

SIM GILL, Bar No. 6389
District Attorney for Salt Lake County
MEGHANN MILLS, Bar No. 11926
Deputy District Attorney
35 East 500 South
Salt Lake City, Utah 84111
(385) 468-7600
mmills@slco.org

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.

JADEN DINO PAPENFUSS,
DOB: 09/24/2006
AKA: Jaden Papenfuss
5803 W 5200 S
Hooper, UT 84315

Defendant.

COOPER, JAYVON DAJON
DOB: 04/19/2004

D.,J, (Juvenile)

I.K., (Juvenile)

M.G., (Juvenile)

T. E., (Juvenile)

VASQUEZ, WHITNEY MICHELLE
DOB: 12/09/1987
Co-Defendant(s)

Screened by: HOMICIDE TEAM
Assigned to: TO BE ASSIGNED

INFORMATION

DAO # 24.015783

BAIL: NO BAIL WARRANT

WARRANT/RELEASE: IN JUVENILE
DETENTION

Case No.

Co-Defendant DAO# 24.015986

Co-Defendant DAO# 24.015847

Co-Defendant DAO# 24.015846

Co-Defendant DAO# 24.015848

Co-Defendant DAO# 24.015844

Co-Defendant DAO# 24.015987

The undersigned Detective O. Flores - Unified Police Department, Agency Case No. CO24-80443, upon a written declaration states on information and belief that the defendant, JADEN DINO PAPENFUSS, committed the crime(s) of:

COUNT 1

MURDER, 76-5-203, a First Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant did, as a party to the offense, 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; engage in the commission, attempted commission, or immediate flight from the commission or attempted commission of any predicate offense, to wit: 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; and the actor acted with the intent required as an element of the predicate offense.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 2

OBSTRUCTION OF JUSTICE - CAPITAL/FIRST DEGREE FELONY CONDUCT, 76-8-306(2)+(3A), a Second Degree Felony, as follows: That on or about August 25, 2024, at in Salt Lake County, the defendant, as a party to the offense, did with intent to hinder, delay, or prevent the investigation, apprehension, prosecution, conviction, or punishment of any person regarding conduct that constitutes an offense that would be a capital felony or first degree felony:

- (a) provide any person with a weapon;
- (b) prevent by force, intimidation, or deception, any person from performing any act that might aid in the discovery, apprehension, prosecution, conviction, or punishment of any person;
- (c) alter, destroy, conceal, or remove any item or other thing;
- (d) make, present, or use any item or thing known by the actor to be false;
- (e) harbor or conceal a person;
- (f) provide a person with transportation, disguise, or other means of avoiding discovery or apprehension;
- (g) warn any person of impending discovery or apprehension;
- (h) warn any person of an order authorizing the interception of wire communications or of a pending application for an order authorizing the interception of wire communications;
- (i) conceal information that was not privileged and that concerned the offense, after a judge or magistrate had ordered the actor to provide the information; or
- (j) provide false information regarding a suspect, a witness, the conduct constituting an offense, or any other material aspect of the investigation; and

(3)(a) is a second degree felony if the conduct that constitutes an offense would be a capital felony or first degree felony.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 3

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant, as a party to the offense, 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.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 4

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant did, as a party to the offense, 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.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 5

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant, as a party to the offense, 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.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 6

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant, as a party to the offense, 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.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 7

FELONY DISCHARGE OF A FIREARM, 76-10-508.1, a Third Degree Felony, as follows: That on or about August 25, 2024, at 4110 South 465 East, in Salt Lake County, the defendant, as a party to the offense, 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.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss is subject to an enhanced penalty as provided in that section because the above offenses was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

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

Officer D. Jaroscak, G.B., Detective T. Santoro, Detective O. Flores, and Dr. Deirdre Amaro

DECLARATION OF PROBABLE CAUSE:

Your affiant bases probable cause on information and evidence collected by Unified Police Department, Case No. CO24-80443 and the following:

The statement of Unified Police Officer D. Jaroscak that on August 25, 2024, he responded to Monaco Apartments, 4110 South 465 East, in Salt Lake County, on a report of a shooting that occurred just before 2:29 p.m.. As he arrived he located a male and a female administering CPR to a young male, later identified as 14 year old J.M., who had been shot. As Officer Jaroscak was securing the scene, paramedics arrived and transported the young male to the hospital. Officer Jaroscak followed the paramedics to the hospital and remained there until Detective Santoro arrived.

The statement of G.B. that she lives near the above address, and that on August 25, 2024, she was returning from the grocery store with her boyfriend. G.B. stated that she was inside her apartment, looked out the kitchen window and observed an African American male walking past her apartment. G.B. stated that male turned to go east (4110 S), when an older brown 4-door sedan with dark tinted windows came from the east, turned left onto 430 East and stopped behind the male. G.B. stated that the car had dark tinted windows and appeared to be occupied by 4 people. G.B. stated that three people got out of the car, walked around towards the male, and all three started to shoot at the male. G.B. stated that the male started running east, weaving to avoid being shot. The 3 shooters got back into the car and drove off south then turned west towards the 300 east exit of the apartments. G.B. stated that she heard six to eight shots in

succession. G.B. stated that the first male exited the drivers rear, another from the rear passenger and the third from the front passenger side of the car. G.B. did not see the driver exit the car and she could not see the driver due to the tinted windows. The males all had black and white bandanas wrapped around their hands and they were all wearing black with black hoodies. G.B. stated that she did not see their faces clearly but she was able to see their skin color and that they were all African American and appeared to be in their late teens or early twenties.

The statement of Unified Police Detective T. Santoro that when he arrived at the hospital, he was told that J.M. had been taken into surgery. Later, at about 4:34 pm., Detective Santoro was notified by medical personnel that J.M. had passed away. Detective Santoro and Detective O. Flores went to the hospital to speak with friends and family of J.M., and to notify the parents of J.M.'s death. While at the hospital, Detective Santoro was approached by a person who wished to remain anonymous for safety. This person told Detective Santoro that the suspects involved in this case were members of the NIB street gang, that one of the shooters was 15-year-old K.I., who goes by "Menace," and that there were five people inside the car. Detective Santoro was also informed that members of the NIB gang were bragging about the incident on Instagram. The following day, Detective Santoro received additional information that another person involved was 14-year-old E.T., who goes by "Boppin."

The statement of Unified Police Detective O. Flores that detectives processed the crime scene and located six 9mm shell casings in the area the three shooters had been standing. The casings have been sent for forensic analysis. Detective Flores also attended the autopsy of J.M., conducted by Dr. Deirdre Amaro with the State Office of the Medical Examiner on August 26, 2024. Dr. Amaro noted that the cause of death was a gunshot wound to the chest. The bullet appeared to have entered the back of J.M., traveled left to right in an upward trajectory injuring the right lung; the bullet appears to have exited the right side of the chest. Dr. Amaro noted the manner of death as homicide.

The statement of Detective Santoro that Motor Sportsland is near the Monaco Apartments, and that he reviewed video surveillance from Motor Sportsland and observed that immediately after the shooting, at 1430 hours, a gold Chevrolet Impala is seen coming from the area of 300 East, west on Hill Avenue towards State Street. The Impala is traveling at a high rate of speed and matches the description of the suspect car. The video also shows several stickers on the rear window, making it stand out from other Chevy Impalas. Using ALPR technology, Detective Clark was able to locate the same vehicle with the same stickers, just prior to the shooting at 1402 hours, travelling near the home of E.T. Detective Santoro was able to obtain the license plate from that photo. A records search on the license plate returned to N.V., step-mother of JADEN DINO PAPENFUSS. Detectives began watching PAPENFUSS' residence and observed the gold Chevrolet Impala parked in front of it. On August 26, 2024, while keeping surveillance on the vehicle, detectives observed an elderly man later identified as H.V. come out of the residence and begin scraping the stickers off the rear window. Detectives talked with H.V., asking him why he was removing the stickers, and detectives were informed that PAPENFUSS' biological mother, WHITNEY MICHELLE VASQUEZ, asked H.V. to remove the stickers.

Detectives then made contact with VASQUEZ and learned that PAPENFUSS was not at the home. Detectives asked VASQUEZ about Chevrolet Impala. VASQUEZ said that it is PAPENFUSS' car and that the day prior, on August 25, 2024, PAPENFUSS and his friends showed up at the house and she freaked out on him. VASQUEZ showed detectives videos from her home cameras that showed K.I. coming to the house. Another video showed J.D. coming to the house. VASQUEZ then made a call to her father on speaker phone, in front of the detectives, and the detectives listened to the call. VASQUEZ' father said he was watching the news and hoped that PAPENFUSS was not involved and advised VASQUEZ to cooperate with police. VASQUEZ told her father that when PAPENFUSS came home the night of August 25, 2024, he told her that something bad happened and he had to go pick up his friends and take them somewhere. VASQUEZ told her father that she saw the news later and put it all together. VASQUEZ told her father that she did not want PAPENFUSS to get in trouble, and that PAPENFUSS called her earlier to take the stickers and license plate off his car and that she would not take the plates off but that "grandma and grandpa" went and took the stickers off. VASQUEZ hung up with her father, then FaceTimed with PAPENFUSS. During the call, PAPENFUSS said he was still with K.I. and he asked VASQUEZ to go park his car somewhere for him. After hanging up, VASQUEZ then told detectives that when PAPENFUSS came home on Sunday, he told her what happened. VASQUEZ said that PAPENFUSS told her that the "kid", referring to J.M., shot first and K.I. is the one that "did it".

Late in the evening of August 26, 2024, PAPENFUSS was located and brought in for questioning. He was admonished and interviewed in the presence of his mother VASQUEZ and step-mother N.V. Post-Miranda, PAPENFUSS stated that on August 25, 2024, he woke up and spent time with his girlfriend, then later had a plan to go make a music video. PAPENFUSS tried to get a hold of his friends to be in the music video and he picked up the ones that were available. PAPENFUSS stated that he picked up his friend "Boppin" (E.T.), then he picked up "Jay" (COOPER) and his two cousins at COOPER's apartment complex, later determined to be Stonehenge Apartments. PAPENFUSS said he did not know any of their actual names. He said after picking them all up, they started talking about where to shoot the music video. PAPENFUSS stated that during this time, E.T. had taken a picture out the window showing their location and either posted it to social media or sent it in a text message to someone individually. PAPENFUSS said someone had seen the photo and commented, "Stay there I'ma come get ya". E.T. read the text out loud and E.T. said he was going to stay right there, while PAPENFUSS tried to get them to go so they could shoot the music video. PAPENFUSS stated that he was stressing because of this and began driving, but accidentally drove the wrong direction then turned into an apartment complex next to the one they have been at. PAPENFUSS said he then hears someone in the car say, "Hey, hey woah, woah, stop, stop, stop." PAPENFUSS slammed on his brakes and asked "what?" then clapped his hands twice, demonstrating the gunfire, and said he ducked his head down. PAPENFUSS said he ducked because he heard gunshots. PAPENFUSS stated that as soon as he heard the gunshot, he slammed on his brakes and heard his doors open. PAPENFUSS says he started to go forward again and heard someone say "Stop!" multiple times, so he stopped and kept his head down. PAPENFUSS stated that as soon as the doors shut, he drove out of the apartment complex towards 300 East then went home and told his mom what happened. PAPENFUSS says he left because he knew if he stayed he could

have been shot and killed and he did not want to be in that situation. PAPENFUSS said he did not know “he” was dead, that it happens too much in Salt Lake, like his friend “Croco” who was recently killed. PAPENFUSS said that the murder is because kids do not know what to do, they do not mean to kill anyone and that it is because of peer pressure. PAPENFUSS was asked if he was with K.I., and he said K.I. was not there. PAPENFUSS then redescribed what happened, but this time states that he slammed on the brakes because as soon as he came around the corner, he saw that “he” (J.M.) was looking them in the eyes. PAPENFUSS says he heard yelling as he stopped, claps his hands and heard his doors open, then kept his head down. He says he saw the victim draw his gun and thinks he shot first into the ground. PAPENFUSS then gives a third account of what happened, stating that they saw the victim and as soon as the victim heard yelling, PAPENFUSS hears his window go down and sees the victim look up and tries out his gun. PAPENFUSS said he then heard the gunshot and put his head down. PAPENFUSS stated that he heard approximately six gunshots. PAPENFUSS stated that he tried to drive off after the first shot, but he was told to stop. PAPENFUSS said he thought that everybody else but him had a gun, but he did not think anybody got out of the car and was not sure who shot but thought at least two people shot. PAPENFUSS said after the shooting, the guns were ditched in a nearby apartment. PAPENFUSS denied being a member of the criminal street gang NIB but said he kicks it with a lot of different gang members, NIB and 45, and said that the deceased victim is 45. PAPENFUSS said 45’s main beef is probably with 500 and the Mexicans from Midvale. PAPENFUSS was again asked if he was with K.I., and at first said “Who is K?,” then later said K.I. was not there.

After this portion of the interview, the detectives leave the room. While they are out of the room, PAPENFUSS turns to VASQUEZ and tells her to call “Kunta” and to have “Kunta” convince “J.J.” (nickname for J.D.) to turn himself in and take accountability for it because he is 13 years old. VASQUEZ replies affirmatively.

On August 27, 2024, E.T. was admonished and interviewed in the presence of his mother. Post-Miranda, when E.T. was asked if he knew why he was there, E.T. said “I think it’s the situation with the murder” and admitted it was gang related. E.T. initially stated that on August 25, 2024, he did not leave his home. E.T. explained that he woke up at 10 am, received a call from his friends to go hang out for his friend J.D.’s birthday, but that he declined the offer and watched tv with his mom instead. E.T. stated that he received a call at about 5:00 pm from K.I. who told him “we got that nigga, we can’t say much over the phone but we got that nigga.” E.T. says he told K.I. that he didn’t want to be involved. K.I. told E.T. that they were going to hide out in Ogden. When detectives asked about Stonehenge Apartments, E.T. stated that his friend JAYVON DAJON COOPER lives in the Stonehedge apartments but denied that he was there when COOPER was picked up and denied being at the shooting. E.T. was asked if he has any nicknames, and he shook his head no, but when asked if his nickname is “Boppin,” E.T. and his mom said yes. E.T.’s mom also denied E.T. was present for the shooting. When E.T. was pressed, he then admitted to being at the scene of the shooting but says he did not shoot. E.T.’s mom then asked to leave the room. E.T. then admitted that when PAPENFUSS picked him up, J.D. was in the front seat, and he got into the back seat. He said that then they went and picked up K.I., COOPER and an unknown person. E.T. said after everybody was in the car, they saw

J.M. and PAPENFUSS stopped the car and “they” got out. E.T. says he stayed in the car with COOPER because he did not want any part of it. E.T. stated that when they were picking up COOPER, PAPENFUSS saw J.M. walking. E.T. stated after they picked up COOPER, they drove around and that’s when PAPENFUSS, J.D. and K.I. got out of the car. E.T. stated that J.M. started to run and they started shooting at him. When asked where everyone was seated in the car before and after picking up COOPER, E.T. explained that he was in back passenger side seat, PAPENFUSS was driving, J.D. was in the front seat, and K.I. sat behind PAPENFUSS. He stated that when COOPER entered the vehicle, E.T. scooted into the middle and COOPER was behind J.D., describing a total of 5 people in the car. E.T. left out the final “unknown” person. When asked clarifying questions, E.T. then explained that after picking up COOPER, as they were about to leave the apartment complex, PAPENFUSS looked over and spotted J.M., saying “Who’s that who’s that.” PAPENFUSS stopped and got out of the car and went to the fence. When PAPENFUSS came back to the car, he said, “we on his ass.” E.T. stated that they drove to the other apartments (Monaco), saw J.M. walking and PAPENFUSS said, “That’s him that’s him, get out the car, get out the car and get him.” E.T. stated that they got out of the car, J.M. started to run and they ran after him and started shooting. When asked who was shooting, E.T. claimed that he knew that J.D. and K.I. shot, and that someone else named “Adrian” also got out and may have shot. E.T. denied that he got out of the car or shot a gun. E.T. then stated that there were 6 people in the car. E.T. stated that he saw J.M. pull out a gun after he started running away. E.T. stated that K.I. and “Adrian” disposed of their guns in a green dumpster after the shooting, but that J.D. kept his gun. E.T. said J.D. had a Taurus handgun with a light, K.I. had a Glock with an extended clip, and Adrian had a “normal gun.” When asked about gangs, E.T. stated that 500 block and 700 block started fighting. E.T. said 4500 looks up to 700, so when 500 killed a 700 member, it started a large fight. E.T. said this incident is retaliation for 4500 killing a member of 500.

On August 28, 2024, COOPER was detained, admonished and interviewed. Post-Miranda, COOPER stated that on August 25, 2024, he was picked up by PAPENFUSS and they were going to go smoke for J.D.’s birthday. COOPER stated that he walked out of his apartment and got into PAPENFUSS’ car, the gold Chevrolet Impala. COOPER stated that PAPENFUSS was driving, and J.D. was in the front passenger seat. COOPER stated that he got into the back seat behind J.D. and E.T. was in the middle seat. COOPER stated that the other rear passenger, seated behind PAPENFUSS, was a short black male wearing a black ski mask, but he didn’t know who his name. COOPER stated as they started driving west through the parking lot towards the 500 East exit, they drove along the fence line that separates the Stonehenge Apartments and the Monaco Apartments. PAPENFUSS suddenly stopped the car, and everyone got out and looked through the fence towards the Monaco apartments. COOPER said that everyone got back into the car quickly but COOPER did not know what was going on. COOPER said PAPENFUSS then drove them out of the complex on 500 East and then immediately made a left turn into the Monaco Apartments. PAPENFUSS the drove down the road into the complex the stopped the car suddenly, and PAPENFUSS and all the other occupants got out of the car except for COOPER. COOPER then heard several gun shots. COOPER stated that PAPENFUSS got out of the car and then got back in before everyone else. COOPER said that the person in the ski mask shot a gun towards the victim. COOPER stated that E.T. and J.D. got

out of the car, but he didn't know if they had guns. COOPER stated that when they left, they kept telling him not to say anything about the incident, and that they told him that the person they shot at had shot back at them. COOPER denied having a gun during the incident. COOPER was asked by detectives if he knew where the kid in the facemask was, referring to him only by his first name, and COOPER said no, confirming that he knew that the other passenger was K.I.

During the investigation, information was developed that K.I. and J.D. were hiding out at a home in Washington Terrace. Detectives responded and located K.I. and J.D. and took them into custody. During a search of the home, detectives located J.D.'s iPhone and black cross body bag that belonged to him. Additionally, detectives located ammunition, a .40 caliber Glock handgun under the bed, a casing, along with a 9mm Glock handgun with an extended magazine. The magazine was in the gun and had several rounds in it.

After reviewing select home security clips showed to them by VASQUEZ, detectives obtained additional information from Vivint on the home security cameras at VASQUEZ's home. According to the application data file from Vivint, 5 clips were deleted on 8/25/24 from 1806, 1807, 1809, 1827, and 1830 hours. The historical data showed that there were not any clips deleted in the week preceding the day of the homicide. Furthermore, the data file indicated that only two persons had access to the footage, VASQUEZ and N.V. The phone used to delete the files is an iPhone 14. Detectives learned that VASQUEZ' phone is an iPhone, and that the paramour has a Samsung. When detectives viewed the videos on VASQUEZ' phone, they were unable to find the deleted videos that were listed in the content sent from Vivint. Some of the deleted videos were recovered and their content includes footage of PAPERFUSS and the other suspects recorded shortly after the shooting.

On August 28, 2024, K.I. was admonished and interviewed in the presence of his father. Post-Miranda, K.I. stated that on August 25, 2024, he was hanging out with E.T. and all of them, when PAPERFUSS called them to shoot a music video. K.I. stated that PAPERFUSS picked them up and then went to pick up COOPER. K.I. said that after picking up COOPER, as they were going to the exit, PAPERFUSS thought he saw J.M. so he pulled over and everybody except COOPER exited the vehicle and went running to the fence. K.I. stated that they did not see "him" through the fence so they got back into the car, and PAPERFUSS to the other apartment to check further. K.I. stated that in the apartments they saw the victim, and PAPERFUSS said "He's right there, what y'all gonna do, hop out." K.I. said that he, E.T. and J.D. got out of the car, E.T. yelled "is that you?" and E.T. and J.D. started shooting. E.T. said that J.M. started running and reaching into his pants. K.I. stated that PAPERFUSS also opened his door and that COOPER stayed in the car. K.I. initially had claimed he didn't have a gun, but when confronted that they found a gun where he was arrested, he said he probably touched the gun. Later K.I. admitted to having and using a gun, but claimed he did not shoot towards the victim but instead only shot towards the ground. K.I. stated that PAPERFUSS was driving, J.D. was in the front passenger seat, COOPER was behind J.D., K.I. was in the middle and E.T. was behind PAPERFUSS. K.I. stated that after the shooting they all went to PAPERFUSS' house and that PAPERFUSS told VASQUEZ about what happened. PAPERFUSS arranged for G.M.

to come and pick them all up and take them to E.T.'s house. K.I. was asked how many gun shots he heard, K.I. said J.D. said he shot 5 and E.T. said he shot like 6 and that he, K.I., only shot once. K.I. admitted that the 9mm gun found during the search warrant was used in the shooting. K.I. said E.T. and G.M. were going to get the other guns and bury them. K.I. claimed he is not in a gang, but said he has friends that are in gangs, specifically NIB. K.I. stated that PAPERFUSS is 3900, E.T. is NIB, COOPER is TTK, and J.D. is not in a gang.

Detective Flores was able to review cellphone downloads and photos contained therein from the evening of August 25, 2024. In the download there are several photographs of G.M. together with PAPERFUSS, E.T., K.I and COOPER, flashing gang signs. Additionally, G.M.'s black vehicle was identified on the surveillance footage of PAPERFUSS' home, and it shows G.M. arriving shortly after the shooting and picking up several of the suspects.

Detectives served a search warrant on Instagram regarding a chat with users: jaywalkemdown_3 (COOPER), ksp_dino (PAPERFUSS), walkdown039 (E.T.), Jjdastomp3r (J.D.), h39d_m3nace (K.I.). On August 24, 2024, at approximately 2025 hours, or about 18 hours before the shooting, COOPER tells the other 4 defendants in gang lingo in the chat to bring him a gun because J.M. (nickname "Gotti") is near his home and tried to pull a gun on his family. Specifically, in the chat COOPER states "Gotti over here", "Someone slide one me need a pole m". PAPERFUSS replied and says "wtffff happening me and menace (K.I.) been asleep". COOPER said Gotti and someone else are outside and they, "...tried to up pipe (pull a gun) on my dad and my sister." E.T. asks for someone to "swoop" him (pick him up). After the shooting, PAPERFUSS tells everyone he is going to lose his phone and suggests they do the same. PAPERFUSS then sends a link to a news story about the shooting.

Dr. Deirdre Amaro with the State Office of the Medical Examiner conducted an autopsy on J.M. Dr. Amaro noted that the cause of death is due to a gunshot wound to the chest. The bullet appeared to have entered the back of J.M., traveled left to right in an upward trajectory injuring the right lung; the bullet appears to have exited the right side of the chest. Dr. Amaro noted the manner of death as homicide.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that Papenfuss, E.T., K.I., J.D., and COOPER are subject to an enhanced penalty as provided in that section because the above offenses were committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

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 multiple felonies 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.

The defendant has a juvenile criminal history that involves convictions for possession of a handgun by a minor, possession of a controlled substance and gangs.

The defendant is a document member of the gang NIB.

In this case, the almost 18-year-old defendant was hanging out with 20-year-old COOPER and three significantly younger codefendants (ages 15, 14 and 14) under the guise of “smoking” for celebration of one of the defendant’s fourteenth birthday, and with plans of shooting a music video. However, chats from the day prior involving all 5 parties show that there was discussion of a future confrontation with J.M. involving a firearm. Furthermore, as soon as the defendant arrived in the area, they began looking for a rival gang member, the 14 - year-old victim, in the apartment complex next to the one where they picked up COOPER. The defendants got out of the car and looked to confirm it was him, decided to go “get” the victim, drove over to where he was at, defendant stopped the car, told the younger defendants to out and do something, at which point they got out and shot the 14-year-old victim as he ran away. The victim later died of his injuries. The shooters got back into the vehicle and the defendant then fled the scene, then discarded their guns or worked with another defendant to hide the guns, then laid low, in hopes of not being found out. When initially interviewed, the defendant gave details of the crime that were somewhat consistent with what happened, but claimed that he was merely present and just happened to be driving, but that he did not intentionally play any part at all in the victim’s death. However, he was later implicated by several defendants. Additionally, days after his interview, detectives received a response to a search warrant that included an Instagram conversation between all defendants involved in the homicide that clarifies what the defendants’ intentions that day with regard to the victim. The messaging clarifies that defendant COOPER instigated and involved the others in a confrontation of the victim with a firearm. Specifically, COOPER sent a message 18 hours before the homicide in a chat that included all other defendants, requesting that the codefendants bring him a gun because the victim, identified by his moniker, was in the apartment complex allegedly harassing his family. Based on these correspondence, it is clear that the defendants knew the victim may be in the area because of the COOPER’s message, and shows why the defendant was the looking for J.M. when he arrived in the area. The Instagram chat further demonstrates that all 5 defendants shared the same criminal intent when they drove over to where the victim was, jumped out of the car and fired their weapons at the victim as he tried to run away. Furthermore, the defendant is significantly older than the other defendants, and through his actions he encouraged the violent actions of the

younger defendants. This is a common strategy for older gang members given the leniency of the juvenile justice system. This strategy is also clear in the defendant's discussion with his mother while in the holding area of the police department, when he tells his mother to contact somebody to convince the youngest defendant to turn himself in "since he is only 13." The defendant played his part in this situation without out any regard for the safety or welfare of the community, the victim, or his much younger codefendants. Additionally, after the shooting, the defendant suggested losing their phones, the reached out to another gang member to help get rid of the firearms, and appears to have been involved in hiding two of the defendants out in a home in Ogden, showing attempts to obstruct the investigation and apprehension. Due to the defendant's premeditated role in the offense and 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: 9th day of September, 2024.

/s/ OMAR G FLORES

Declarant

Authorized for presentment and filing:
SIM GILL, District Attorney

/s/ Meghann Mills

Deputy District Attorney

9th day of September, 2024

MM / MM / DAO # 24.015783

OTHER PENDING CASES FOR THE DEFENDANT

Court	Court Case #	Trial Judge	DAO #	Charge
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