988, for one count of Murder in the First Degree, C.R.S. 18-3-102 (1) (f), a Class 1 Felony, one count of Murder in the First Degree, C.R.S. 18-3-102, (1) (b), (Felony Murder), a Class 1 Felony and one count of Assault in the First degree, C.R.S. 18-3-202, a Class 3 Felony, so the suspect can be apprehended, and the investigation continued.

Pursuant to Rule 41 of the Colorado Revised Statutes, the Affiant listed herein has requested and received approval to have this Affidavit sealed from public release of the information herein contained due to the media coverage of this case, to assure that this case is not compromised, that witnesses mentioned in this warrant can be protected from any type of early reprisals, so that this investigation can continue.

I affirm this information to be true and correct

Randal Deuren
Signature of Affiant

Subscribed under oath before me on

02/28/2020 3:54 PM
Date Time

Brian J. [Signature]
Judge or Notary Public

My commission expires: _____