

**ARREST WARRANT APPLICATION**

JD-CR-64b Rev. 10-04  
C.G.S. § 54-2a  
Pr. Bk. Sec 36-1, 36-2, 36-3

**STATE OF CONNECTICUT  
SUPERIOR COURT**  
www.jud.state.ct.us

FOR COURT USE ONLY	
SUPPORTING AFFIDAVITS SEALED	
<input type="checkbox"/> YES	<input type="checkbox"/> NO


AGENCY NAME <b>Middletown PD</b>		AGENCY NO. <b>09-9480</b>
NAME AND RESIDENCE (Town) OF ACCUSED <b>Morgan, Stephen P (11/4/79) [REDACTED] Marblehead, MA</b>		COURT TO BE HELD AT (Town) <b>Middletown</b>
		G.A. NO. <b>9</b>

**APPLICATION FOR ARREST WARRANT**

TO: A Judge of the Superior Court

The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts

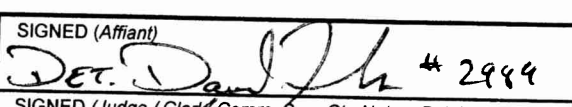
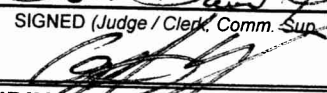
set forth in the:  AFFIDAVIT BELOW  AFFIDAVIT(S) ATTACHED.

DATE AND SIGNATURE	DATE <b>5/7/09</b>	SIGNED (Prosecuting Authority) 	TYPE/PRINT NAME OF PROSECUTING AUTHORITY <b>Timothy J. Linton - State's Attorney</b>
--------------------	-----------------------	---	---

The undersigned affiant, being duly sworn, deposes and says:

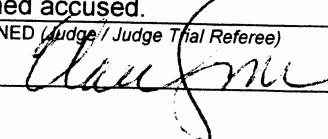
- The undersigned officer, David M. Fuchs, is a member of the Middletown Police Department and has been employed by said department since November 2006 and is presently assigned to the Detective Bureau. The following facts and circumstances are stated from personal knowledge and observations as well as information received from brother officers acting in their official capacity, from official police reports, and from statements made by prudent and credible witnesses.
- On Wednesday, May 6, 2009 at approximately 1256hrs, Central Dispatch received a report of gunshots occurring at Broad Street Books and the Red & Black Cafe located at 45 Broad Street, Middletown. It was reported that there was a female victim in the rear of the store. A minimum of three separate calls were received by Central Dispatch Headquarters regarding the incident via 9-1-1 lines. Dispatcher Boyce was one of the dispatchers that fielded the calls and relayed the information to officers responding.
- That Lt Sean Moriarty of the Middletown Police Department arrived at Broad Street Books/Red & Black cafe and observed a white female lying on the floor behind the sales counter of the Red & Black Café, injured. He reported that the victim was moaning and shaking on the floor. Lt Moriarty was informed by Central Dispatch that they received an additional report indicating the suspect had gone down a conveyor belt that leads into the basement. As Lt Moriarty was searching the basement area for the suspect, he observed a dark-colored baseball cap and a laptop computer on the conveyor belt. He checked the basement further and noticed a brown-colored wig on the floor in the northern most aisle and a pair of eyeglasses on a shelf. Based

(This is page 1 of a 6 page Affidavit.)

DATE AND SIGNATURE	DATE <b>May 7<sup>th</sup>, 2009</b>	SIGNED (Affiant)  # 2989
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) <b>5/7/09</b>	SIGNED (Judge / Clerk / Comm. Sup. Ct. / Notary Public) 

**FINDING**

The foregoing Application for an arrest warrant, and affidavit(s) attached to said Application, having been submitted to and considered by the undersigned, the undersigned finds from said affidavit(s) that there is probable cause to believe that an offense has been committed and that the accused committed it and, therefore, that probable cause exists for the issuance of a warrant for the arrest of the above-named accused.

DATE AND SIGNATURE	SIGNED AT (City or Town) <b>Middletown, CT</b>	ON (DATE) <b>May 7, 2009</b>	SIGNED (Judge / Judge Trial Referee) 	NAME OF JUDGE/JUDGE TRIAL REFEREE <b>GORDON</b>
--------------------	---	---------------------------------	--	--

**ARREST WARRANT AFFIDAVIT  
CONTINUATION PAGE**

JD-CR-64b REV. 10-04  
C.G.S. § 54-2a,  
Pr. Bk. Sec 36-1, 36-2, 36-3

**INSTRUCTIONS:**

The jurat is to be completed for each page of the affidavit.  
The prosecutorial official and judge/judge trial referee are to date  
and sign or initial each page to indicated that they have reviewed it.

**STATE OF CONNECTICUT  
SUPERIOR COURT**

NAME AND RESIDENCE (Town) OF ACCUSED <b>Morgan, Stephen P (11/4/79) [REDACTED] Marblehead, MA</b>	COURT TO BE HELD AT (Town) <b>Middletown</b>	G.A. NO. <b>9</b>
--	---	----------------------

**AFFIDAVIT**

The undersigned Affiant, being duly sworn, deposes and says:  
on descriptions of the suspect reported by eye witnesses, the wig was suspected to have been worn by the suspect at the time the shooting occurred.

- That Officer William Porter was one of the initial responding officers to 45 Broad Street and assisted in stopping, identifying, and detaining any individuals found in the building or attempting to leave. One of the individuals detained was a white male wearing a red T-shirt. He identified himself as Stephen Morgan (11/4/79) and gave an address of [REDACTED] Street, Boulder, CO.
- That Lt Lozefksi interviewed an eye witness identified as Susan [REDACTED] (2-8-87). She reported that she was being served by a female employee at the Red & Black Café on 5/6/09 at about 1250hrs. As she was reaching into her purse to obtain her card to pay for some salad she ordered, she heard four loud popping noises. She then turned around to see smoke in the air and saw bullet casings on the ground. She faced the suspect and saw him fire three more shots. [REDACTED] noticed that the female behind the counter was no longer standing and the suspect was standing over the counter with a gun in his hand pointed at the floor. Once the shots stopped, [REDACTED] reported the suspect looked around and ran out of a framed opening behind the counter. [REDACTED] described the shooter to be a white male, about 27-35 years old, approximately 6'0 with a thin build. She stated that he was wearing blue jeans, a dark blue shirt, silver-framed eye glasses, and either a baseball cap or a du-rag on his head. [REDACTED] estimated that she was just over an arm's length away from the shooter during this incident.
- That Det Mike DeSena interviewed an eye witness identified as [REDACTED] (11-2-81). [REDACTED] is employed at Broad Street Books as the general manager. He reported that on 5/6/09 at approximately 1300-1330hrs he was in the back room located on the basement floor with two other employees: [REDACTED] and [REDACTED]. He then heard a loud noise coming from the conveyor belt that runs from the basement to the first floor which is used to transport stock between the levels. [REDACTED] then stated that he saw a white male do a somersault and then jump off of the conveyor belt. This white male then approached [REDACTED] while pointing a silver and black handgun at him. The male said to [REDACTED] "Don't say anything or I'll shoot". He then fled the area through the double swinging doors that led to the sales floor. [REDACTED] and the two female employees then went to an office located in the basement where they had another employee call 911. [REDACTED] described this person as a white male, about 5'8-5'10, with a thin build, mustache and light facial hair on his chin, and estimated that he was in his early twenties.

(This page 2 of a 6 page Affidavit.)

DATE AND SIGNATURE	DATE <b>May 7, 2009</b>	SIGNED (Affiant) <i>Det. David Ph #2989</i>	
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) <b>5/7/09</b>	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public) <i>[Signature]</i>	
REVIEWED (Prosecutorial Official) <i>[Signature]</i>	DATE <b>5/7/09</b>	REVIEWED (Judge / Judge Trial Referee) <i>[Signature]</i>	DATE <b>May 7/2009</b>

**ARREST WARRANT AFFIDAVIT  
CONTINUATION PAGE**

JD-CR-64b REV. 10-04  
C.G.S. § 54-2a,  
Pr. Bk. Sec 36-1, 36-2, 36-3

**INSTRUCTIONS:**

*The jurat is to be completed for each page of the affidavit.  
The prosecutorial official and judge/judge trial referee are to date  
and sign or initial each page to indicated that they have reviewed it.*

**STATE OF CONNECTICUT  
SUPERIOR COURT**

NAME AND RESIDENCE (Town) OF ACCUSED <b>Morgan, Stephen P (11/4/79) [REDACTED] Marblehead, MA</b>	COURT TO BE HELD AT (Town) <b>Middletown</b>	G.A. NO. <b>9</b>
--	---	----------------------

**AFFIDAVIT**

The undersigned Affiant, being duly sworn, deposes and says:

7. The victim was transported to Middlesex Hospital via ambulance where she was pronounced dead as a result of several gunshot wounds. It was confirmed that she was an employee of the Red & Black. She was positively identified as Johanna Justin-Jinich (11/19/87) by co-workers at the Red & Black café as well as a Colorado photo driver's license. Justin-Jinich was also a student at Wesleyan University.
8. That Lt Moriarty observed the surveillance footage from Broad Street Books, and observed a white male with dark hair, carrying a black handgun, entering the retail area of the basement of 45 Broad Street, from the room that the conveyor belt goes to. Lt Moriarty described the male in the surveillance footage as wearing a wig that appeared to be falling off of his head.
9. On 5/7/09 at about 0415hrs Officer Chris Adkerson of the Marblehead Police Department (MA) interviewed Stephen Morgan's father, James Morgan (10/7/36). James reported that he last saw his son on 5/5/09 at about 11:00pm and that his son recently decided to move to Newport, Rhode Island. During Officer Adkerson's interview with James Morgan, he presented James with a photo from the Broad Street Books surveillance system of the suspect holding a handgun in his right hand. James positively identified the person in the photo as his son, Stephen Morgan. James further described his son as being a loner, quiet, not having many friends. James said that his son kept a journal and he has known him to make anti-Jewish comments. James said that when his son left, he took all of his belongings with him. James let Officer Adkerson look at his son's room which was described as a guest bedroom. Among the items left behind in the room was a full box of Independence 9mm ammunition and an empty handgun holster.
10. That Officer Mike D'Aresta was called to the scene with his K-9 Hunter to conduct a track of the suspect. He was accompanied on the track by Officer Kurt Scrivo and Officer Dan Smith. Officer D'Aresta presented the wig located on the basement floor to Hunter as a scent article and gave the "find him" command. Hunter pulled Officer D'Aresta towards the east stairwell and then up the stairs. Hunter then alerted on an emergency exit door on the south side of the building. Officer D'Aresta opened this door and Hunter then alerted on a black T-shirt that was located behind this door. Hunter grabbed the T-shirt in his mouth and started to shake it until Officer D'Aresta gave him the "leave it" command. Once Hunter released the T-shirt, a black handgun fell out from within this T-shirt and was in plain view of Officer D'Aresta. Officer Buller stood by the handgun while the K-9 track continued. Officer D'Aresta's K-9 track eventually ended at 5 Maple Place, Middletown on the second floor. There were two occupants in the apartment. Further investigation showed that these two subjects had no involvement in the incident.

(This page 3 of a 6 page Affidavit.)

DATE AND SIGNATURE	DATE <b>May 7, 2009</b>	SIGNED (Affiant) <i>Det. David Zh...</i> 2989	
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) <b>5/7/09</b>	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public) <i>[Signature]</i>	
REVIEWED (Prosecutorial Official) <i>[Signature]</i>	DATE <b>5/7/09</b>	REVIEWED (Judge / Judge Trial Referee) <i>[Signature]</i>	DATE <b>May 7, 2009</b>

**ARREST WARRANT AFFIDAVIT  
CONTINUATION PAGE**

JD-CR-64b REV. 10-04  
C.G.S. § 54-2a,  
Pr. Bk. Sec 36-1, 36-2, 36-3

**INSTRUCTIONS:**

*The jurat is to be completed for each page of the affidavit.  
The prosecutorial official and judge/judge trial referee are to date  
and sign or initial each page to indicated that they have reviewed it.*

**STATE OF CONNECTICUT  
SUPERIOR COURT**

NAME AND RESIDENCE (Town) OF ACCUSED <b>Morgan, Stephen P (11/4/79) [REDACTED] Marblehead, MA</b>		COURT TO BE HELD AT (Town) <b>Middletown</b>	G.A. NO. <b>9</b>
--	--	---	----------------------

**AFFIDAVIT**

The undersigned Affiant, being duly sworn, deposes and says:

11. That the Connecticut State Police Eastern District Major Crime Squad (EDMCS) processed the crime scene located at the Red & Black Café/Broad Street Books (45 Broad St). All evidence collected was turned over to Det Mudano and was then placed in the Middletown Police Department's evidence room. A total of 45 items were tagged as evidence. Among these recovered items were seven 9mm Luger "RP" shell casings and a CZ-USA 85 Combat 9mm semi-automatic handgun (ser#E0734). This handgun was the one previously located by Officer D'Aresta's K-9 during the track.
12. Detective Keith Hoyt of the Connecticut State Police located a laptop computer bag near where the wig was found. He also located a composition book inside the bag that had no name in it. On one of the last pages of this book, there was a writing dated May 6 at 11am that mentioned seeing all of the beautiful and smart people at Wes. It then goes on to say, "I think it okay to kill Jews, and go on a killing spree at this school". Another entry read, "Kill Johanna. She must Die." Based on this information and the probability that the laptop computer found on the conveyor belt may have come from the bag, Det Hoyt opened up the laptop computer. The computer was a white Apple IMac that was already powered up. He then checked to see who the administrator of the computer was and it was listed as Stephen Morgan.
13. Sergeant Jacobucci of the Middletown Police Department made contact with the victim's father, Daniel Jinich of Fort Collins, CO. Sgt Jacobucci asked Mr. Jinich if he knew of anyone who his daughter may have had problems with in the past. Mr. Jinich told Sgt Jacobucci that Johanna was having problems with a male stalking her during 2007. He informed Sgt Jacobucci that she filed a police report against this individual with the New York City Police Department while she was a student at New York University.
14. That a Stephen Morgan (11/4/79) was found to be the subject of a harassment complaint filed by Johanna Justin-Jinich on 7/22/07 with the New York City Police Department. In this particular case, Justin-Jinich was reporting that Morgan was harassing her through cell phone calls and through email from 7/10-7/17/07. Copies of several emails were read in which comments were both threatening and disturbing, and apparently written by Morgan to Justin-Jinich. A copy of the police report was faxed to this department and listed a case number for the incident as 2007-006-04182.

(This page 4 of a 6 page Affidavit.)

DATE AND SIGNATURE	DATE <b>May 7, 2009</b>	SIGNED (Affiant) <i>DET David [Signature] # 2989</i>	
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) <b>5/7/09</b>	SIGNED (Judge, Clerk, Commr. Sup. Ct., Notary Public) <i>[Signature]</i>	
REVIEWED (Prosecutorial Official) <i>[Signature]</i>	DATE <b>5/7/09</b>	REVIEWED (Judge / Judge Trial Referee) <b>May 7, 2009</b> <i>[Signature]</i>	DATE <b>5/7/09</b> <i>[Signature]</i>

**ARREST WARRANT AFFIDAVIT  
CONTINUATION PAGE**

JD-CR-64b REV. 10-04  
C.G.S. § 54-2a,  
Pr. Bk. Sec 36-1, 36-2, 36-3

**INSTRUCTIONS:**

*The jurat is to be completed for each page of the affidavit.  
The prosecutorial official and judge/judge trial referee are to date  
and sign or initial each page to indicated that they have reviewed it.*

**STATE OF CONNECTICUT  
SUPERIOR COURT**

NAME AND RESIDENCE (Town) OF ACCUSED <b>Morgan, Stephen P (11/4/79) [REDACTED] Marblehead, MA</b>		COURT TO BE HELD AT (Town) <b>Middletown</b>	G.A. NO. <b>9</b>
--	--	---	----------------------

**AFFIDAVIT**

The undersigned Affiant, being duly sworn, deposes and says:

15. That Officer Del Mauro located a red 2001 Nissan Sentra bearing Colorado registration 921NNX parked in the northeast corner of parking lot to the Red & Black Café/Broad Street Books. An NCIC check revealed that this vehicle was registered to Stephen Morgan (11/4/79) of [REDACTED] Boulder, CO. Detectives from Middletown Police and Connecticut State Police were able to see in plain view through the vehicle's windows that there was a black handgun case partially open inside of the vehicle. There was paperwork on the front seat visible through the windows with Morgan's name and address. This vehicle was towed to Middletown Police Headquarters and secured. A search and seizure warrant was obtained for the vehicle and it was processed by EDMCS. Among the items located during the search were 2 black handgun magazines. There was no writing on the magazines, but they were similar to the one in the previously recovered handgun. The ammunition located in the handgun was the same type and caliber as the ammunition located in the magazines.
16. That Detective Brian Hubbs was checking hotels in the Middletown area in an effort to locate Stephen Morgan. One of the hotels checked was the Best Way Inn located at 31 Meriden Rd (RT 66), Middlefield, CT. Staff confirmed that a Stephen Morgan rented a room (Room # 206) on 5-6-09. He presented his CO driver's license at the time he rented the room and listed his vehicle on the guest registration receipt as a '01 Nissan, license # 921NNX. Morgan had prepaid for two nights using cash. Detective Hubbs requested assistance believing the suspect may be inside the hotel room at that moment. When backup officers arrived, they entered the room using a master key. Once verifying it was empty, all officers backed out while a search and seizure warrant was applied for.
17. That a criminal record check utilizing the NCIC and COLLECT system reveals that the accused, Stephen P. Morgan, white male, date of birth 11/4/79, has no history of criminal charges nor convictions.
18. That based on these facts and circumstances set forth in this affidavit, this officer believes probable cause exists, that Stephen P Morgan (11/4/79) has committed the crimes of Murder, violation of section 53a-54a of the Connecticut General Statutes.

(This page 5 of a 6 page Affidavit.)

DATE AND SIGNATURE	DATE <b>May 7, 2009</b>	SIGNED (Affiant) <i>[Signature]</i> # 2989	
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (DATE) <b>5/7/09</b>	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public) <i>[Signature]</i>	
REVIEWED (Prosecutorial Official) <i>[Signature]</i>	DATE <b>5/7/09</b>	REVIEWED (Judge / Judge Trial Referee) <i>[Signature]</i>	DATE <b>May 7, 2009</b>