



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

GABRIEL IRA MOAK, Date of Birth: **09/08/1967**, White male, 5'09", 250 lbs., Blond hair, Hazel Eyes, DPD #898969, [REDACTED] For, C.R.S. 18-3-102(1)(a), Murder in the First Degree Murder, Class 1 Felony



I, Detective Eric Bueno, 00037, 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:

On Tuesday, **November 10, 2020**, at approximately **2:41 p.m.**, the Denver 911 Call Center received a call from [REDACTED], dob: [REDACTED], who said that a man was just shot and was bleeding out at his doorstep. [REDACTED] provided his address as **14 [REDACTED] Xavier Street**, which is in the City and County of Denver, Colorado.

At approximately **2:44 p.m.**, Denver Police Officer Thomas Scott, 20001 and Officer Brianna Cordova, 14065, arrived on scene and found an adult white male lying in the stairwell to **14 [REDACTED] Xavier St [REDACTED]**. The male victim was suffering from apparent gunshot wounds. [REDACTED].

The Denver Fire and Denver Health Paramedics also responded to the location. The adult male victim was moved from the stairwell to the courtyard where they performed life saving measures. Ultimately the resuscitation efforts failed, and the male victim died on scene. At approximately **2:51 p.m.**, Ambulance # 54 – Paramedic Gaudette – contacted Denver Health Medical Center Emergency Room Dr. Malick who pronounced the victim deceased.

The responding officers contacted [REDACTED] who confirmed he called 911 to report the shooting incident. [REDACTED] was later transported to police headquarters for a formal interview.

At approximately **2:55 p.m.**, members of the Denver Homicide Unit responded to the crime scene. Your Affiant observed the body of the adult male victim, lying in the open courtyard, near **14 [REDACTED] Xavier Street**, [REDACTED]. Your Affiant went down the stairwell to [REDACTED] and contacted [REDACTED] dob: [REDACTED]. [REDACTED] said that the unit [REDACTED]. Your Affiant briefly questioned [REDACTED] about the shooting; [REDACTED], **Gabriel Moak**, shot Joseph Heck. [REDACTED] agreed to come to police headquarters for a formal interview.

While at the crime scene, Your Affiant observed two spent cartridge cases on the stairwell leading to [REDACTED]. Your Affiant also observed two spent cartridge cases on the patio area above the stairwell for [REDACTED]. Your Affiant also noticed a spent bullet at the bottom of the stairwell in front of the door to [REDACTED]. There was blood on the ground in front of the door for [REDACTED]. Your Affiant returned to police headquarters to interview the witness.

At approximately 3:58 p.m., Your Affiant conducted a formal interview with [REDACTED]. During the interview, [REDACTED], Gabriel Moak, for about a year. [REDACTED] said there was a prior police contact that resulted in them getting arrested on gun charges by the ATF. [REDACTED]

[REDACTED] According to [REDACTED], the victim and Mr. Moak were good friends, however, Mr. Heck was arrested and charged with carrying a gun. [REDACTED] said the victim was in jail for about 17 months and had been released about a month or two ago. [REDACTED]

[REDACTED] During the interview, Your Affiant presented a single photograph of Gabriel Moak, dob: 09/08/1967. [REDACTED] positively identified Gabriel Moak [REDACTED] and the same person who shot Joseph Heck.

At approximately 4:10 p.m., Detective Ernest Sandoval, 06154, interviewed [REDACTED], dob: 02/16/1994 at police headquarters. During the interview, [REDACTED] [REDACTED] said he was in a meeting with his headphones on when he heard a loud noise. When [REDACTED] removed his headphones, he heard what he believed were gunshots. [REDACTED] said he walked outside of his unit and noticed a white male walking away from the area where he had heard gunshots. [REDACTED] said he needed to choose between following the person who he believed

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was the shooter or to render aid to the person who had been shot. [REDACTED] decided to render aid and to call 911. [REDACTED] attempted to stop the bleeding until the police arrived. [REDACTED] said he believed the person who he saw walking away after the shooting had been to [REDACTED] before but didn't know him. A photographic lineup containing a photograph of Gabriel Moak was prepared and he was placed into position #2. After viewing the lineup, [REDACTED] selected both #2 and #5 but could not make a positive identification.

Based on the information obtained during the course of the investigation, Your Affiant believes there is probable cause to arrest **GABRIEL IRA MOAK** for Murder in the First Degree for killing **JOSEPH HECK**.

I affirm this information to be true and correct

Eric Bueno

Signature of Affiant

Subscribed under oath before me on

Date

Time

Judge or Notary Public

My commission expires:

ARREST WARRANT

GABRIEL IRA MOAK DOB: 09/08/1967

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 a Judge of the County Court to be dealt with according to law.

Bail fixed at \$ _____

Signature of Judge

Date _____

Printed name of Judge

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