

STATE OF COLORADO)
COUNTY OF WELD) ss.

AFFIDAVIT

FILED IN WELD COUNTY
COMBINED COURTS

DR#GP07-1317

07CR2238 DIV 1

2007 NOV 20 AM 7:59

In support of a request for the issuance of a warrant for the arrest of **Michelle Dawn Moore** (hereinafter referred to as "Defendant"), the undersigned affiant, being first duly sworn upon oath deposes and says:

That affiant has knowledge of the following facts from which there is probable cause to believe that **C.R.S. 18-2-201, Conspiracy to commit First Degree Murder (C.R.S. 18-3-102), F2** - and - **C.R.S. 18-2-101, Criminal Attempt to commit First Degree Murder (C.R.S. 18-3-102), F2**, hereafter described, was committed by the Defendant on or about the 22nd day of January, 2007, in the County of Weld, State of Colorado, to-wit:

Your affiant is a Detective for the Greeley Police Department and has gained the following information from reading the reports and speaking to fellow officers, from reading the statements of the victim and witnesses and through personal investigation.

On January 23, 2007 at 1815 hours, Greeley Police officers were dispatched to a reported shooting in the parking lot of 2505 S. 11th Avenue, Greeley, Weld, Colorado. This is the location of the Colorado State Employee's Credit Union.

Officers found a female lying on the ground in the parking lot. The female was bleeding profusely from a gunshot wound to the head and showed no signs of life. Responding medical personnel transported the victim to North Colorado Medical Center where she was pronounced dead.

The victim was identified as Heather Garraus, who is married to Greeley Police Officer Ignacio Garraus. Within the last two years Ignacio Garraus had a sexual affair with a woman identified as Shawna Nelson. Towards the end of the affair Shawna Nelson became pregnant and bore a child. Shawna Nelson alleged the child was Ignacio Garraus'. Shawna Nelson is the wife of Kenneth Nelson, a Weld County Sherriff's Deputy.

During the subsequent investigation Greeley Police Detectives collected evidence indicating Shawna Nelson murdered Heather Garraus. Shawna Nelson was taken into custody for the homicide and is awaiting trial.

During the course of this investigation, detectives identified Michelle Moore (01-11-81) as the best friend of Shawna Nelson. Your affiant interviewed Moore following Nelson's arrest. Moore was aware of the vast dynamics surrounding Shawna Nelson's affair with Ignacio Garraus; however denied any prior knowledge of this murder. Throughout this investigation, detectives suspected Moore had failed to fully disclose information relative to this case.

On November 14th, 2007, your affiant conducted another interview with the Defendant at the Greeley Police Department. During this non-custodial interview, the Defendant revealed significant facts surrounding the murder of Heather Garraus.

The Defendant acknowledged that during the fall of 2006, Shawna Nelson began talking about her intent to kill Heather Garraus. The Defendant spoke of a conversation she shared with

Shawna Nelson in late December or early January 2007. This occurred approximately 4 weeks prior to Heather Garraus' murder. The Defendant stated Shawna Nelson told her of the plan she had to kill Heather Garraus. The Defendant stated Shawna Nelson told her she was going to shoot Heather Garraus in the head when she left the credit union. The Defendant stated Shawna Nelson also told her she had scouted the credit union and located a vacant house nearby. Shawna Nelson said she intended to park in the driveway of this vacant house, run up to commit the murder, and then run back to her car. Shawna Nelson also disclosed she would drive Ken Nelson's truck due to the fact her own vehicle would be easily recognized.

The Defendant admitted to having subsequent conversations with Shawna Nelson in January, 2007. During those conversations, they discussed measures to avoid detection or apprehension. The Defendant admitted she told Shawna Nelson she would need to disguise herself. She also told Shawna Nelson she would need to wear gloves and cover her hair to avoid leaving DNA at the scene. The Defendant cautioned Shawna Nelson to muzzle the gunshot(s) and to pick her shell casings up before leaving the scene. The Defendant also recalled a discussion with Shawna Nelson, where they spoke about leaving "misleading" evidence at the scene, which would contain someone else's DNA.

The Defendant revealed that approximately two weeks prior to Heather Garraus' death, Shawna Nelson asked her (Moore) to baby sit on January 22nd, 2007. The Defendant stated Shawna Nelson said she was working on a plan, but didn't want her to know what it was so that the Defendant wouldn't have to answer any questions. The Defendant stated during this conversation, Shawna Nelson made several statements such as: "I can't deal with it anymore", "If I can't have him, nobody can, she can't", and "I just have to take care of it". The Defendant also recalled Shawna Nelson told her "I don't want you to have to say anything. For all you know, I'm going to be taking a bath and you're going to be downstairs with the kids".

The Defendant stated she met with Shawna Nelson on January 22nd, 2007. That afternoon, they drove from west Greeley to Starbuck's Coffee on south 11th, Avenue, which is two blocks from the Colorado State Employee's Credit Union. The Defendant stated after leaving Starbuck's Shawna Nelson handed her a baggy containing a crushed substance. Shawna Nelson identified this substance as Ambien, a prescription sleep-aid medication. The Defendant stated Shawna Nelson instructed her to place the Ambien in the coffee they had purchased for Ken Nelson. The Defendant did so. The Defendant expressed that Shawna Nelson intended for Ken Nelson to fall asleep after drinking the coffee, and remain sleeping throughout the timeframe of the murder.

At this point in the interview, the Defendant made the statement: "I think what she wanted me to do was to be there with Ken sleeping, to have me be her alibi".

The Defendant stated when they returned to the Nelson Residence on the afternoon of January 22nd, 2007, she and Shawna Nelson remained in the vehicle and continued their conversation. The Defendant stated during this time, Shawna Nelson told her she was going to kill Heather Garraus tonight. The Defendant again recalled Shawna Nelson made several similar statements such as: "I have to do it", "I'm miserable", and "I can't live like this anymore".

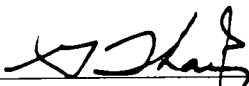
The Defendant explained that while at the residence, Shawna Nelson told her Heather was "not where she was supposed to be". Subsequent investigation revealed that Heather Garraus left work at approximately noon on January 22nd, 2007, due to a headache. Thus, Shawna Nelson was not able to execute this plan. The Defendant stated Shawna Nelson subsequently suggested they go out to dinner, in lieu of their previous plan.

The Defendant stated after dinner, Shawna Nelson drove her back to her residence. During the drive home, Shawna Nelson told the Defendant "I've gotta do this", "I've gotta give myself some peace", "I'm going to get rid of Heather tomorrow". The Defendant further advised Shawna Nelson told her "When I call you tomorrow and tell you I'm taking a bath, you know I've done it". The Defendant later admitted that during this discussion, Shawna Nelson instructed her that if the police or anyone questioned Shawna Nelson's whereabouts on the afternoon of January 23rd, 2007, the Defendant was to tell them Nelson was taking a bath; just as planned the previous evening.

During the initial interview on January 23rd, 2007, the Defendant told your affiant she received a call from Shawna Nelson at 1521 hours that day. The Defendant reported Shawna Nelson left her a voice message saying she was going to take a bath. During the interview on November 14th, 2007, the Defendant acknowledged the relevance of that phone message. At no time during that interview did the Defendant offer her intent or actions to abandon her conspiracy to commit this murder.


Your affiant believes probable cause exists for the Defendant's arrest on the charges of Conspiracy (to commit First Degree Murder) and Criminal Attempt (to commit First Degree Murder). Your affiant respectfully requests a warrant be issued in this matter.

The Defendant's date of birth is 01-11-81. The Defendant, Michelle Dawn Moore, is a white female, height - 5'04", weight - 115 lbs., blonde hair, and green eyes. The Defendant's last known address is 606 Meadow Drive Windsor, Colorado 80550. The Defendant's Social Security Number is ~~██████████~~



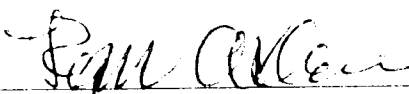
Detective Greg Thorp, Affiant
Greeley Police

Subscribed and sworn to before me this 19th day of November, 2007.



NOTARY PUBLIC
MY COMMISSION EXPIRES:
District Court 5-0-068

Let a warrant be issued for Defendant's arrest: Bond set in the amount of \$ 50,000.00.



DISTRICT JUDGE
11/19/07

DATE