

13:03 06/18

Detail Incident Report

Incident #: 090530020

5184

Supplement Dictated by H. Martinez #1311 on 06/12/09 at 1759 hrs.

Total Dictation Time = 10:13 mins.

Total Narrative Dictation Time = 6:26 mins.

On 06/12/09, at approximately 1500 hours, while in the area of Park Avenue and Benson Highway information was received that the suspect involved in this case, Mr. Albert Robert Gaxiola (DOB ***** could possibly be in the vicinity.

Mr. Gaxiola was positively identified and taken into custody inside the McDonalds on the northwest quad of Park Avenue and Benson Highway by members of the Fugitive Task Force. It was unknown as to how Mr. Gaxiola arrived on scene as he appeared to have been walked inside of the McDonalds from an easterly direction. He was believed to be with a female subject by the name of Georgina Sue Moraga (DOB ***** who was ultimately found driving a 2002 silver Isuzu Axiom with Arizona license plate of 111WDE.

A stop was made on that vehicle and Ms. Moraga was taken into custody on a probable cause alert for a probation violation as informed by Adult Probation Officers on scene.

Both of the subjects were handcuffed and transported in separate vehicles to the Pima County Sheriff's Department Administration Building located at 1750 East Benson Highway to be interviewed by detectives.

I stayed at the scene which was at the west side of the Quality Inn located at 1025 East Benson Highway where the vehicle that Ms. Moraga was driving was in a parking space. That vehicle was to be impounded at the Pima County Sheriff's Department Impound Lot.

Deputy B. P. Hill #5031 assisted me and provided me with a Tow Truck Request form. Overall pictures were taken of the outside of the vehicle. I opened all of the doors and there appeared to be a lot of miscellaneous items, it appeared that somebody was possibly using the vehicle to move from one location to another as there were bags and miscellaneous house ware stuff. I did not inventory the inside of the vehicle as it was going to Impound.

The tow truck was requested at approximately 1540 hours and arrived on scene at approximately 1555 hours. All four doors and the hatchback were sealed and signed by me. The vehicle was placed onto a flatbed tow truck from Frontier Towing and was followed by a patrol car driven by Deputy Hill to the Impound Lot where it was secured in one of the bays. It arrived at Impound at approximately 1606 hours.

The registered owner of the vehicle was Georgia Ann Wood located at 4200 East Santa Barbara Avenue in Tucson, Arizona which Ms. Moraga had stated that was her mother's vehicle.

Terminal Operations was notified at approximately 1740 hours of the impounded vehicle. I received Verification #195 from Badge #4428.

There was a Cricket telephone that was by the driver's side seat that was

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ringing while I was waiting for the tow truck. The cell phone was turned off and the battery was extracted from it. Both the battery and the cell phone were placed on the driver's side seat. All of this was done with latex gloves on as to not tamper with any latent prints if they were needed at a later date.

That concluded my involvement in this case.

NFI

Transcribed by #6903 on Fri Jun 12 19:38:08 MST 2009

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SUPPLEMENTAL NARRATIVE:

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Supplement Dictated by C. J. Hogan #1233 on 06/12/09 at 1832 hrs.
Total Dictation Time = 8:10 mins.

EVIDENCE:

The following is a list of items taken from there person of Albert Gaxiola and placed into evidence by myself:

AG1 Qty. 1: Bryco Arms 25-caliber semi-automatic pistol
Serial Number: 1246682

AG2 Qty. 1: Spear 25-caliber auto round from chamber of Item AG1

AG3 Qty. 1: Magazine from Item AG1

AG4 Qty. 5: Spear 25-caliber auto rounds from Item AG3

AG5 Qty. 1: Magazine from front left pocket

AG6 Qty. 6: Spear 25-caliber auto rounds from AG5

AG7 Qty. 1: Motorola Trac Fone

AG8 Qty. 1: Folding knife from waistband

NARRATIVE:

On 05/30/09, I received information from detectives in the Sierra Vista area that Mr. Albert Gaxiola would possibly be arriving in the general area of the McDonald's sometime after 1500 hours. I had previously been shown a copy of an arrest warrant in reference to homicides in this case.

Other members of the Fugitive Investigative Strike Team (FIST), including Detective H. Martinez #1311, and I then went to the area of the McDonald's on the northeast corner of Park and Ajo. We continued to maintain surveillance on the McDonald's until a surveillance officer saw a male subject in a white T-shirt and brown khaki short enter the McDonald's. I had been (inaudible) Detective Montano in Sierra Vista, who advised that Mr. Gaxiola would be going into the McDonald's. Detective Martinez entered the McDonald's, at which point he called me and stated that the subject inside was indeed Mr. Gaxiola and he was sitting at a table.

Based on the severity of the offenses, as well as known weapons violations in the past, other units and I surrounded the McDonald's. I entered the McDonald's and pointed my weapon at Mr. Gaxiola. He complied and got on the ground. At this point, there were only one or two customers in the general area of the McDonald's and none in the area in the area of Mr. Gaxiola. I detained Mr. Gaxiola in handcuffs and began to pat search him. He told me he had a gun in his back right pocket. From his back right pocket, I removed a Bryco Arms 25-caliber semi-automatic pistol with Serial #1246682. This weapon had a magazine in the weapon. I removed the magazine and saw five 25-caliber auto

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rounds inside. I cleared the weapon. There was one live round in the chamber of the weapon. Mr. Gaxiola was then placed under arrest.

At that point, I continued to search Mr. Gaxiola. In his front left pocket, I located another similar size magazine for the same weapons. The magazine contained six 25-caliber auto rounds. Also, Mr. Gaxiola had a Motorola Trac Fone cell phone in his pocket and a Smith and Wesson folding knife in his waistband.

Mr. Gaxiola was advised that he had a warrant for his arrest, at which point he was transported to the Pima County Adult Detention Center; however, prior to this, I attempted to obtain information from him on how he got to the McDonald's, as an outstanding wanted suspect, Ms. Georgina Moraga, who is wanted for violating probation and is known to be with him, had been observed with him on the day prior. He eventually heard over our radio system that other officers were following a tan car. At that point, he admitted that she was in the tan car and had dropped him off.

Mr. Gaxiola was then turned over to other detectives at the Sheriff's Department administration building.

I later placed all the items of evidence into the Pima County Sheriff's Department (PCSD) Evidence Unit. These items were photographed prior to being placed in evidence.

On that same day, on 06/12/09, I was asked to assist detectives who had placed Ms. Shawna Forde under arrest for an outstanding warrant regarding the same case.

I responded to the Sheriff's Department Forensic Unit, where I stood by as Ms. Forde was fingerprinted. At one point, Ms. Forde said she did not want to sign the fingerprint card. I explained to her that she did not have to. I stood by and witnessed as she was fingerprinted.

Photographs were taken of Ms. Forde and the jewelry which she was wearing, which included two rings, one being a gold colored ring with green colored rocks inside and the other being a silver colored ring with a lighter greenish rock in it. Also, Ms. Forde was wearing two earrings. For details, please see photographs.

When I searched Ms. Forde prior to transporting her to the Adult Detention Center, she had a white piece of paper in her left rear pocket, which she provided to me. This had some type of GPS coordinates or numbers on it with the words "Sierra Vista Coronados Mexico-side spotter" written on it. When I looked at the paper, she told me that was information regarding a drug cartel in Mexico. At that time, I had not asked Ms. Forde what the paper was.

I then took buccal cell swabs from Ms. Forde and explained to her that these were taken pursuant to a search warrant.

At that point, I transported Ms. Forde to the Pima County Adult Detention

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Center, where she was booked in. She was provided with copies of the property sheets for the buccal cell swabs, jewelry, and the paper from her pocket. For further details, please see any future supplements.

NFI

Transcribed by #6640 Fri Jun 12 20:26:05 MST 2009