



AURORA POLICE DEPARTMENT

NARRATIVE TEXT HARDCOPY

GO# 2012-28181 OPEN

903-0 MURDER NONFAMILY GUN

Redacted

Filed

MURDER NONFAMILY GUN # 23 2012

*17CR1577
Div 408*

**ARAPHOE/DOUGLAS DET
WARRANTLESS ARREST**

CLERK OF THE COMBINED COURT
ARAPAHOE COUNTY, COLORADO

EIGHTEENTH JUDICIAL DISTRICT COUNTY OF ARAPAHOE
DETERMINATION OF PROBABLE CAUSE TO DETAIN (Completed by Arresting Authority)

Arrestee James Eagan Holmes
Address 1690 Paris Street #10
City Aurora
State/ZIP CO 80010
DOB 12-13-1987
SS# (DET#) [REDACTED]

PROTECTED ORIGINAL

DATE OF ARREST 07-20-2012
TIME OF ARREST 1:40 A.M.

Arresting Agency - AURORA POLICE DEPT. PHONE - (303) 739-6000
Arrested for:

Charge(s) Murder In The First Degree
C.R.S. 18-3-103

The above person is ordered to report to court as directed by the appropriate law enforcement authorities per the following information:

Date *July 23rd, 2012* Time *09:30* **AM** PM

Court Location *7325 s. Potomac street Centennial, Colorado*

(Completed by Judge)

Probable Cause Determination

X Probable cause to believe that this person has committed a crime does exist and there is reason to detain said person pending ~~posting of bond or~~ further court proceedings.

Probable cause to believe that this person has committed a crime has NOT been shown and the person is ordered released. pending further court proceedings and must appear before the court as directed above.

JUL 20 2012

at 1731

Jones, A. 1026

In accordance with Section 18-1-1001(5) C.R.S., this person. will not be allowed to be released from custody, even if the bond has been posted, until the person has received the mandatory protection order required from a judge or magistrate on the record.

NO BOND HOLD. KAH



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BY THE COURT:

K. Horton

Judge

201

Division

7/21/2012

Date

1:35 p.m.

Time

Original: Court File Copy 1: Arrestee. 2: Detention. 3: Dist. Attorney

Author: APPEL, CRAIG J.

Related date: Jul-20-2012 (Fri.) 0

*** END OF HARDCOPY ***



Redacted

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**MURDER NONFAMILY GUN
ARAPAHOE/DOUGLAS WARR AFFIDAVI
WARRANTLESS ARREST**

*12UR1577
Div 408
Filed*

STATE OF COLORADO
EIGHTEENTH JUDICIAL DISTRICT
COUNTY OF ARAPAHOE

Court Case #

JUL 23 2012

CLERK OF THE COMBINED COUNTY
ARAPAHOE COUNTY, COLORADO

STATEMENT IN SUPPORT OF WARRANTLESS ARREST

Holmes, James Eagan
Suspect (Last,First Middle)
Date of Birth 12/13/1987

Agency Case # 2012-28181

Aurora Police Department	(303)739-6000	07/20/2012	12:40A.M
Arresting Agency	Phone #	Date of Arrest	Time of Arrest

Charge	Statue/Ordinance	Class	Bond
Murder In The 1st Degree	18-3-102	F1	No Bond

Det. Craig J. Appel #18562, a Police officer with the AURORA POLICE DEPT. states that there exists probable cause for the warrantless arrest of the above named suspect for the charges stated above. The Officer further states that the facts below are based on personal knowledge and/or interviews with witness(s) and fellow peace officers and/or review of official law law enforcement reports.

1. The crime(s) alleged occurred on 07/20/2012, at 14300 E. Alameda Avenue City of Aurora, County of Arapahoe State of Colorado.
2. The suspect was arrested at 12:40 X AM PM 20TH day of July, 2012
3. The facts in support of the probable cause for the warrantless arrest of the above named suspect are as follows:

On July 20, 2012 at approximately 12:39 A.M., the Aurora Police Dispatch Center received several phone calls reporting multiple gunshots being fired inside the Century 16 Theatres. This business is located at the address of 14300 East Alameda Avenue, Aurora, Arapahoe County Colorado.

These phone calls indicated that there were between 10-20 shots fired inside auditorium #9 and that several people had been shot and were evacuating the

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theatre. Callers indicated that there were possible explosions as well as multiple gunshots coming from inside the theatre.

At approximately 12:40 A.M., officers from the Aurora Police Department began to arrive on scene and observed numerous people fleeing the theatre. Officer Jason Sweeney #300364 entered the area and parked his vehicle to the south of the building and was met there by Officer Jason Oviatt #301013. The officers did not hear any gun shots at this time. These officers then observed a white Hyundai, displaying Colorado registration 119-ROC parked on the south side the building directly next to the emergency exit for auditorium #9. This vehicle was parked facing the building and a male party was standing outside the vehicle on the driver side with the driver side door open. There were no other subjects near this emergency exit.

Officer Sweeney observed this male wearing what appeared to be ballistic protection, including a ballistic helmet and gas mask. Officer Sweeney initially believed that this person was a police officer but observed that the gas mask appeared to be an older version of the type utilized by the police. At this time Officers Sweeney and Oviatt directed this male to raise his hands, which he did. This male who was subsequently identified by a Colorado drivers license as James Holmes, DOB: 12-13-87 was then taken into custody. Officer Oviatt informed your affiant that upon Holmes' arrest he was asked if there was anybody else involved and Holmes' advised that there was not. Holmes informed Officer Oviatt that the address on his license was his correct address and that there were bombs inside his apartment and they would go off if the wires were tripped.

As Holmes was being taken into custody, Officer Sweeney observed a black semi-auto pistol with a green laser sight on the roof of the vehicle. Holmes' clothing was removed at the scene by officers during his arrest. Officer Sweeney asked Holmes if anyone was with him. Officer Sweeney heard Holmes say, "It is just me."

Your affiant arrived at the theatres at 2:20 A.m. and personally observed the following items that were removed from Holmes during his arrest: a pair of black military style boots, a black coat, black body armor that covered his entire body, a black ballistic helmet, a gas mask, a magazine carrier with nine magazines containing live rounds, a magazine for a pistol and a green colored plastic doorstep. Your affiant also observed what appeared to be a silver cellular telephone among these items. Your affiant also observed a black assault type rifle on the ground directly outside the emergency exit door. Your affiant observed a great deal of blood on the sidewalk outside the door as numerous victims exited the theatre through this door.



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Officers from the Arapahoe County Sheriff's Department Bomb Squad responded and utilizing an explosive removal robot, removed items from the vehicle. Included among these items were two rifle cases and a pair of black gloves. A second black semi-auto pistol in a holster was observed inside the storage compartment on the passenger side door.

Holmes was transported to police headquarters where Chuck Mehl #16848 and your affiant met with him. Holmes was transported to the interview rooms located on the third floor of police headquarters where the detectives spoke with him. This interview was recorded on DVD. At 2:44 A.M. Holmes was advised of his rights per Miranda. Holmes requested an attorney at which time the interview was concluded.

Additional officers responded to the theatre and entered auditorium #9 where they located ten victims found to be deceased. Your affiant briefly observed the interior to auditorium #9 and observed the following: a black shotgun on the floor several feet inside the theatre along with six empty shotgun shell casings. Your affiant additionally observed a green colored plastic doorstop attached to the emergency exit door. This item appeared to be similar to the plastic doorstop located among Holmes' property upon his arrest. Your affiant observed two .40 caliber magazines on the floor beside the shotgun, and several empty rifle shell casings on the floor. All of these items were observed on the floor at the front of the theatre.

Your affiant observed three additional rifle magazines that appeared to still have live rounds, a 90 round Beta Mag magazine and another .40 caliber magazine on the floor leading towards the lobby of the theatre on the west side of the seating area. Your affiant observed numerous deceased parties throughout the theatre.

Your affiant met briefly with Sergeant Matt Fyles #26218 who provided your affiant with additional information regarding the deceased and injured parties. Sergeant Fyles advised that ten parties were pronounced deceased inside the theatre. Twenty individuals were shot and transported to University Hospital, with two deceased. Six individuals were shot and transported to Denver General Hospital, twelve individuals were shot and transported to The Medical Center of Aurora South. Six individuals were shot and transported to Children's Hospital, with one deceased. Two victims were shot and transported to Parker Adventist Hospital and another shooting victim was transported to Swedish Medical Center.

Detective Mark Yacano #15678 interviewed witness Corbin Dates, DOB: 07-12-1980 on the morning of this incident. Dates said the following:



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-He arrived at the movie theatre at 11:30 P.M. and sat in the second row from the front approximately four seats in from the right side. The movie was schedule to start at 12:00 A.M.

-Once seated he noticed a thin white male walk down and sit in the very front row at the very end seat.

-He described this male as wearing a banana, gray shirt, long sleeve button shirt, with a goatee.

-This subject then pulled out what looked to be a cell phone and placed it by his ear.

-This subject then stood up and walked to the emergency exit door which was approximately ten yards away.

-This subject propped open the door with his foot and proceeded to appear that he was talking on the phone.

-Dates said that he(Gates)received a call from his friends and walked towards the lobby of the movie theatre.

-Dates said that he returned to his same seat and did not see the male with the gray shirt.

-He sat down and about fifteen minutes later he saw the emergency door fly open and observed a subject wearing a gas mask throw an object into the theatre.

-He then dove to the floor and started to smell some type of gas and heard approximately eighteen gun shots.

-He stayed on the floor until the gun man left.
Sergeant Fyles also informed your affiant that upon Jason Holmes' arrest, his residence was identified as 1690 Paris Street, #10, Adams County Colorado. Officers from the Aurora Police SWAT Team responded to this address and established a perimeter on the apartment building.

Your affiant learned from Detective Yacano and Detective Wilson the following:
-The Adams County Sheriff's Office Bomb Squad responded to 1690 Paris Street, #10, Adams County Colorado.

-The apartment building was evacuated and the bomb squad utilized an explosive robot to make entry into this apartment.



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-An explosive robot made entry to the apartment and immediately was stopped by trip wires.

-The explosive robot then utilized a camera and the interior to the apartment was viewed by officers. The camera observed the main room and observed additional trip wires that lead into different rooms within the apartment. Propane tanks, bottles filled with an unknown liquid and bottles filled with ammunition were observed located throughout the apartment.

-The Denver Police Bomb Squad also responded and determined that entry to the apartment was too dangerous to send an officer inside.

Reports/additional pages stapled to this statement are incorporate into the statement.

Executed on the 20TH day of July, 2012 at 1:00 (AM) X PM

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

C. J. Appel 7-20-12
Arresting Officer Signature & ID#

Sgt. M. Fyles
Arresting Agency Supervisor's Name

Original: Court File
Copy 1: Arrestee Copy
Copy 2: Detention Copy
Copy 3: District Attorney Copy

Author: APPEL, CRAIG J.
Related date: Jul-20-2012 (Fri.) 1033

*** END OF HARDCOPY ***