

**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT AND TO SEAL THE AFFIDAVIT FOR THE PERSON OF:**

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

Case Number: 2022-162  
Date of Offense: January 1, 2022  
Location of Offense: 1919 Blake St.  
**Defendant: LEVI FLOYD DIECIDUE 02/09/1999**

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

WHEREAS the Denver Police Department Criminal Investigations Division is investigating the above-referenced suspect for the crime of **C.R.S. 18-3-102(1)(a) Murder in the First Degree a Class 1 Felony, C.R.S. 18-3-102(1)(d) Murder in the First Degree (Extreme Indifference) a Class 1 Felony, C.R.S. 18-3-202(1)(a) Assault in the first degree a Class 3 Felony.**

AND WHEREAS the Court has examined the attached affidavit and has satisfied itself that there is probable cause to believe that the offenses of **C.R.S. 18-3-102(1)(a) Murder in the First Degree a Class 1 Felony**, has been committed by **LEVI FLOYD DIECIDUE 02/09/1999**.

AND WHEREAS the Affiant, Denver Police Homicide Detective Daniel Tregembo, 05041, has requested an **ARREST WARRANT** and a **SEALED AFFIDAVIT** be issued for **LEVI FLOYD DIECIDUE 02/09/1999**, so this investigation can continue and so that the witnesses mentioned in this warrant can be protected from any type of early reprisals.

**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.**

You are hereby commanded to take the person of the defendant and bring him without unnecessary delay before a Judge of the County or District Court.

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

**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT 2022-162**

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

Case # 2022-162



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

Levi Floyd Diecidue 02/09/1999 a White male, 5'06" 140 lbs., black hair, brown eyes  
For C.R.S. 18-3-102(1)(a) Murder in the First Degree a Class 1 Felony

I, Detective Daniel Tregembo, 05041, 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 January 1, 2022 at approximately 1:12 a.m. the Denver Combined Communication Center received a 911 call reference a shooting at Rest Cabin Tap House, 1919 Blake St., City & County of Denver. Denver Health Medical Center Ambulance # 64 (BARNES & BAXTER) responded to the location and contacted two victims, [REDACTED] & [REDACTED] (gunshot wound to [REDACTED]), in front of the location. The victims were transported emergent to DHMC for treatment. DPD Officer Meagan LIEBERSON rode in the ambulance with the victims.

Numerous Denver Police Department Officers responded to the shooting scene. Officers Jessica RAKOWSKI, 21011, and Robert KRELLE, 13036, assisted with the two injured victims out front. Officer KRELLE entered the bar with other officers and made observation of two victims, later identified as Hiyaw ZEWDIE 12/28/1992 and Devonte PHILLIPS 07/05/1997, unresponsive on the floor. DHMC Ambulance #39 (GILLEN) responded to the bar and both victims were pronounced deceased by DHMC Dr. EBERHARDT at 1:25 a.m. Officer RAKOWSKI transported witness [REDACTED] to Denver Police Headquarters. Ms. [REDACTED] identified Ms. ZEWDIE as [REDACTED].

Officer Brandon RAMOS, 19121, contacted [REDACTED], who reported she did not have any information about the shooting. Witness [REDACTED] identified herself as [REDACTED] to a male victim but said she did not have any information about the shooting. Officer RAMOS observed another officer struggling with a female, later identified as [REDACTED], and assisted in placing her in handcuffs. [REDACTED] was found to be intoxicated and was picked up by the Denver CARES Detox van. Officer RAMOS then responded to DHMC and collected the bullet removed from [REDACTED].

Officer Matthew FAILE, 20003, responded and made contact with [REDACTED], who reported she was working in the club when she observed a physical altercation followed by a shooting. Officer Bryant PARKER, 18058, responded and made contact with multiple people [REDACTED], [REDACTED], and [REDACTED], who did not have helpful information. Officer PARKER also contacted [REDACTED], who was transported to DPD HQ and provided a statement.

Officer Selena RUIZ-SOLIS responded and made contact with [REDACTED], who identified herself as [REDACTED] to deceased victim Devonte PHILLIPS. [REDACTED] was transported to DPD HQ and provided a statement.

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Officer Nicholas TETREAULT, 19044, responded, cleared the building and collected names of multiple people leaving the area, to include: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]. Officer TETREAULT then collected statements from DFD personnel.

Officer Dat TRUONG assisted with witnesses and observed a video on the phone of [REDACTED] who captured part of the altercation and shooting. The video was provided to DPD personnel.

Officer Tyler DANIELSON responded and made contact with several witnesses: [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. All three witnesses provided statements to Officer DANIELSON and later at DPD HQ. [REDACTED] reported that a group of males sitting at the far left table (from the front door) assaulted an unknown male earlier in the night. About one hour later [REDACTED] saw an altercation brewing and began recording with his cell phone which then captured the shooting. [REDACTED] said he observed the same group of males involved in the earlier assault and further reported that after the shooting, a male, known to him only by the Instagram moniker "[REDACTED]", claimed to know the shooter.

Homicide Unit Det. Daniel TREGEMBO, 05041, was assigned as the primary investigator and responded to Denver Police Headquarters. Det. Joey TRUJILLO, 00042, was assigned as secondary investigator and responded to the scene.

At approximately 3:15 a.m. Det. TREGEMBO met with [REDACTED] at Denver Police Headquarters Room #2A for a video interview. [REDACTED] said she, [REDACTED], Devonte PHILLIPS, [REDACTED], and a friend, [REDACTED], all went to Cabin Bar. Once at this location [REDACTED] unexpectedly ran into [REDACTED]. Inside the bar [REDACTED] tripped over Devonte's foot and they both fell back into an unknown male. The male, described as possibly mixed race (Hispanic/Black), got angry and challenged Devonte to follow him to the lower level of the club. Devonte followed the male downstairs. [REDACTED] and [REDACTED] then followed Devonte. Both [REDACTED] and [REDACTED] attempted to dissuade any further confrontation by standing between Devonte and the male. [REDACTED] said a second unknown male, described as Hispanic, 22-26 years old, struck Devonte from behind, causing a laceration to Devonte's head. [REDACTED] said both males then physically attacked Devonte, while [REDACTED] tried to intervene. One of the males then punched [REDACTED] in the face. This altercation was ultimately stopped. [REDACTED], Devonte and [REDACTED] all walked back up the stairs.

At approximately 4:06 a.m. Det. TREGEMBO met with [REDACTED] in room #2A at Denver Police Headquarters for a video interview. [REDACTED] confirmed she unexpectedly ran into [REDACTED] and Devonte at Cabin Bar. [REDACTED] confirmed she followed Devonte and [REDACTED] to the basement. Here [REDACTED] said she was also trying to stop an altercation between Devonte and the unknown male when a second male attacked Devonte from behind, striking him in the side of the head. [REDACTED] said during this time she observed a group of males lingering on the nearby stairwell. [REDACTED] believed the males on the stairs to be associated to the males who attacked Devonte. As [REDACTED] [REDACTED]

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and Devonte then walked back upstairs. [REDACTED] observed a Hispanic male kick at Devonte's head and then kick at [REDACTED]. [REDACTED] grabbed the male's leg, but he pulled away.

Once back upstairs, [REDACTED] said Devonte looked for [REDACTED]. Seeing that Devonte was bleeding, [REDACTED] confronted the group of men he believed to have attacked Devonte. Security staff in the club confronted [REDACTED].

During this time [REDACTED] began using his cellular telephone to digitally record the ruckus.

As [REDACTED] was being confronted by security staff, [REDACTED] said she observed the same male who kicked both her and Devonte on the stairs, point a handgun and fire several times. [REDACTED] described the male as a shorter Hispanic male, wearing a dark hat with light colored jeans.

Upon review of the video provided by [REDACTED], investigators were able to observe [REDACTED], Devonte Philips and Hiyaw ZEWDIE all standing adjacent to one another at the time of the shooting. A male wearing a black hooded sweatshirt, black knit cap with red letter or symbol and light-colored pants is observed pulling and pointing a gun.

At approximately 5:45 a.m. Det. Marty SMITH met with [REDACTED] in room #2B at Denver Police Headquarters for a video interview. [REDACTED], [REDACTED] working Cabin Bar, reported she observed a male draw a gun, point and fire several rounds.

At approximately 7:18 a.m. Det. TREGEMBO met with [REDACTED] in room #2A at Denver Police Headquarters for a video interview. [REDACTED] was in a walking boot and utilizing crutches after being treated for his gunshot wound at DHMC. [REDACTED] said he was with some friends at Cabin Bar when he heard gunshots and started toward the front door. [REDACTED] then felt his ankle get shot and he stumbled outside.

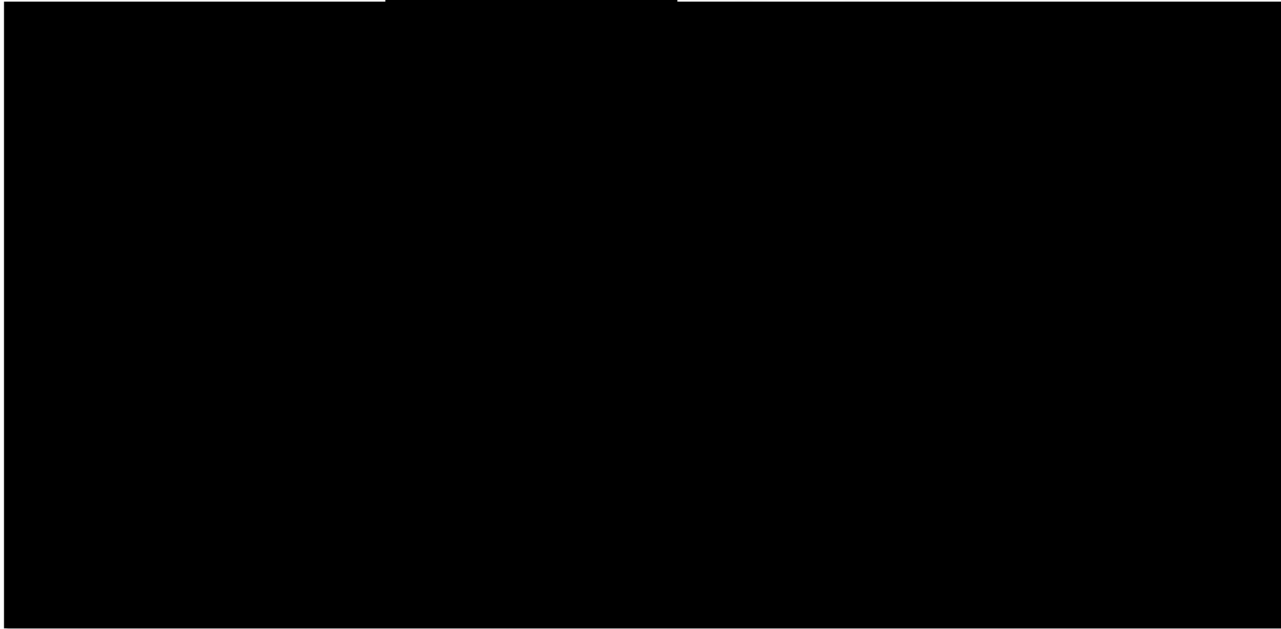
On scene Det. TRUJILLO and Crime Scene Unit personnel located five (5) fired 9mm cartridge cases. Det. TRUJILLO spoke with [REDACTED], who provided access to a scanner used by door personnel at the club to scan Driver License and Identification cards for the entering patrons. The data collected from December 31, 2021 and January 1, 2022 was downloaded to an Excel spreadsheet and provided to Denver Police.

Investigators began a review of HALO video surveillance footage from the 1900 block Blake St. Based on clothing worn by the shooter and other associates, investigators were able to locate the shooter exiting a vehicle with two other males (one wearing red pants) in front of Cabin Bar at 11:30 p.m. The driver of the vehicle stopped in traffic as the males exited, consistent with a ride share service drop off. At approximately 11:31 p.m. video shows the three males at the entrance tent to Cabin Bar.

Det. TRUJILLO learned the data collected from the scanner at the entrance to Cabin Bar was four minutes ahead of real time. Det. TREGEMBO, reviewing the data from the scanner, identified an entry at 11:35 p.m., December 31, 2021. 11:35 p.m. would be consistent with a male approaching the entrance line at 11:31 (as observed on video) plus the four minute time difference on the scanner. The Colorado Driver License # [REDACTED] scanned at this time listed to Levi Floyd DIECIDUE 02/09/1999. Det.

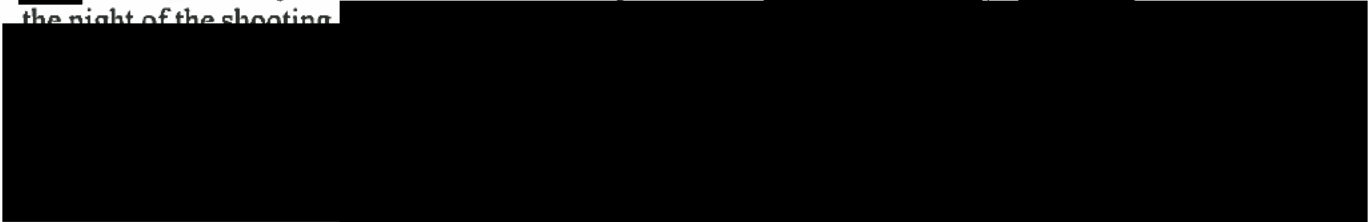
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TREGEMBO obtained a DL phot for Levi DIECIDUE and compared this to still shots of the shooter collected from the video on [REDACTED] phone.

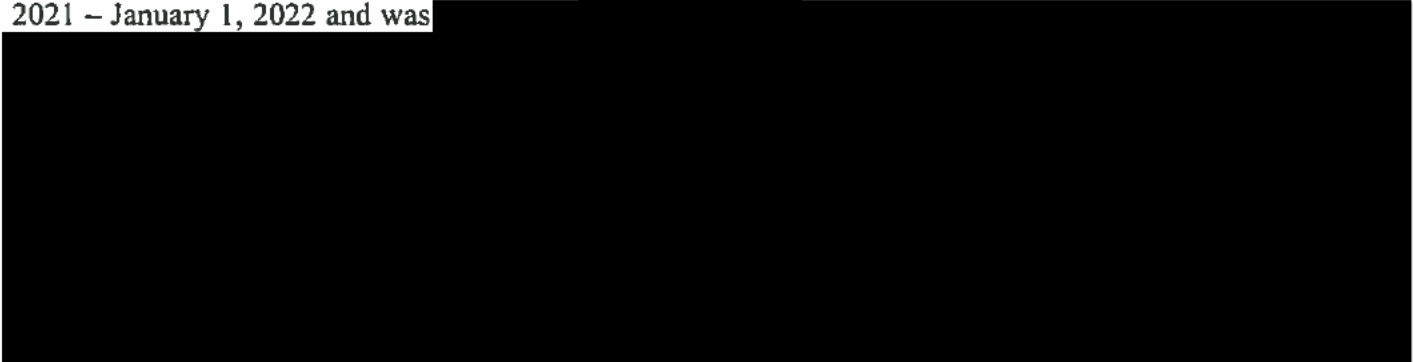


Utilizing proprietary online law enforcement resources Det. TREGEMBO was able to identify multiple associates to Levi DIECIDUE whose names were also listed in the scanner spreadsheet for entry to Cabin Bar. This included [REDACTED] and [REDACTED].

On January 1, 2022 at approximately 12:25 p.m. Det. TREGEMBO and Det. TRUJILLO responded to [REDACTED] S. Golden Way, Denver, CO in an attempt to locate [REDACTED], a [REDACTED] at Cabin Bar on the night of the shooting.



On January 2, 2022 Det. TREGEMBO made phone contact with [REDACTED] who agreed to meet [REDACTED]. Det. TREGEMBO and Det. TRUJILLO responded to [REDACTED] S. Golden Way, Denver, CO. [REDACTED] confirmed [REDACTED] Cabin Bar on the night of December 31, 2021 – January 1, 2022 and was [REDACTED].



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[REDACTED]

Det. Tregembo, utilizing online proprietary databases, identified telephone number [REDACTED] as being associated to [REDACTED]. [REDACTED] was found through law enforcement records to be an associate of Levi DIECIDUE.

On January 2, 2022 [REDACTED] forwarded a digital photo she took of her and [REDACTED] on the night of the shooting inside Cabin Bar. Upon reviewing her pictures from that night [REDACTED] observed a male in the background of the photo who she believed was associated to the males who first assaulted Devonte. [REDACTED] believed he was also associated to the shooter. Det. TREGEMBO compared the male in the background of the photo with a photo of [REDACTED]. The physical attributes appeared to be consistent with it being the same person.

[REDACTED]

On January 4, 2022 [REDACTED], [REDACTED] and [REDACTED] all individually and separately responded to Denver Police Headquarters to view a photo array previously prepared by Det. TREGEMBO. The array contained a Colorado Driver License photo of Levi Floyd DIECIDUE 02/09/1999. None of the witnesses was able to make an identification.

On January 6, 2022 at approximately 5:43 p.m. Det. TRUJILLO and Det. TREGEMBO made phone contact with a person who called employees at Beta Nightclub offering information on the shooting. The caller wished to remain ANONYMOUS. The caller offered information on the people involved in the shooting, specifically naming an involved person as "Drew" and providing his phone number as [REDACTED]. This information was consistent with the information provided by [REDACTED] on who [REDACTED] at Cabin on the night of the shooting. ANONYMOUS also provided a current residence address for [REDACTED] as [REDACTED] N. Emporia St., Aurora, CO.

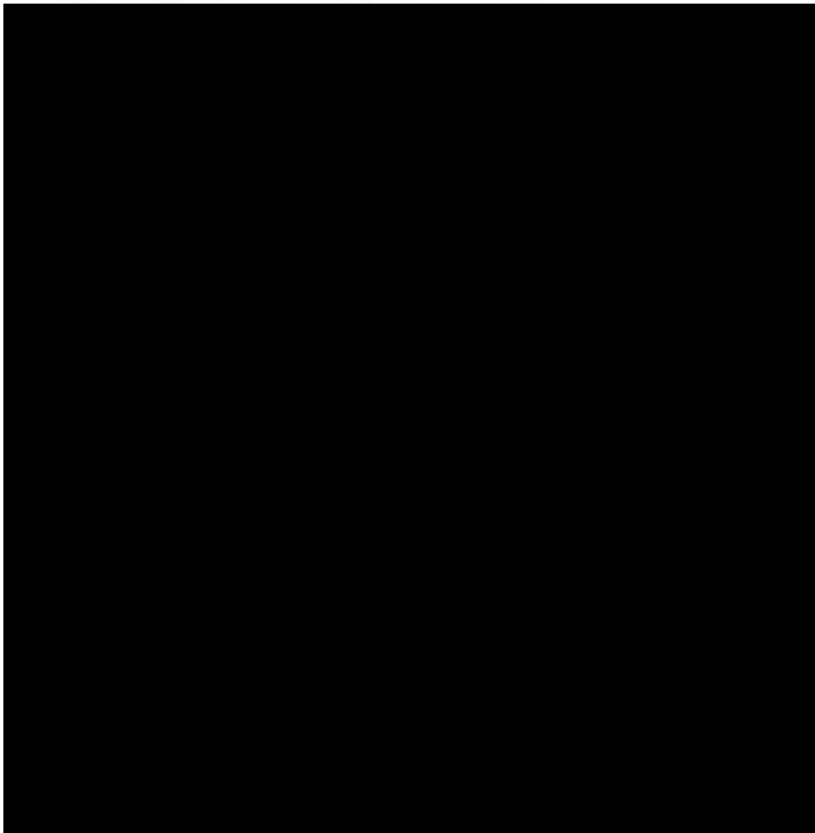
On January 10, 2022 at approximately 2:00 p.m. Det. TREGEMBO and Det. TRUJILLO responded to Starbucks, 200 Quebec St., to meet with ANONYMOUS. A single still image of the shooter, taken from

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cell phone video, was shown to ANONYMOUS. ANONYMOUS identified the male in the picture as "Michael" and said he was a close associate and roommate to "[REDACTED]". [REDACTED] was formerly identified as most likely being [REDACTED]. ANONYMOUS was then shown a single, unmarked Driver License photo of Levi DIECIDUE. ANONYMOUS positively identified this photo as "Michael" and as the same person pictured in the cell phone video still image. ANONYMOUS later called Det. TRUJILLO and advised that "Michael" also used the name Levi. ANONYMOUS also knew "Michael" or "Levi's" [REDACTED] to live across the street from a park. Levi DIECIDUE'S former address with [REDACTED].

On January 11, 2022 the Denver Police Department Violent Criminal Enterprise Task Force was briefed on the information related to the ongoing homicide investigation. VCETF initiated background and surveillance operations on the [REDACTED] N. Emporia St., Aurora, CO address. In the course of their investigation VCETF personnel observed males consistent with [REDACTED] and Levi DIECIDUE exiting the home, walking to a nearby restaurant and returning to the residence with bags of food.

On January 13, 2022 VCETF personnel were able to take photographs of males coming and going from the house a [REDACTED] N. Emporia St., Aurora, CO. Your Affiant viewed the photos and two of the males were observed to be physically consistent with [REDACTED] and Levi DIECIDUE. A male believed to be Levi DIECIDUE was observed bringing out the trash cans from the house to the curb, consistent with behavior of someone living at the residence.



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Based on this information your Affiant believes these two parties are associated with the house. It would be reasonable to believe that clothing and firearms used by the suspect in the shooting on January 1, 2022 could currently be inside the residence.

Based on these facts, your Affiant is respectfully requesting an **ARREST WARRANT** and to **SEAL the AFFIDAVIT** pursuant to **Rule 41** of the Colorado Revised Statutes, 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 and that the witnesses mentioned in this warrant can be protected from any type of early reprisals; for arrest of **Levi Floyd DIECIDUE 02/09/1999**, for the offense(s) of C.R.S. 18-3-102(1)(a) Murder in the First Degree a Class 1 Felony, so that this investigation can continue.

I affirm this information to be true and correct



Signature of Affiant

Subscribed under oath before me on

Date

Time



Judge or Notary Public

My commission expires: \_\_\_\_\_

**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 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