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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

vs.

JHARED IVAN RODRIGUEZ,
DOB: 09/23/2003
AKA: Fatass
5948 S 5625 E
Kearns, UT 84118
OTN#: 65233223
SO#: 444245
SID#/BCI#: 1475841
Booking#: 23047907

Defendant.

Screened by: HOMICIDE TEAM
Assigned to: HOMICIDE TEAM

INFORMATION

DAO # 23.021937

BAIL: NO BAIL WARRANT

WARRANT/RELEASE: IN JAIL PRD
11/07/2023

Case No.

The undersigned Detective J. Nelson - West Valley City Police Department, Agency Case No. WV23-92865, upon a written declaration states on information and belief that the defendant, JHARED IVAN RODRIGUEZ, committed the crime(s) of:

COUNT 1

MURDER, 76-5-203, a First Degree Felony, as follows: That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did intentionally or knowingly cause the death of another; intending to cause serious bodily injury to another, commit an act clearly dangerous to human life that caused the death of another; acting under circumstances evidencing a depraved indifference to human life, knowingly engage in conduct which created a grave risk of death to another and thereby caused the death of another; engaged in the commission, attempted commission, or immediate flight from the commission or attempted commission of

any predicate offense, felony discharge of a firearm, or was a party to the predicate offense, and a person other than a party as defined in Utah Code Section 76-2-202 was killed in the course of the commission, attempted commission, or immediate flight from the commission or attempted commission of any predicate offense, felony discharge of a firearm; and the actor acted with the intent required as an element of the predicate offense, felony discharge of a firearm.

COUNT 2

FELONY DISCHARGE OF A FIREARM WITH INJURY, 76-10-508.1, a Second Degree Felony, as follows: That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;

(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or

(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

Furthermore, the aforementioned violation caused injury to any person.

COUNT 3

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about October 28, 2023 at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;

(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or

(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

COUNT 4

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;

(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or

(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

COUNT 5

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows:
That on or about October 28, 2023 at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;
(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or
(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

COUNT 6

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows:
That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;
(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or
(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

COUNT 7

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows:
That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;
(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or
(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

COUNT 8

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows:
That on or about October 28, 2023, at 1378 W. Parkway Ave, in Salt Lake County, the defendant did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;
(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or
(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

Detective J. Nelson, Officer A. Bergeson, Luis Estrella Jr, Christopher Amader-Ramirez, and Dr. Justin Lohman

DECLARATION OF PROBABLE CAUSE:

Your affiant bases probable cause on information and evidence collected by West Valley City Police Department, Case No. WV23-92865 and the following:

The statement of West Valley Police A. Bergeson that on October 28, 2023, he responded to shots fired at 1378 West Parkway Ave, in Salt Lake County. Dispatch advised that there were several people with guns at the location. Officer Bergeson was advised that the shooting victim, Jesus Puerta Tovar, was transported to the hospital by friends, where he was pronounced dead.

The statement of Luis Estrella Jr that on October 28, 2023, he was having a “kick back” at the house. Luis stated that it was meant to be a small party, but between 15-30 people showed up. Luis stated that he had several friends there, including JHARED IVAN RODRIGUEZ. Luis stated that Christopher Ramriez showed up and he told Chris to leave. Luis stated that RODRIGUEZ and Chris don’t like each other because of a “beef” over a girl. Luis stated that he told RODRIGUEZ to calm down, was pushing RODRIGUEZ back from fighting, and told RODRIGUEZ not to do anything he would regret. RODRIGUEZ told Chris and his group to leave and that’s when a kid from Chris’ group said, “you’re just mad he fucked your bitch.” After this, Luis observed RODRIGUEZ pull out a gun and Luis ran. Luis stated that he tried to get RODRIGUEZ to shut up and get Chris to leave. Luis stated that he talked to RODRIGUEZ after the party, and RODRIGUEZ wouldn’t tell Luis where he was. Luis told RODRIGUEZ to turn himself in, but RODRIGUEZ wouldn’t say anything.

The statement of Christopher Amader-Ramirez that he, Jason, and Jesus Puerta Tovar went to a Halloween Party on Parkway Ave. Chris stated that when they walked up to the house, he and Jason were recognized by RODRIGUEZ and a kid named Danny. RODRIGUEZ and Danny don’t like Chris and Jason, and they didn’t know Jesus. RODRIGUEZ and Danny told them to leave. Chris stated that he wanted to leave, but Jesus wanted to stay and party. Danny and Jesus started fighting and a fight broke out between the two groups. Chris stated that they broke the fight up and left, but then realized that they’d left the car keys on the lawn and turned back. Chris stated that the fight reengaged, and Danny’s group was yelling at them to leave again. Chris stated that Danny, RODRIGUEZ and Jesus were fighting again. Jesus hit Danny and RODRIGUEZ pretty hard and then RODRIGUEZ pulled out the gun. Chris stated that he observed RODRIGUEZ “lock it back”, motioning racking the slide of the gun, and they all started running. Chris stated that RODRIGUEZ shot Jesus because Jesus had said “you’re just mad that my homie fucked your bitch” to RODRIGUEZ. Chris stated that this made RODRIGUEZ mad, and he pulled out his gun and shot at Jesus. Chris stated that Jesus was shot, and they drove him to the hospital where he died.

Dr. Justin Lohman with the Utah State Office of the Medical Examiner conducted an autopsy of Jesus Puerta Tovar. Dr. Lohman loc two gunshot wounds on the back and arm of Jesus and the entry was from back to front. The gunshot went through the left ventricle between ribs 8 and 9, punctured the left upper lobe of the lung, and fragments were recovered from plural cavity and soft tissue in the anterior chest. Dr. Lohman determined the manner of death was homicide.

The statement of West Valley Detective J. Nelson that in total eight 9 mm shell casings were located on the front lawn and roadway of the residence located at 1378 West Parkway Ave, including one S&B 9X19. An approved search warrant was served on RODRIGUEZ' car and a S&B 9x19 casing was located in the trunk of his car, which matched one of the shell casings left on scene.

MOTION FOR NO BAIL HOLD:

Pursuant to Utah Code 77-20-201(1) the State requests that the defendant be held without bail until further notice in this matter on the following grounds:

The defendant is charged with First-Degree Murder and based upon the above probable cause statement, there is substantial evidence supporting the charges and clear and convincing evidence that the defendant would constitute a substantial danger to any other individual or to the community or is likely to flee the jurisdiction of the court, if released on bail.

In this case, a party was being held at a residence in West Valley City. When the victim showed up with his friends, they were asked to leave. However, the victim wanted to stay and party. A physical fight broke out between the victim's group and a group that was already at the party. When words were exchanged about a girl, the defendant pulled out a gun, cocked it, and fired at the victim. The victim as well as other party goers ran from the scene. The victim was shot in the arm and back and later died from his injuries.

The defendant had no regard for the safety and welfare of others while out in the community. The defendant is a clear danger to the community. Due to the serious nature of the allegations, the defendant should be held without bail.

Pursuant to Utah Code Annotated § 78B-18a-106 (2018) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: 6th day of November, 2023

/s/ JEFFREY NELSON

Declarant

Authorized for presentment and filing
SIM GILL, District Attorney

/s/ Fred Burmester

Deputy District Attorney
7th day of November, 2023
FB / MM / DAO # 23.021937

OTHER PENDING CASES FOR THE DEFENDANT

Court	Court Case #	Trial Judge	DAO #	Charge
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