
AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

DATE FILED: December 21, 2021 4:25 PM

I, Detective Eric White #22725, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:



Adam Holen dob: 02-21-1985

White Male, 5'09" 180lbs, Blonde Hair, Hazel Eyes

Did commit the crime (s) of:

Second Degree Murder-F2	18-3-103
Felony Menacing-F5	18-3-206
Prohibited Use of Weapons-M2	18-12-106(1)(d)

On or about November 24, 2021 at about 10:29 P.M., within Arapahoe County, Colorado, and as grounds therefore states as follows:

Your Affiant advises the Court that your Affiant has been an Aurora Police Officer since September 2000. During this time your Affiant has been assigned to various investigative units within the Aurora Police Department to include the Vice/Narcotics Unit, the Marijuana Enforcement Team, as a Task Force Officer with the Front Range Drug Task Force, District Two Investigations and the Gang Unit. These assignments allowed your Affiant to gain extensive experience in the investigation of complex narcotics crimes and violent gang crimes. Your Affiant is currently assigned as a Detective to the Aurora Police Department Major Crimes Homicide Unit. As a Detective in the Major Crimes Homicide Unit your Affiant is responsible for the investigation of homicides, officer involved shootings, and other major criminal incidents.

On November 24, 2021, at about 11:00 P.M., your Affiant was called in to investigate a homicide at 4937 S. Addison Way, Aurora, Arapahoe County, Colorado. Your Affiant was assigned as the lead detective in this case. Your affiant states the facts below are based on personal knowledge and/or interviews with witnesses and fellow officers and /or review of surveillance video and/or review of official law enforcement reports and body worn cameras associated with Aurora Police Department Case Number 21-45340.

On November 24, 2021, at approximately 10:29 P.M., multiple Aurora Police Officers were dispatched to 4937 S. Addison Way on a report of a shooting. Dispatch advised the

responding Officers that both involved parties were still on scene and one of the males said he was a former Greenwood Village Police Officer.

Aurora Police Officer Abigail Wilson #316961 arrived on scene first. There was a red Toyota Scion with Colorado License plates BXE-J72 parked in the street in front of 4937 S. Addison Way. The Toyota Scion was facing south and parked about 10 feet from the west curb. The hazard lights were on. The Toyota Scion was registered to Amber Roseborough at 4937 S. Addison Way, Aurora, CO.

Officer Wilson observed a male, later identified as Peyton Blitstein dob: 07-02-2004, laying in the street just west of the Toyota Scion. Another male, later identified as Adam Holen dob: 02-21-1985, and a female, later identified as Amber Roseborough dob: 08-20-1975, were next to Peyton. Amber was performing CPR on Peyton.

Officer Wilson asked Adam who got shot and he said, "I did in my leg". Officer Wilson asked Adam if he shot someone and Adam said, "Yes ma'am, I've got a pistol on my hip". Officer Wilson asked Adam to keep his hands up, step over to the grass area and wait for other officers to arrive. Adam complied and went over to the grass.

Officer Wilson took over doing CPR on Peyton from Amber. Several other Aurora Officers assisted with CPR until the Aurora Fire Department arrived on scene. Officer Shawn Sullivan #317733 arrived on scene and he cut off Peyton's shirt to provide medical Treatment. Officer Sullivan saw approximately four gunshot wounds to Peyton's chest and one gunshot wound to his left arm.

Officer Christopher Ozaluk #312339 was on scene and saw what he believed to be a Glock 26 or a Glock 27 handgun with an extended magazine on the ground near Peyton's body, along with a fired shell casing.

Peyton was transported to Parker Adventist Hospital for Treatment. Peyton was taken into ER room #3. Dr. Byrd with Parker Adventist Hospital pronounced Peyton deceased at 11:11 P.M.

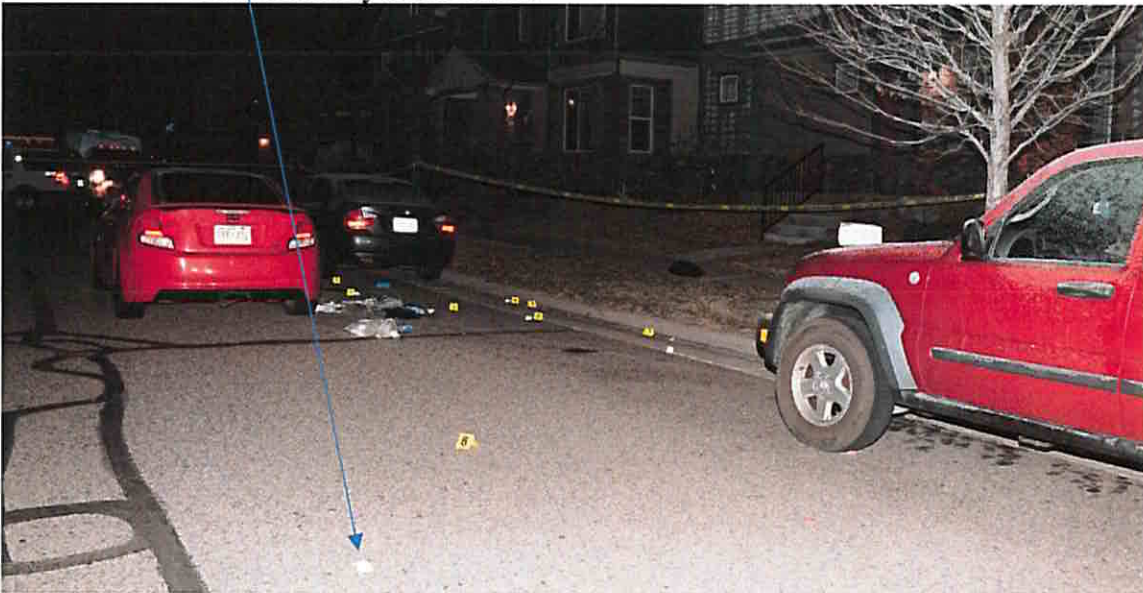
Sergeant Paulmichael Trenery #313114 arrived on scene and spoke with Adam who immediately said he was armed and lifted his shirt showing he had subcompact Smith and Wesson Shield handgun (serial number JFY8778) in his waistband, concealed under his shirt. Adam told Sergeant Trenery, "I used to be a former officer".

Sergeant Trenery removed Adam's handgun and set it on the hood of a nearby vehicle. He told Officer Bryce Settles #318212 to put on latex gloves and place the firearm into a paper bag. Officer Settles saw the magazine was empty, but there was one Hornady brand bullet in the chamber of the handgun. Officer Settles took control of the handgun and later placed it into Aurora Police Evidence.



Officer Fred Lang #309719 arrived on scene to assist. Officer Lang saw one 9 MM hollow point (Hornaday brand) bullet approximately 8 ft. behind the red Toyota Scion's rear bumper. Officer Lang marked the bullet with a business card and told the Officers currently on scene securing the vehicle about this discovery.

9mm Hornady brand bullet



Adam told Sergeant Trenery he was hit on his hip. Adam said everyone that had been in the red car ran into a house.

Sergeant Trenery saw blood on Adams's right leg near his hip and asked if he was shot. Adam said he wasn't sure and pulled his pants down. Sergeant Trenery could see that Adam had been shot on his right hip area and he requested another ambulance.

Sergeant Trenery told Officer Settles to get Adam's statement before he was transported to the hospital. Officer Settles asked Adam what happened. Officer Settles immediately noticed Adam was emotionally distraught and his speech was very fast paced. Your Affiant reviewed Officer Settles' bodycam for a more in-depth account of what happened.

Review of Officer Settles body camera video

The following is a summary of the interview between Officer Settles and Adam and not necessarily in sequence.

Adam said the Toyota Scion had been racing through his neighborhood non-stop. Adam had seen the Toyota Scion during the day and at night just racing through the area. Adam said he confronted him (later identified as Terence Eugene dob: 12-16-2003) and said, "Why the fuck are you racing" when the girl (later identified as Bethany Poor dob: 03-16-2005) got out of the driver's seat and she ran up to 4937 S. Addison Way.

Adam said Bethany told him, "Why the fuck you are stopping me, why are you yelling at me." Adam said he told her that she was racing through his neighborhood and to just slow down. Adam was asking Terence and Bethany why were they racing down his street, telling them that kids lived on the street.

Adam said out of nowhere, "three dudes" got out of the Toyota Scion and they surrounded him. Adam later pointed to an area in the street and said they came at him. Adam said he wasn't trying to start anything, but the kids were telling him, "Fuck you" and "I'm gonna fuck you up".

Adam said, "Oh shit, shit's about to get real". Adam said, "I'm obviously trained" saying he used to be a cop with Greenwood Village and just retired a week ago.

Adam said he knew "Shit was about to go down, so he had his pistol at the low ready". The term "Low Ready" is a police term used to describe a handgun being held out of the holster and pointed downward.

Adam said, "This dude (Peyton) pulls a fucking pistol out of nowhere and just shoots me". Adam returned fire with his Smith and Wesson Shield 9mm pistol. Adam said he probably emptied his mag because that is what he was trained to do. Adam said his handgun had eleven rounds. Ten in the magazine and one in the chamber.

Adam was asked to clarify if he had his pistol out before Peyton did. Adam said yes, he had his pistol at low ready because all 3 dudes jumped out of the Toyota Scion and they were "Flexing" on him.

Adam said he had his pistol at low ready and he didn't believe the occupants of the Toyota Scion saw it. Adam said he used to keep his handgun at low ready in the past when performing traffic stops.

Adam said Peyton raised his pistol at him and shot him. In response Adam said, "Oh fuck" and returned fire.

Officer Settles asked Adam, "Which one shot you". Adam pointed to Peyton saying, "He shot me right there". (Peyton was not yet transported during Adams interview).

Adam said all the other occupants of the Toyota Scion went into the house. The other occupants were identified as Bethany Poor, Terence Eugene, Jonah Johnson dob: 02-33-2005 and Paige Dyer dob: 10-24-2006.

Officer Settles asked Adam how he felt. Adam said he felt like was going to get beat up by the three occupants of the Toyota Scion, so he had his pistol out at low ready.

Adam explained he has kids who play in the street and he said, "Fuck this, I'm going to confront them (Toyota Scion) and tell them to slow down, that's it, just stop fucking speeding". Adam figured there was going to be a confrontation because they were speeding.

Officer Settles asked Adam how he stopped the car or how he flagged them down. Adam said they stopped by themselves and the passenger got out (Terence) and the female driver got out (Bethany).

At this point, South Metro Fire arrived on scene and they started attending to Adam's injuries. Adam was transported by South Metro to SkyRidge Hospital for Treatment.

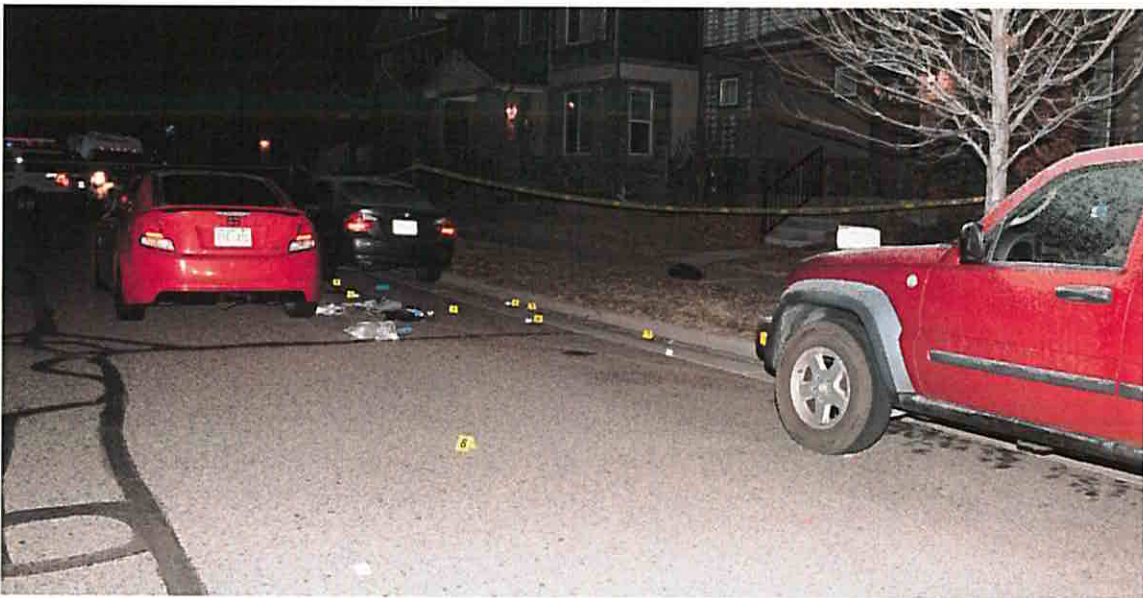
Officer Settles responded to SkyRidge Hospital to ask Adam some clarifying questions about the incident. Adam refused to speak with Officer Settles any further. Adam did allow Officer Settles to take photos of his gunshot wound.



A serious bodily injury form was filled out by Dr. Richard Talbot. Dr. Talbot indicated Adam did not have any Serious Bodily Injury from the bullet wound on his right hip.

Back at the scene

Officer Joshua Parker #318290 searched the scene for evidence in the area of where the shooting occurred. Officer Parker found one live bullet and eight fired bullet casings lying on the ground in front of the 4937 S. Addison Way. The evidence was marked with placards. 7 bullet casings matched casing from Adams gun and 1 casing came from Peyton's gun. 2 cases were not found.



A black handgun with a 31 round Glock extended magazine was recovered from the area where Peyton was found. The handgun malfunctioned and was found with a "Double Feed" stoppage. A double feed stoppage happens when the fired bullet does not properly eject before the next bullet is chambered in the gun. This caused a malfunction, and the gun will not fire.

The handgun appeared to be made from different parts and had no serial number on it. There were no markings on the slide and the handle only had "Polymer 80" as an identifier. Your Affiant knows from training and experience that these types of guns are commonly referred to as, "Ghost" guns and cannot be traced back to a manufacturer or seller. The following crime scene photographs show where the handgun was found on scene and a close-up view of the handgun after it was recovered.



Officer Michelle Aguayo #318189 spoke with the reporting party, Amber Roseborough outside of her home at 4937 S. Addison Way. While Amber was showing her Ring doorbell video to another Officer, she told Officer Aguayo the Toyota Scion belonged to her daughter, Bethany Poor.

Amber said she was inside her home when she heard a door slam and then heard multiple gun shots. Amber saw Bethany, Terence, Paige and Jonah run into her home. Amber said she believed the male who was shot was Peyton Blitz who lives in the neighborhood with his grandmother.

Amber and Bethany agreed to go to Aurora Police Headquarters to be interviewed. Terence, Paige and Jonah also agreed to be transported to Aurora Police Headquarters to be interviewed.

Officers canvased the neighborhood looking for potential witnesses.

Officer Mark Young #319041 knocked at 4938 S. Addison Way and contacted Danielle Lattermore dob: 03-01-1979. Danielle said she heard screaming and shouting from both male and female parties coming from 4937 S. Addison Way. Danielle said she didn't know what was happening but said there is usually this kind of behavior coming from that house. Danielle said she didn't hear anything else, and she didn't hear any shots being fired.

Officer Young was approached by Kaise Holen dob: 09-08-1985 who walked up on foot and asked him if everything was OK up the street. Officer Young asked Kaise if she saw anything. Kaise asked Officer Young about her husband, Adam Holen and if he was OK. Officer Young was unaware of Adams name, but asked Kaise if Adam was a former Greenwood Village Officer and Kaise said yes.

Officer Young told Kaise he (Adam) was involved in an incident, and that Adam was OK. Kaise told Officer Young that she was told by a neighbor that Adam ran down the street and there were shots fired.

Kaise told Officer Young that Adam left Greenwood Village PD approximately 2 weeks ago. Officer Young asked Kaise to return to her home address, and he would contact her a little later.

After speaking with Officers on scene, Officers Young and Cory Mankin #315815 responded back to Kaise's residence of 4998 S. Addison Way. Kaise answered the door and was with a neighbor, Angela Jackson dob: 05-30-1986. Angela said she lived at 4988 S. Addison Way. Angela said she was in her house when she heard 5 to 6 shots being fired down the street.

Angela said she immediately recognized these sounds to be gunshots, she looked out of her window and saw a set of headlights driving southbound on the street towards her house. Angela said as the headlights got closer, she immediately recognized the truck to belong to her neighbor Adam.

Angela said she saw Adam park his truck in the driveway of the residence. Angela moved to her front door and opened it slightly. Angela said she saw Adam running in a northbound direction on S. Addison Way, towards the area where she had heard the shots. Angela said

when she heard the gunshots, she heard both male and female voices screaming. Angela said the screaming was a "panic" screaming, and not a "shouting" screaming where words were being spoken.

Officer Young saw Adam's truck parked in the driveway at 4998 S. Addison Way. The truck was a 2011 GMC Sierra pickup truck with Colorado license plates OKG-482. Officer Young saw the passenger window was down and he saw a gun holster on the front seat, in plain view. The GMC was registered to Adam Holen at 4998 S. Addison Way.

Officer Young didn't see any bullet holes in the truck. The truck was later sealed with evidence tape and impounded at the Aurora Police Department secure evidence bay. The Toyota Scion was also later impounded as evidence.

Your Affiant, along with other members of the Aurora Homicide Unit and the Aurora Crime Scene Unit (CSU) were called out to the scene to investigate. Your Affiant was given a briefing by Sergeant Trenery and was informed that several witnesses were at APD Headquarters waiting to be interviewed.

Aurora CSU Investigators Angela Gonzalez #319502 and Kimberly Gilbreath #314668 processed the scene, took photographs, videoed the scene and collected evidence.

Your Affiant and Detective Jason McDonald responded to APD Headquarters and interviewed the witnesses. These interviews occurred in the early morning hours on November 25, 2021.

Interview with Amber Roseborough

Your Affiant first spoke with Amber Roseborough. The interview was recorded on body camera. During the interview, Amber said she was sleeping when she was awakened by yelling and the sound of the front door of her house slamming shut. Amber looked at her Ring camera and saw her daughter, Bethany on the porch and there was a white truck in the street by Bethany's car (Toyota Scion), blocking it from moving. Amber said Bethany and someone in the white truck were yelling at each other.

Amber said she was coming down the stairs and was opening the front door when she saw white flashes and heard several pops. Amber said she told everyone (the occupants of the Toyota Scion) to get in the house. Amber said she was looking at the male (Adam) who she believed shot Peyton. Amber asked Bethany who was lying on the ground and Bethany said it was Peyton.

Amber said Adam walked around and got into his truck and he said, "Oh my god, I can't believe this." Amber said Adam told her he wasn't driving away he was just going to park and he would be right back.

Amber said she walked out to Peyton and checked for a pulse and didn't feel one. Amber said she started doing compressions on Peyton. Amber said Adam walked back up to her and his hand was on his stomach. Amber said she didn't see a gun on Adam but knew he had it because she saw the police remove it from him.

Amber said Adam started doing CPR with her and she thought to herself, "Why am I working with a fucking shooter?" Amber said the Police came and took over compressions for her. Amber said she went back into her house.

Your Affiant asked Amber if she could hear what the subjects were yelling at each other. Amber said no, but she could hear Bethany's voice. Amber said Bethany told her that the guy (Adam) was following her and made some comments like, "I love you sweetie" and, "You're speeding through here." Amber said Bethany told her she wasn't speeding. Amber said if Bethany was speeding, she would have heard her car when she got home because the Toyota Scion has loud "Straight pipes." Amber said Bethany was freaked about some older man saying I love you sweetie.

You Affiant asked Amber where Bethany was at during the shooting and Amber said Bethany was on the stairs on the front porch area. Amber said Terence, Jonah and Paige came into the house after the shooting.

Amber said at one point while she was doing compressions, Terence was outside yelling at Adam. Bethany was trying to control Terence to get him back in the house.

Amber said Adam told her that (Peyton) had a gun and he (Peyton) pointed it at him (Adam) and shot him. Amber saw blood on Adam's leg. Amber said she believed Adam "Emptied" his gun on Peyton. Your Affiant asked Amber how many shots she heard, and she said seven or eight. Amber said she saw a gun on the ground about four feet away from Peyton

Your Affiant asked Amber if Peyton said anything to her. Amber said no, Peyton wasn't even blinking, had agonal breathing and was taking his last breaths.

Interview with Bethany Poor

Your Affiant then spoke with Bethany, in the presence of her mother, Amber. Bethany is a high functioning autistic person. Bethany said when she got off work, she picked up Terence, then Paige, then Jonah and the last person she picked up was Peyton. Bethany said she was going to her house to change her clothes and get some gas money.

Bethany said as soon as she got to her house, there was a dude pulling up behind her in his truck. Bethany said she got out and walked up to her house and was minding her own business.

Bethany said as she was opening her door, someone said, "Love you sweetheart". Bethany said she turned around and saw it was a "Rando" (Random person she didn't know who was later identified as Adam). Bethany said she asked Adam, "Who are you?" and Adam replied, "Don't worry about who I am sweetheart." Bethany said, "How can I help you?" and Adam replied, "You're speeding through my neighborhood."

Bethany told Adam it wasn't just his neighborhood, that she was only going 20 in a 25mph zone and she wasn't speeding. Adam told her, "I got your plates, I got the color of your car" and Bethany told him to go on with his day. Bethany was in front of her house on her porch during this verbal exchange.

Bethany said Adam was in his truck yelling through his passenger window. Terence was with her but he walked over to the Toyota Scion and told her friends something and then came back.

Bethany said Adam pulled out a gun and cocked it back when he was in his truck. Bethany said she didn't see it but heard it. Bethany said she knew what the sound of racking a gun was. Bethany said she knew it was being pointed at Terence. Bethany said Paige got out of the car and ran into the house. Bethany said Terence was with Jonah at the Toyota Scion.

Bethany said she was telling her mom what happened when she heard a gunshot. Bethany turned around and saw Peyton curled up in a ball with gunshots still hitting him. Bethany saw Adam was behind his truck. Bethany was upset because Adam just killed Peyton. She was also upset because Adam was calling her, "Sweetheart" and he didn't even know her.

Bethany said after the shooting, Jonah was standing in the opening of her passenger side car door with his hands up because he didn't want to get shot.

Bethany said Adam got into his truck, said he'll be right back and parked his truck down the street. Bethany said her mom walked out and was doing CPR on Peyton in the street.

Your Affiant asked Bethany where everyone was seated in her car. Bethany said Terence was in the front passenger seat. Jonah was directly behind her. Paige was in the middle of the back seat and Peyton was seated behind Terence. Bethany said her car is a 2-door coupe. Your Affiant drew a small diagram of her car. Bethany said Peyton was almost at the back of her car and Jonah was standing in the opening of the open passenger door when the shooting happened.

Your Affiant asked Bethany what Peyton was wearing and she said he was wearing a grey hoodie, jeans and a T-shirt. Your Affiant asked Bethany if she saw any of the other kids with a handgun. Bethany said no, but knew Peyton had one. She didn't know if Peyton brought it with him. Your Affiant asked Bethany how old Peyton was and she said he's 17.

Bethany described Peyton's handgun as a police gun, black with a purple or metallic purple magazine. Bethany said Peyton had a long black magazine as well. Bethany said Peyton showed her the handgun a couple of weeks ago and she told him that she didn't want to see it. Bethany said Peyton had the handgun for protection because he was going to live off of Colfax. Bethany said she knows Peyton through Terence and Paige and she's hung around him two or three times before.

Bethany said tonight, she didn't see Peyton with the handgun, he just had his maroon backpack, which was in her car. Bethany said Terence, Jonah and Paige do not carry guns.

Your Affiant asked Bethany how many shots she heard, and she thought it was five shots. Bethany said she heard one shot go off and she turned around to see who it was. Bethany saw Peyton getting shot at on the ground. Bethany said she wasn't sure who fired first, but it was one shot, a pause, then more shots.

Your Affiant asked Bethany if she heard anyone say a racial slur. Bethany said the only person who could say it was Terence and Jonah. Bethany said Terence said the "N" word once. Bethany said he didn't say it in an aggressive way, and it happened while Adam was yelling at Bethany.

Interview with Paige Dyer

Detective Jason McDonald conducted an interview with Paige Dyer at Aurora Police Headquarters. The interview was recorded on body camera.

Paige said they pulled up to Bethany's house. Bethany and Terence got out to go up into Bethany's house. Paige said she needed to go pee, so she started to get out of the car when a truck pulled up next to them.

Paige said the male driver (Adam) told them they were being loud and speeding. Paige said they were not speeding.

Paige said they were all in Bethany's vehicle, a small red sedan, and Bethany was driving. Terence was in the front passenger seat. Peyton was in the backseat behind Bethany and she was in the backseat middle position. Jonah was in the backseat behind Terence.

Paige said they had just picked up Peyton and were headed back to Bethany's house. Paige said no street racing or road rage was going on before they got to Bethany's house. Paige said they stopped at Bethany's house so Bethany could get some money.

Paige said Peyton had his gun at his feet while driving around in Bethany's car. Paige said Peyton showed her the gun once in the past, about a week ago, which was inside a backpack. Paige said Peyton told her he had the gun for safety. Paige said the gun she saw in the past looked different from the gun she saw tonight because the magazine was longer.

Paige said they parked right in front of Bethany's house and put the hazard lights on. Paige said the truck pulled up next to them on the driver's side of Bethany's car. Bethany and Terence got out first. Paige said all the backseat passengers then exited the Toyota Scion on the passenger side.

Paige said she heard Adam saying, "This is my neighborhood". Terence replied, "This is our neighborhood, too."

Paige said one of the boys in the Toyota Scion told her Adam had a gun and they heard him rack it. Peyton said to Paige, "Be safe," as she got out of the car. Paige said she did not hear a gun being racked.

Paige walked towards the house to use the restroom and was three or four steps inside the house when she heard one gunshot. Paige said she turned around to look and saw Adam shooting Peyton. Paige said she saw Peyton fall onto his back after being shot. Paige said she did not see the first gunshot, which she only heard, but thought it came from Adam. Paige said she only heard three gunshots total and thought they all came from Adam. Paige did not see Adam's gun, only the flash from the muzzle.

Paige said Peyton and Adam were about ten feet apart when the shooting happened, and it was very fast. Paige said Adam told them they were being too loud and driving too fast in his neighborhood and it made him mad. Paige said they did not have loud music, but Bethany's vehicle has a very loud muffler. Paige also said they had not been speeding saying Bethany said they were only going 20 MPH in a 25 MPH zone.

Paige later heard from Jonah that Adam said, "Nigger" to either Peyton or Terence. Paige said she did not hear it being said. Paige said Adam left right after the shooting but came back a short time later. Terence was yelling at Adam when he came back to the scene.

Paige said Bethany did not witness the shooting and Bethany came out afterwards and asked them what happened.

Paige said they talked afterwards amongst themselves about why Adam shot Peyton because they didn't know why it happened. Paige said the argument was only over their car and none of her friends are in a gang or have any criminal histories to her knowledge.

Terence Eugene Interview

Detective Jason McDonald conducted an interview with Terence who goes by "Tre" and his mother at Aurora Police Headquarters. The interview was recorded on body camera.

Terence said the night started when he was picked up from his house by Bethany in her red Toyota Scion. Bethany was driving. Terence sat in the front passenger seat. Peyton was sitting in the backseat behind Bethany. Paige was in the backseat middle position. Jonah

was sitting in the backseat behind Terence. Terence said Peyton was the last person picked up by the group. Terence said they drove from Peyton's house to Bethany's house so she could get some money and they parked right in front of Bethany's house.

Terence knew Peyton had a gun tonight when they picked him up. Peyton told them he had a gun but did not show it to them. Terence said Peyton only pulled out the clip of the gun, tapped him on his shoulder with it, and said it was a "Nine".

Terence said Peyton's gun was black, and the bottom of the clip was red. Terence said the clip looked like a standard length. Terence said he didn't pay too much attention to the gun, as he only got a glimpse of it.

Terence said Peyton showed him the gun about one week ago. Peyton said he got the gun for protection because he thought some people were after him and he didn't feel safe. Terence was not aware of Peyton having any problems that would necessitate him getting a gun.

Terence said the music was loud in Bethany's car. Volume was level '30' with loud bass. Bethany's muffler is very loud. Terence said he understood that Adam was upset over the loudness of their car, not their driving actions.

Terence said they pulled up to Bethany's house and he and Bethany both got out of the Toyota Scion. Terence said a gray F-150 pickup pulled up behind the Toyota Scion. Terence said the male (Adam) said, "I love you. See you guys later." Terence said he didn't know who Adam was talking to. Bethany asked Adam, "Who are you?" Adam said, "It doesn't matter. I have your license plate. I know where you are." Adam told him, "This is my neighborhood."

Terence said Adam was the only person in the truck. Terence said he didn't think Adam had been following them and no traffic incidents or speeding occurred which would have caused Adam to be mad.

Terence said he walked back to Bethany's car and told his friends inside that he didn't know who Adam was. Adam started saying more things to them saying, "This is my neighborhood. You all are speeding through my neighborhood. You can't be doing that."

Terence said he told his friends, "This guy is bugging," and Adam said, "What? What?" Terence said he looked up at Adam and saw Adam had pulled out a gun while he was seated in his truck. Terence said Adam lifted his gun up to eye level and pointed it directly at him. Terence said Adam's front passenger window was down, and Adam was still seated in the driver's seat.

Terence said Adams's gun was black, but since it was dark outside, he couldn't see it very well. Terence said he could only see the barrel, the top of it, and the general shape. Terence

said he could not tell if it was a revolver or semi-auto. Terence said Adam was about ten feet away from him when Adam pointed the gun at him. Terence said seeing Adam's gun pointed at him made his "Heart race."

Terence said Adam didn't say anything while pointing the gun at him and then Adam lowered his gun. Terence said he told his friends inside the Toyota Scion that Adam had a gun. Terence said when he told his friends that Adam had a gun and that he had pointed it at him, Peyton said, "Swear to god?" and Terence replied, "Swear to god." Terence said Peyton got out of the car, but never saw Peyton draw his gun.

Terence said Adam got out of the truck, and was talking at Peyton, who was arguing back at Adam. Terence said Peyton told Adam, "Yeah dude, you can't get out and do anything anyways, just go, it doesn't matter."

Terence said Adam walked around the rear of his truck and he saw Adam with a gun. Terence said the gun was in Adam's right hand and it was raised up. Terence said Adam put both hands on the gun in a shooting position as he advanced on them.

Terence said this was when he then turned his back and started walking towards the house. Terence said he made it to the sidewalk when he then heard the gunshots and he thought Adam shot first. Terence said it was a fast exchange of gunfire.

Terence said Adam said, "Little nigger," just before shooting Peyton.

Terence said he heard 5 or 6 total gunshots. Terence said he heard the first round in his right ear, which made him believe it came from Adam, then he heard the next couple rounds in his left ear, which made him believe they came from Peyton, then he heard a final couple rounds again from his right ear, which made him believe the shots came from Adam.

Terence said he turned around and saw Adam saying, "Oh my gosh! Oh my gosh!" like he was upset that he shot Peyton. Terence said Adam still had his gun in his hands.

Terence said he knew Peyton had a gun when he saw it on the ground after the shooting. Terence said Peyton was laying on his back and the gun was on the ground next to his left side. Terence said Amber came outside after the shooting happened and told them to get inside.

Terence said Adam drove his truck south on Addison Way about four or five houses down the street and parked it in a driveway. Terence said Adam came back on foot and started helping with CPR on Peyton. Amber took over and did the rest of the CPR.

Terence said Adam's demeanor was like "Wow, what did I do?" and, "What can I do to help?" Terence said Adam tried talking to Peyton while rendering aid saying, "Are you OK?"

Terence said he thought the shooting happened because of the back-and-forth between them. Terence said he thought the instigator was Adam. Terence said he felt responsible for the shooting because he was the one who alerted Peyton that Adam had a gun, which caused Peyton to get his gun out.

Terence said he thinks Peyton felt like he had to do something and if he had not told Peyton that Adam had a gun, this may not have turned into a shooting.

Terence said he felt that if they had ignored Adam, it would not have turned into a gunfight. Terence thought the argument he had with Adam over their neighborhood rights is what escalated the incident and Terence felt bad about what happened.

Video Review

Detective Haden Jonsgaard #314117 is assigned to the Major Crimes Homicide Unit. Detective Jonsgaard assisted by completing a video review of the 2 Ring videos collected from 4937 S. Addison Way.

The first video sequence is 21 seconds long and started at 10:26:32 P.M.

At 10:26:32 P.M., Bethany walks up the front steps to 4937 S. Addison Way. Bethany is wearing a zipper jacket and black pants.

Terence is walking behind Bethany. Terence is looking behind him and motioning with his hand and says, "Towards them, go around the car, come on dumbass, come on shit. He's just gonna sit there like a dumbass. Who is this. Who is that?" Terence is looking at the truck coming into camera frame.

Adam's truck can be seen slowly rolling to a stop, southbound on S. Addison Way. The truck stops with its passenger side front tire parallel with the rear tire of the Toyota Scion.

After Bethany and Terence are out of camera view, Adam's truck pulls forward a few feet and stops next to the Toyota Scion.

A male voice, later determined to be Adam's voice says, "Goodnight, kiss her goodnight, love you. Have a good night".

In the background, presumably coming from inside of the house, an unknown voice can be heard saying, "Mom" There is something else being said from likely inside of the house which is not decipherable.

Video ends at 10:26:33 P.M.

The second Ring Video starts at 10:27:23 P.M. and captures the shooting.

An unknown male says, "Running".

Bethany says, "I got people in there."

Terence runs off the porch of the house going towards the street and says, "Hey let me see the bullets, nigga."

Terence approaches the front passenger side of the Scion. The front passenger window of the truck appears to be down as Adam is behind the steering wheel of his truck. Terence opens the passenger door of the Scion.

Bethany said, "Don't".

Terence said, "Get your Clip" and, "Nigga you stay in here".

There is talking coming from likely Terence and he is seemingly asking Adam what he wanted. Someone says the word "Fuck" at one point but it is not clear what is being said.

Someone yells, "Bro what do you want?"

Someone else yells "What do you want?"

Bethany says, "I have a camera."

Terence said, "he just pointing a gun at me"

Terence says, "I swear to god on my fucking life..."

Someone also seems to say something about someone "playing dumb" and that he will "Smoke that" This is not confirmed as Bethany is speaking over him. The person saying these things sounds male and sounds similar to Terence. Peyton gets out of the Toyota Scion.

Terence then walks up to the front patio. Simultaneously, at 10:27:49 P.M., Peyton exits the passenger side of the Toyota Scion. The video shows Peyton wearing a light-colored sweatshirt and pants.



Bethany yells, "I'm calling the cops."

Adam said, "I didn't want you speeding through my neighborhood that's all."

Bethany says, "Then you could have asked me instead of being a creepo and pulling up to my house like that."

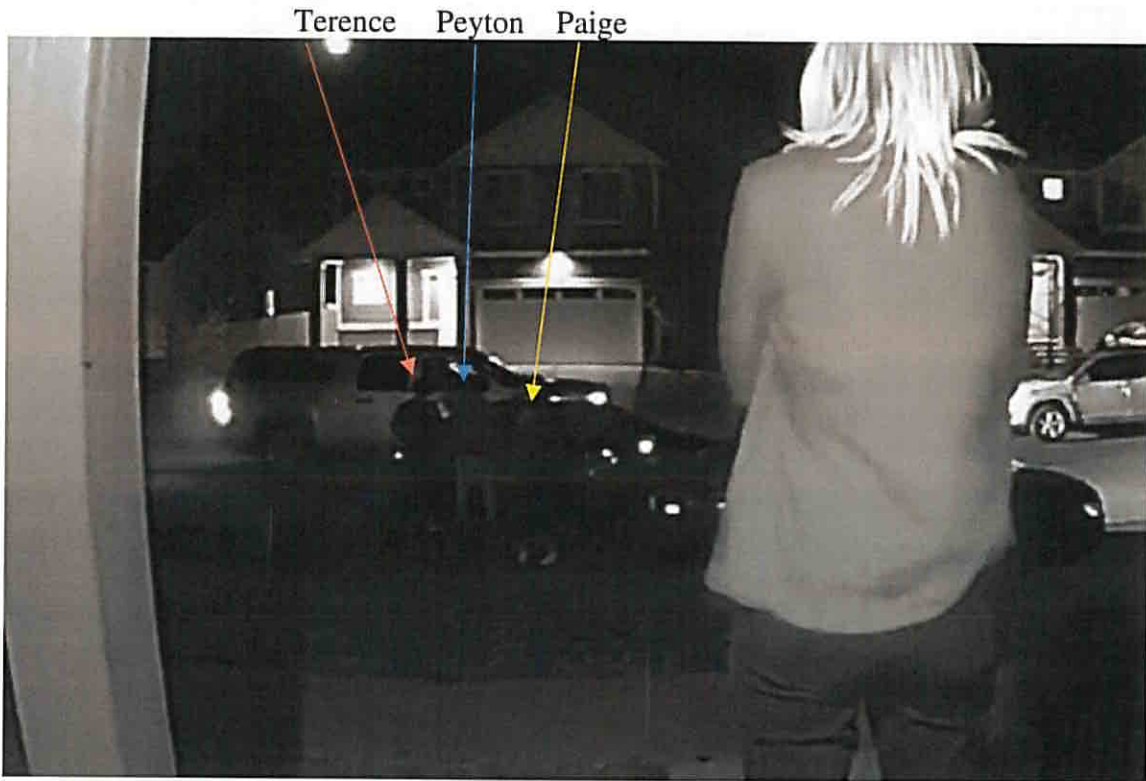
Adam said, "Okay so it's your neighborhood then that you're speeding through."

At around this same time, Paige Dyer gets out from the front passenger seat of the Toyota Scion.

Peyton and Terence are now standing outside of the Toyota Scion and are near the rear bumper.

One of these males remarks to Adam that "How is this your neighborhood?"

Adam said, "How do you know it's not my neighborhood?"



Terence or Peyton asks, "Do you own all this right here?" Peyton appears to raise his left arm and it is likely he is saying this.

Paige runs towards the house and both Paige and Bethany hurriedly go inside 4937 S. Addison Way.

Adam replies, "I own all of this".

There is increased yelling and it is difficult to decipher what is being said and by whom. It sounds like someone says, "Go and keep driving bro." Someone else is yelling and says, "nigga" at the end of the sentence. Someone else yells, "This is not your neighborhood."



At 10:28:11 P.M., Adam opens the driver's side door of his truck and gets out saying, "Fuck these kids man." Terence is standing at the rear bumper of the Toyota Scion and Peyton is standing between the open passenger door of the Scion and the rear taillight of the Scion.



At 10:28:16 P.M., Adam emerges at the rear of the truck and his right hand appears to manipulate or touch or grab something on the right side of his hip area. Peyton yells, "Let's go nigga."

Adam raising up his gun



At 10:28:17 P.M., Adam can be seen pointing his handgun outward from his body and towards Peyton and Terence. Adam begins walking towards Terence and Peyton as Peyton raises his right arm towards Adam and fires one shot.

Peyton's arm.



At 10:28:17 P.M., Peyton extends his right arm from his body pointing it towards Adam. This is when the first shot is heard and your Affiant believes the first shot is fired by Peyton. Adam stumbles but regains his balance and continues advancing forward towards Peyton. Adam firing back.



At 10:28:18 P.M., Adam fires his first three shots very quickly and Terence falls out of direct camera view into an area between the sidewalk and Scion that is dark.

Peyton falls backward into the open passenger door on the Scion and then falls forward and towards Adam. As Peyton is falling down towards the ground, Adam continues firing at him as the gap between both parties appears to be within very close proximity.

The shots continue nearly simultaneously with no measurable time gap between each subsequent shot. Adam continues firing at Peyton as Peyton is falling on the ground and towards Adam. Adam then retreats backwards as he continues firing at Peyton.



Adam fires a total of 9 shots. Each shot is seen on video, with audio and muzzle flash.

The shooting stops at 10:28:21 P.M. The shooting between Peyton and Adam lasted about five seconds.

Right after Adam is done firing, it appears he manipulates his weapon with his left hand. There is a clicking noise heard after this happens. This could be Adam racking his slide or clearing a malfunction, but this is not certain. This could account for the racking sound heard and the 9mm Hornady brand bullet found in this area at the scene.



At 10:28:24 P.M., Adam goes behind the tailgate of his truck and is out of camera view. There is a large amount of screaming coming from the front porch. Terence can be seen screaming out Peyton's name.

Adam begins screaming, "Are you kidding me?" "He shot at me", "He just shot me".

A female screams, "Get the fuck inside."

The front door to the house closes and there is inaudible screaming inside of the house and it sounds like a female is screaming, "Call the fucking..." and the door slams shut.

Adam continues screaming, "Are you kidding me" and, "I'm chill dude, he just came and shot at me dude, he just came and shot at me are you kidding me."

Adam says again, "Are you kidding me." Adam yells, "Call an ambulance man, call an ambulance." Adam says, "Shit man."

At 10:28:38 P.M., Jonah Johnson emerges from the Scion and runs inside 4937 S. Addison Way.

At 10:29:03 P.M., Amber calls 911 and gives the operator her address. Someone says, "He literally followed us." At this same time, Adam says, "Fuck man."

At 10:29:16 P.M., Adam says, "Are you kidding me dude." as he walks back to his truck. Adam gets into his truck and yells, "I'm coming back, I'm just gonna park my car right here..." Amber says, "Okay." Adam can be heard yelling "Shit."

At 10:29:39 P.M., Adam slowly drives south on S. Addison Way out of view of the camera.

At 10:30:03 P.M., Terence screams "No." Someone says, "Come on Peyton." Bethany is trying to console Terence and Terence said, "Have that nigga put the gun down and see how he (Inaudible)". Terence says this statement three times.

At approximately 10:31:32 P.M., Adam reappears on the video as he runs north on S. Addison Way, back towards Peyton. Adam says, "He pulled a gun on me, is he okay." Adam says, "He's still breathing, keep going." Amber is saying she is on the phone. Adam says, "He has a pulse" and is down at Peyton's side. Adam is saying, "Keep breathing buddy, come on."

At 10:32:34 P.M., Adam says, "Hey we got to do CPR, he's not breathing." Adam appears to be doing CPR on Peyton and Adam tells Amber, "I used to be a cop." Adam tells Amber to keep pressure on him. Adam remarks that he can't see Peyton's wounds and he asks for a flashlight. Adam says, "He pulled a gun on me, he shot me in the leg."

Terence emerges from the house and tells Adam, "You can go home. You can go home, don't act like you care, you just dumped a whole clip into him stupid."

Vehicle searches

On November 26, 2021, your Affiant, along with CSI Tech Michael Brewer executed a search warrant on the GMC pickup truck. During the search, a black inside waistband holster was seen on the front passenger seat. The holster did not appear to have a weapon retention system on it. The holster was seized.



Your Affiant found seventeen 9mm bullets in the pouch behind the driver's seat. The bullets were of various brands. Your Affiant also found five 9mm bullets in the map pocket on the rear driver's side door.

Your Affiant also located a black magazine loaded with thirteen 9mm bullets and another black nylon holster inside the center console. A black cell phone was on the floor in the back seat.

Your Affiant then searched the red Toyota Scion. During the search, your Affiant found a red backpack, (Later determined to belong to Peyton) in the back seat, where Peyton had been seated.

Inside the backpack, your Affiant found a black handgun magazine with a metallic purple base. Your Affiant also found a green laser sight for a handgun, a silver digital scale, a knife and a box of PMC 9mm Luger bullets. There were fourteen bullets in the box.

There was a small container of marijuana on the back seat and a cell phone, both where Peyton had been seated.



Your Affiant saw a bullet hole in the passenger door. Your Affiant knew that door was open during the shooting. Your Affiant used a wooden rod to show the trajectory of the bullet. The trajectory appeared to be downward, with the entry on the interior side of the door and the exit on the metal door side.



Interview with Jonah Johnson

On November 26, 2021, at about 10:00 A.M., your Affiant and Detective Ben Petering met with Jonah Johnson to interview him. Jonah said he did watch the surveillance video that was released by the media. During the interview, Jonah's dad, Derrick Gatherright dob: 08-20-1982 kept reminding Jonah to not rely on the video but use his own memory.

Jonah said Bethany picked him up and Paige and Terence were already in the car. Jonah said they picked up Peyton and then drove to the Murphy Express gas station before driving to Bethany's house. Jonah said he was seated behind the passenger seat in the back, Paige was in the middle and Peyton was seated behind Bethany.

During the car ride, Peyton was playing with his black handgun, playing with the green laser light. Jonah said the handgun also had an extended magazine. At Bethany's house, Jonah said Bethany got out and that's when he noticed the white truck pull up. Jonah said Adam had his passenger window rolled down and said something to them and there was some back and forth banter. Jonah said while Terence was standing at the passenger side of Bethany's car, he told Peyton and him that Adam had a gun.

Jonah said Peyton then climbed over him and got of the passenger side of the car. Jonah said he didn't see what Peyton did with his gun.

Jonah said Adam got out of his truck and came around with his gun in his hands. Jonah demonstrated Adam holding the gun with two hands and the gun was canted to one side.

Jonah said Adam said, "Let's go Nigga". Jonah said Peyton and Adam got into a shootout with each other.

Jonah said after the shooting stopped, he got out of the car and had his hands up because he didn't want to get shot. Jonah said Adam still had the gun in his hands and was saying he got shot. Jonah was then able to run inside Bethany's house.

Jonah said Terence and Peyton never approached Adam, and they were not being threatening, they were telling Adam to just go on his way. Jonah said it was Adam who came at them.

Interview with Adam Holen

On November 26, 2021 at about 12:50 P.M., your Affiant and Detective Jonsgaard conducted an interview with Adam at the Aurora Police Headquarters. The interview was recorded on body camera.

Your Affiant read Adam is Miranda Rights via the printed Aurora Police Department Advisement of Rights Form. Adam said he understood his Rights and he agreed to waive

his Rights and speak with us. Adam said he learned the video had been released in the media, but he hadn't watched it yet.

Adam said on the night of the shooting, he was at his mother's house because his sister was visiting from out of state. Adam said he watched the Avalanche Game and consumed two Coors Banquet beers during the course of the game. Adam said he drank one beer during the first period, one beer during the second period and no beers during the third period.

Your Affiant asked Adam if he does any illegal drugs such as cocaine or meth. Adam said no. Detective Jonsgaard asked Adam about Marijuana and Adam said no, not since college.

Adam said after the game concluded at about 10:15 P.M., Adam left to go home. Adam said he drove south on Chambers Rd, East on E. Quincy Ave. and then South on Gun Club Rd. Adam lives 4998 S. Addison Way, Aurora, CO.

Adam said as he was driving south on Gun Club Rd, about 200 yards south of Quincy Ave, the two-lane road merges into a single lane. Adam said he saw headlights of a car behind him approaching very fast and he thought he was about to be cut off by the car. Adam said the car nearly crashed into him as it cut him off. Adam said the car was red (Toyota Scion). Adam said this upset him.

Adam said he saw the Toyota Scion turn onto E. Chenango Ave. Adam heard the red car tires' screeching at it made the turn. Adam estimated the red car was going about 50 miles per hour. Adam said he turned on the same street.

Adam said as he was turning onto Chenango, he saw the red Toyota Scion turn onto S. Addison Way, again screeching the tires as it turned. Adam also lives on S. Addison Way and made the turn shortly after the red car.

Adam said he recalled the same red Toyota Scion speeding through the neighborhood on prior occasions. Adam said this is an ongoing problem in the neighborhood, specifically with speeding on the street.

Adam said he saw the red Toyota Scion stop in the middle of the street. Adam said he saw a male driver and a female passenger get out of the car and go up to a house. (This is Bethany and Terence).

Adam admitted he said, "Love you sweetie" as Bethany and Terence were standing on the porch. Adam said he pulled up and yelled at the kids to slow down and stop speeding through the neighborhood. Adam said one kid, the driver (Terence), came off the walkway of the house and approached the red Toyota Scion in an aggressive manor. Adam described this aggression as, "Flexing".

Adam said the other guys in the Toyota Scion weren't aggressive and they were not standing in an aggressive stance.

Your Affiant confronted Adam about a statement he made on the night of the incident. Your Affiant told Adam that he told one of the Sergeants on scene that the kids were muscling up to him and he thought he was going to get beat up.

Adam said yes and explained that Terence came off the porch and was coming at him, doing a "flex motion" but the other 2 males were not.

Your Affiant asked Adam if the kids came towards him or his truck. Adam said they were standing behind their car (Toyota Scion). Adam said they had started coming towards him by walking towards the back of the red Toyota Scion, but they didn't come up to his truck directly.

Adam said he remembered telling the group, "Stop speeding or racing though my neighborhood and there's kids that live here".

Your Affiant asked Adam if he recalled someone saying something about owning the street or owning the neighborhood. Adam said he might have said, "This is my neighborhood" but he didn't recall. Your Affiant asked Adam if he remembered saying, "I own this neighborhood", and Adam said he didn't believe he would say that but didn't remember.

Your Affiant asked Adam what made him get out of the truck. Adam said the kids were telling him, "We can do whatever we want, who the fuck are you to tell me what to do". Adam said once the kids started talking to him, he realized they were pretty young, and they were probably teens. Your Affiant asked Adam how he felt when the kids said, "Fuck you" to him. Adam said he they were stupid kids being disrespectful. Adam said he was getting nowhere by talking to the kids, so he was going to walk past them and talk to the parent standing in the doorway.

Adam said he was getting nowhere with the teens and he saw an adult white lady with blonde hair, standing in the doorway of the house. Adam said he intended to speak with the adult and let her know about the kids speeding. Adam said he initially didn't feel threatened and he was going to go to the house and walk right by them to talk to the parent.

Your Affiant asked Adam if he ever took his handgun out of the holster while inside his truck. Adam said no. Your Affiant asked Adam if he racked his handgun inside his truck. Adam said no. Adam said his handgun was loaded with a bullet in the chamber and he had no reason to rack the slide. Adam had ten bullets in his magazine and one bullet in the chamber of the handgun.

Adam was asked if he racked the slide for "Effect" and he said no. Adam said if he did rack the slide, a Hornady brand bullet would have been loose in the cab somewhere. (No loose Hornady brand bullets were found during the search of his truck).

Adam explained his handgun was inside his waistband holster and his shirt was tucked into his pants next to his skin, so the handgun didn't rub his skin. Adam said he does not have a concealed carry permit but was going to apply for one.

Adam said there was no way anyone could have seen his gun in his holster. Adam said his truck sits high and the center console would have obstructed anyone from seeing his holster. Adam said he did not feel threatened by the kids at the time, and he had no reason to get his gun out.

Your Affiant told Adam his truck was searched, and a holster was found on the front passenger seat. Your Affiant asked Adam when he got out of the truck, did he have his gun in his hand, because it wasn't in the holster. Adam said no, it was in his holster on his hip. Adam said he wasn't sure how the holster got there, but said when he got back to the scene, his gun was in his waistband and realized he didn't have his holster. Adam said he also had his cell phone with him, but he didn't know where that went either.

Adam said he got out of the truck and walked around the back. Adam said he couldn't see anyone while he was on the driver's side of his truck.

Adam said he was about halfway along the back of his tailgate, when he saw Terence and Peyton standing next to the Toyota Scion. Adam saw Peyton standing there with a handgun in his hand. Adam said Peyton had the handgun in the "Low ready" position, not pointed at him, but in his direction.

Your Affiant asked Adam when he came around the truck if he drew his pistol or if it was already in his hand. Adam said he remembered drawing once he saw the firearm that Peyton had.

Your Affiant had previously looked at the truck and topper and saw it was nearly impossible to see through the topper, especially at night. Adam agreed and said when he got to the halfway point behind his truck, he could see Terence and Peyton standing by the Toyota Scion.

Adam said when he saw Peyton standing there holding the handgun, he instantly thought, "Oh shit" and went into cop mode because he was an ex-cop. Adam said he instantly pulled his gun off his hip, and he pointed it at Peyton because he immediately feared for his life and reverted to his training.

Your Affiant asked Adam to demonstrate how Peyton was standing. Adam stood up and said Peyton was standing behind the red car, but his legs were not showing. Adam said when he walked around, he saw Peyton holding the pistol.



Adam said after he pulled his handgun and approached Peyton, he didn't fire, Adam said he didn't know why he didn't fire first, maybe because he was in cop mode at the time, and he knew Peyton was a kid. Adam said he was wondering if Peyton had a real gun or a BB gun.

Your Affiant asked Adam how he felt when he saw Peyton with the gun pointed in low ready. Adam said, "What the fuck, why does this kid have a gun and then I was like, he's gonna kill me with this, he's gonna kill me and I was thinking like after all the shootings that happened at the high school's and stuff, with teenagers, I was like this kid is gonna kill me and so I was very threatened for my life".

Your Affiant asked Adam if he remembered what kind of handgun Peyton had. Adam said it was dark, but said it had a little shine to it from the light. Adam thought Peyton had a semi-automatic handgun.

Your Affiant asked Adam why he approached Peyton instead of going to the house. Adam said he saw Peyton's handgun and had already had his pistol drawn and had taken a few steps towards him to let it be known that he had a gun, and he would defend himself.

Adam said he heard a "Pow" and saw the muzzle flash coming from Peyton's gun, so he returned fire on Peyton. Adam said he didn't realize that he was shot yet, but he emptied

his mag or came close to it because of training, saying he was trained to do that in Greenwood Village. Adam said he believed Peyton only got one shot off.

Your Affiant asked Adam how many rounds he shot. Adam said more than six, possibly all eleven, but he didn't recall. Your Affiant asked Adam if he heard his shots and he said yes, and his ears were ringing a little bit. (On the video Adam fires 9 times. 2 live Hornady brand bullets were recovered, one on the ground and the other in the chamber of Adam's handgun).

Your Affiant asked Adam, why he shot so many rounds. Adam said with his previous training, he's trained to eliminate the threat. Adam said he's gone through multiple trainings and watched multiple training videos seeing people who have been shot and they keep coming. Adam said he's seen multiple training videos and heard multiple stories where people get shot eight times and they are still coming at you.

Adam said he's attended trainings where he has been shot with a Simmunition round and fell to the ground, and he was able to return fire until the threat was gone. Adam said he saw Peyton was falling as he was shooting and continued shooting until the threat had been eliminated.

Your Affiant asked Adam if he realized that he had been shot right away or was it when they looked at his leg. Adam said he wasn't sure, but it happened so fast and his adrenaline was so high, he really didn't think he got shot. Adam said he knew he was shot at, and he returned fire.

After the shooting, Adam realized Peyton was in serious condition. Adam said he got in his truck and drove home to get his trauma kit. Adam said he just went hunting a couple of weeks ago and kept a trauma kit with his gear. Adam said he opened the garage door and looked for the kit in his hunting gear but couldn't find it.

Adam said he was wasting time, so he sprinted back to the scene, leaving his truck in his driveway. Adam said when he got back, he started doing CPR on Peyton. Adam said Peyton wasn't breathing, didn't have a pulse. Adam said there was blood coming out of his mouth, so he didn't do any rescue breathing, just chest compressions. Adam said he heard sirens in the distance and knew they were getting closer.

Adam said he kept working on Peyton but was worried about all the kids who ran into the house. Adam said he didn't know if they had guns or knives too.

Adam said when the female Officer arrived on scene, he stopped compressions and immediately put his hands up and he said he was an ex-cop and said, "I was the shooter, my pistol is in my waist." Adam said he kept his hands up until police removed it and they had him sit down.

Adam said the other Officers checked him on scene, asking if he was alright and he told them his leg hurt. Adam thought he pulled something but realized he'd been shot.

Your Affiant told Adam that right before the shooting, someone says "Let's go nigga". Your Affiant asked Adam if he said it and Adam said it definitely wasn't him and denied ever saying the (n-word). Adam said he never heard anyone say that.

Your Affiant asked Adam how long he was with Greenwood Village Police Department. Adam said six years with Greenwood Village before he just retired. Your Affiant asked Adam what kind of firearm training he had received. Adam said, "Thousands of hours, not just standing, moving, shooting, shooting from vehicles". Adam said they did trainings for pistol, for rifle, on top of all the regular monthly trainings that they have, and the quals. Adam said he's trained for thousands of hours with his pistol.

Your Affiant asked Adam if he was part of any special assignment, like a SWAT team and Adam said no.

Your Affiant asked Adam with regards to other training, if he received training in citizen contacts and how to deal with citizens and de-escalation. Adams said yes, he'd received hundreds of hours with training every single month in firearms training, legal updates and de-escalation training. Adam said he was CIT (Crisis Intervention Trained) certified.

Adam said with every contact with someone who is upset, you have to de-escalate it because you don't want it to escalate further and you can't talk to them until things are calm.

Your Affiant asked Adam if there were any attempts made to de-escalate this situation with the kids. Adam said he didn't remember, it was his training that took over, it was just muscle memory, he didn't think about, he just did it.

Adam said at the range, every time he pulled his pistol, he would say, "Police drop your weapon" or "drop your weapon." Adam said he didn't remember if he said any of these during this incident.

Adam said he knew as soon as he saw Peyton's pistol, there was no verbal de-escalation that was about to happen. Adam said he was in fear for his life at that second and, he knew he didn't have time.

Your Affiant asked Adam why he just didn't drive home. Adam said he could have, and he was going to, but he wanted to talk to them as many times as he could so they would stop speeding in the neighborhood. Adam said he was just going to say something to them like slow down and roll his window back up and drive home.

Adam thought maybe they'll come by his house and break a window, egg his house, something, so he was going to go talk to that parent, after they said, "Who the fuck are you". Adam said he didn't drive home because he wanted the speeding to stop and he didn't want them to know where he lived, because he lives right down the street.

Your Affiant then read Adam's written statement he had prepared and brought to the interview. Your Affiant asked Adam if it pissed him off that they cut him off. Adam said yea and said, "These, these damn kids again." Adam said he wasn't heated, like he was going to kick their asses.

Your Affiant asked Adam about the complaints about speeding in the neighborhood and asked Adam if he's made any reports to the police about speeding or made complaints to Access Aurora. Adam said he hadn't made any reports.

Adam did say on July 4, 2021, one of his cop friends, Josh Hunter was at his house. Adam and Josh were playing cornhole out in front of his house. Adam said Josh almost got into an altercation with the Toyota Scion because they kept flying by, more than once.

Adam said the second time it happened, Josh stepped out into the street and told the driver, "If you gonna hit somebody, you're gonna hit me, you're not gonna hit any of these kids, you need to slow down." Adam said the kids put their heads down after Josh confronted them, and they never drove back that way again that day.

Adam said Josh asked him if this happens all the time and he told him yeah. Adam said Josh asked him if he should report it and Adam said he didn't know if it was even worth requesting. Adam said he never did report it.

Your Affiant asked Adam if he remembered who was driving the red car on the 4th of July incident. Adam said he didn't know for sure, but said he was a younger black male.

Adam said other times, the Toyota Scion would be driving by with their window down and Adam would yell, "Slow Down." Adam said he has a green neon slow sign with the flag on it in the front yard because his kids are always playing in the front yard.

Your Affiant asked Adam if he could estimate how many times he's seen the kids speed through the neighborhood. Adam said about five or six times, but less than ten times. Adam said that's why he figured they didn't live there, he was dropping her off and going somewhere else.

Your Affiant asked Adam about the loose bullets in the back of his truck, in the pouch behind the driver's seat. Your Affiant told Adam there were seventeen 9mm bullets found. Adam said those bullets were from the range and it was target ammo. Adam said he must have put them there after he emptied a magazine. Your Affiant also asked about the door

pocket on the same side, where five more 9mm bullets were found. Adam said they were probably from a range day, target ammo.

Adam stated he acted in self-defense, only shooting back after Peyton shot at him first.

The interview then concluded.

Your Affiant later learned from a Tollgate Crossing HOA representative, Brain Matise, the HOA does have LPR cameras at this intersection but neither car was captured on the LPR camera during this time.

Your Affiant checked 4937 S. Addison Way in Aurora Police PIMS and LUMEN for calls for service. Your Affiant found no complaints about speeding associated with the address. Your Affiant checked the license plate for the Toyota Scion BXE-J72 in PIMS and LUMEN. Your Affiant found no complaints in PIMS.

In LUMEN, your Affiant found a reckless driving complaint made on November 18, 2021. The complaint was made to the Arapahoe County Sheriff's department, under AC2021-208484. The complaint said the Toyota Scion was driving south on Gun Club from Hampden. The Toyota was speeding, weaving, and driving into oncoming traffic.

Interview with Josh Hunter

On November 30, 2021, Detective Jonsgaard called Josh Hunter dob:11-22-1979 who was mentioned by Adam in his interview. Josh said he knew he would be getting a phone call about this because Adam had told him that he mentioned the July 4th incident.

Josh said on July 4, 2021, he was at Adams house in Aurora. Josh said they were outside and lighting off fireworks in the street. There were several small children running around, which included Josh's kids and Adam's kids.

Josh said a red sedan came speeding down the street. Josh said he stepped into the middle of the street and said, "Rather me be hit" than some of the kids. Josh said he told the car to slow down or, "Slow the fuck down." Josh said there was some trash talking between himself and the occupants of the car.

Josh said the red car simply drove away from Adam's house and parked. Several unknown occupants exited the car and walked northbound. Josh said later, occupants came and got back into the car and drove away in a respectful manner. Josh said there was no other incident that stemmed from this interaction. Josh did not remember who was driving the vehicle. Josh did not know if Adam had ever filed police reports against this car in the past. Josh knew that Adam had been involved with a shooting.

On November 30, 2021, your Affiant met with Peyton's father, Todd Blitstein dob: 10-20-1977 and grandfather Marc Blitstein dob: 01-10-1952. During the contact, your Affiant learned Peyton had been living with grandparents Marc and Linda Blitstein dob: 05-23-1955 for the past several years.

Your Affiant asked Marc about the day of the incident. Marc confirmed Peyton left from their house, telling them he was going out with friends, but would be back. Marc said Peyton left the house carrying his red backpack.

Your Affiant then showed Marc a photograph of the handgun and magazine recovered at the scene. Your Affiant asked Marc if he's ever seen that handgun before and Marc said no. Marc said they often check Peyton's room and if he had seen that gun, he would have taken it. Marc said they have never seen Peyton with a handgun before.

On November 30, 2021, Peyton's mom, Tina Glassburn dob: 11-20-1975 came to the Aurora Police Department to speak with your Affiant. During the conversation, Tina did admit that she believed it was her son voice who said, "Let's go nigga". Tina said she believed Peyton said that because he was scared. Tina said she hasn't actually spoken with Peyton for over 1 ½ years because he had blocked her. Tina said her conversations were text messages.

2nd interview with Terence Eugene

On December 2, 2021, Terence and his mother, Latasha Goins dob: 04-03-1981 came back to the Aurora Police Department HQ for a follow-up interview. During the interview, your Affiant played the video for Terence and his mom. Terence did admit he said, "Hey let me see your bullets nigga." Terence said he said that because he was trying to get Adam to go away.

Terence said he did say, "Get your bullets" not "Get your clip." Terence explained that it was him telling Peyton, "Just in case" because he was there. Terence admitted he said, "Bro what do you want?" Terence said Adam then said, "What do you want" the second time.

Terence said he told Paige, Peyton and Jonah that Adam had pointed a gun at him.

Your Affiant asked Terence when he saw Adam pointing a gun at him. Terence said it happened after Adam said "What do you want" the first time. Terence said when he asked him what he wanted, that is when Terence saw the gun. Terence said he looked at Adam and saw the gun and after that he didn't see anything else.

Your Affiant asked Terence to demonstrate how he saw Adam with the gun. Terence said Adam was trying to look out of his window to see everyone. Terence said Adam was leaning over, looking at him and pointing the gun. Terence said Adam had the gun pointed at him. Terence said this happened when Adam said, "What do you want" again.

Terence said that's when he told everyone that Adam pointed a gun at him. Terence said Peyton said to him, "You swear to god?" and Terence said, "I swear to God on my fucking life".

Terence then clarified who he believed was saying things during the argument.

Adam said, "I just don't want you speeding through my neighborhood that's all".

Terence said, "How is this your neighborhood".

Adam said, "How this your neighborhood".

Peyton said, "So you own all of this".

Adam said, "I own all of this".

Terence said Peyton told the guy, "Just go about your driving bro".

Terence said, "This is not your neighborhood".

Peyton said, "Go about your night".

Adam then said, "Fuck these kids man".

Terence said it was Adam who then said, "Let's go nigga" Terence said it was not his voice and he said Peyton didn't say it either.

Terence said it was Adam who shot first and then Peyton shot back.

Autopsy

At the autopsy, Arapahoe County Coroner Dr. Casey Bitting conducted the examination. Dr. Bitting ruled Peyton's death a homicide, with the manner of death being multiple gunshot wounds to his torso. Peyton also had a gunshot wound to his left forearm, his right shoulder (through and through) and a graze wound on his right forearm. Four bullets were recovered from Peyton's body. Left forearm, upper left back, upper middle back and right chest cavity.



On December 8, 2021, Adam voluntarily came to the Aurora Police Department and signed a medical release form related to this incident. Adam read the form and didn't have any questions before signing it. Your Affiant then sent off for Adam's medical records.

On December 16, 2021, your Affiant received Adam's medical records from CIOX, the records custodian for Health One Hospital facilities. Your Affiant learned Adam was treated by Dr. Richard Talbot at SkyRidge Hospital.

During the initial assessment, Adam denied alcohol usage. Adam's blood work was taken for analysis.

Toxicology test results showed Positive for "U Cannabinoids". There were no blood levels of marijuana given.

Adam's Plasma/Serum Alcohol level was tested at 11:29 P.M. Adam's blood serum level was a 193H (<10mg/dl). A simple conversion means a Blood Alcohol level of .193. In the State of Colorado, .08 is considered legally intoxicated. The medical records also indicated treatment provided to Adam for [REDACTED] Once Adam had sobered up, he could be discharged from the hospital.

The doctor's note also indicated at 2:23 A.M., Adam was not slurring speech, walked with steady gait.

[REDACTED]

Adam was discharged from the hospital at 3:00 A.M.

Your Affiant conducted a criminal record check on Adam Holen through CCIC/NCIC. Your Affiant learned Adam has no felony convictions and no pending cases.

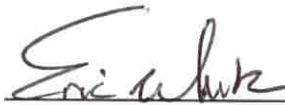
Based on the facts of the case. Your Affiant believes Adam is the primary aggressor. Adam was intoxicated. Adam chose to initiate the contact with the teens by stopping in the street and talking with them. As things were getting more heated, Adam chose to stay instead of driving away. Adam chose to get out of his truck and walk towards the teens. Adam chose to confront Peyton and Terence with his handgun pointed at them. Your Affiant believes Adam knowingly caused the death of Peyton by use of a firearm. Adam pointed his handgun at Terence before he got out of his truck. Adam was also legally intoxicated while in possession of a firearm.

Adam Holen dob: 02-21-1985 is described from the Aurora Police Department records as a White Male, 5'09" 180lbs, Blonde Hair, Hazel Eyes. The Defendant's (Mr. Holen's) last

known address is 4998 S. Addison Way, Aurora, CO, however, Adam Holen dob: 02-21-1985 current whereabouts are unknown.

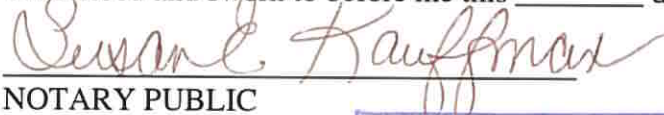
Based upon the foregoing facts and circumstances, your Affiant feels that Any Police Officer has probable cause to believe that the offense of Second Degree Murder-F3; Felony Menacing-F5; Prohibited Use of Weapons-M2, as defined in CRS 18-3-103; 18-3-206; 18-12-106(1)(d), has been committed and that Adam Holen dob: 02-21-1985 did commit that offense.

Your Affiant, therefore, requests that a warrant be issued for the arrest of the Defendant above-named.



AFFIANT

Subscribed and sworn to before me this 21st day of December, 2021.



NOTARY PUBLIC

My commission expires:

