

Trujillo, Joseph  
Defendant (Last, First, Middle)

April 07, 1986  
D.O.B.

10-2035  
Agency Case No.

JEFFERSON COUNTY SHERIFF'S OFFICE  
Arresting Agency

January 21, 2010  
Date of Arrest

- CHARGE(S):** 1. Murder in the first degree  
(Charge)
2. \_\_\_\_\_  
(Charge)
3. \_\_\_\_\_  
(Charge)
4. \_\_\_\_\_  
(Charge)

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## AMMENDED AFFIDAVIT IN SUPPORT OF A WARRANTLESS ARREST

Your affiant is of lawful age and a sworn peace officer of the Jefferson County Sheriff's Office, Golden, Colorado, in the County of Jefferson.

Your affiant states that the following facts are true and based upon his/her personal knowledge, as a result of his/her conversations with the person(s) named herein and reviewing their written or oral statements. On January 21, 2010 (date), at 1:15 a.m. (time), your affiant arrested Joseph Trujillo, whose date of birth is April 07, 1986, for the crime(s) of Murder in the first degree, which occurred at 16359 West 10th Avenue apartment G3, in the County of Jefferson, State of Colorado. The facts which developed the probable cause of this arrest are as follows:

On January 21, 2010 at approximately 12:32 a.m. your affiant was dispatched to 16359 West 10th Avenue apartment G3 to assist the fire department with a baby that was not breathing and cold to the touch. Your affiant arrived on scene at the same time as Pleasant View Fire Department at approximately 12:35 a.m.

Upon arrival your affiant saw a baby, later identified as 5 month old Adrian Anthony Trujillo (DOB 08/01/2009), laying on the floor in the living room. Adrian was lying on his back, but your affiant could only see from the waist down. Gay Lujan (DOB 04/26/1966), Adrian's grandmother, was kneeling next to him. Fire personnel began to attend to Adrian.

Joseph, Adrian's father, was standing to the right of the front door, near the kitchen. He appeared distraught and was crying. His eyes were blood-shot. Joseph told your affiant the following information: He left the apartment with Katie Dern [REDACTED] approximately 20 minutes prior to your affiant's arrival, to go to 7-11 and Taco Bell. He was only gone for approximately 20 minutes total. He left Adrian home alone on his bed with a bottle propped in his mouth.

Gay told your affiant the following information: She came home from work at approximately 10:15 p.m. She noticed Joseph left music playing loudly in his room. She entered his room to turn it off. She did not notice anything unusual in the room or notice if Adrian was there. She believed Joseph was at the bar because he has a drinking problem. She was concerned he took Adrian with him to the bar. She sent him a few text messages stating, "Get the baby home" and "Where are you?" Joseph did not respond to her messages. She went to bed at approximately 11:00 p.m. She woke up at approximately 12:30 a.m. because she could hear Joseph crying on the phone with someone. She got up and saw Adrian lying on the couch. She touched him and felt he was stiff and cold. Gay called 911 at this time.

Your affiant interviewed Joseph again. He now stated he left the apartment at approximately 6:15 p.m. to go to the Rock Rest Bar to play pool. He left Adrian home alone with a bottle propped in his mouth. Joseph drank "2 beers and 2 shots" while at the bar. He was adamant he was only gone for 20 minutes. When he got home he checked on Adrian and he was, "not ok." When your affiant tried to clarify what time Joseph arrived back home he was defensive and did not say what time he got home, only that he was gone for "20 minutes."

Deputy Danielle Hurst  
Affiant's Name (print)

\_\_\_\_\_  
Affiant's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Your affiant interviewed AMR Medic Leinberger who told your affiant the following information: While he was walking up to the apartment he asked a firefighter who was walking out if they would be "working him." The firefighter responded, [REDACTED]. When Leinberger walked into the apartment he saw Gay holding Adrian on the couch. He noticed Adrian's skin was "modeling." He was also pale and cold to the touch [REDACTED] and Adrian's arms were up by his head. At this time Leinberger told Quinn to get an EKG strip for a pronouncement. Leinberger walked into the kitchen and saw Joseph kneeling on the floor. He was crying and mumbling incoherently. [REDACTED] Leinberger went back to the living room and noticed a discoloration approximately one inch in diameter on Adrian's left temple. Leinberger handed Adrian to Pleasant Veiv Fire Lieutenant Dave Thomas so he could call the doctor for the pronouncement. Dr. Simon from Saint Anthony Central Hospital pronounced Adrian at 12:52 a.m.

Investigators Terri Naes and Todd Bliss interviewed Katie who told them the following information: She had been talking with Joseph via Facebook, a social networking website. Joseph asked her if she wanted to do something. Katie later sent a text message to Joseph to see if he wanted to get together. At 4:41 p.m. Joseph answered via text message that he was at the Rock Rest Bar. Katie agreed to meet him there and arrived at the bar at about 5:30 p.m. She found Joseph at the bar with a beer and a shot. They hung out at the bar, smoked cigarettes and drank. Joseph's brother, Jonathan Trujillo (DOB 05/28/1984), arrived at the bar as well. John and Joseph played pool together. Katie stated they stayed at the bar and talked with Joseph's friends. Between 9:00 p.m. and 9:30 p.m. they walked across the street to an apartment above what appeared to be a shop. The address was later found to be [REDACTED]. Katie said they stayed there and played beer pong. They left that apartment at about 10:30 p.m. and returned to Katie's car. Joseph decided he wanted food so they drove to Taco Bell on South Golden Road and Johnson Road. They then returned to Joseph's apartment complex and sat in the parking lot until about 11:30 p.m. She decided she was tired and wanted to go home so Joseph got out of the car. She did not watch him go into the apartment. Katie said she went home and about 12:29 a.m. she received a phone call from Joseph. He was hysterical and sobbing. He repeated several times that his son was dead. After a few moments the line went dead. She called Joseph back to make sure he called 911. Joseph told her his mother already called 911 and the line went dead again. About 10 minutes later Joseph called her back and said she needed to come to his apartment, which she did.

Investigators Naes and Bliss interviewed Jonathan who told them the following information: He got off work at 4:30 p.m. He went home and changed his clothes before stopping at a friend's house at 4:45 p.m. He stayed at his friend's house for about 15 minutes then walked to the Rock Rest Bar between 5:00 p.m. and 5:30 p.m. While at the bar, he ran into Joseph, who was with a girl he only met once and he did not know her name. Joseph told him Adrian was being watched by their cousin "Shelly." Jonathan identified "Shelly" as Rochelle Perea (unknown DOB). Joseph bought him a shot and they played pool. After playing pool, Jonathan left the bar at 6:15 p.m. and met up with his friends. He did not see Joseph again or talk to him again after leaving the bar.

Investigators Matt Clark and Derek Gibson interviewed Joseph who told them the following information after Investigator Clark read him his Miranda rights at 5:11 a.m. Joseph agreed to speak to them. Joseph stated he woke up at approximately 7:00 a.m. and went to work out at Flex Gym in Lakewood, Colorado. Gay watched Adrian while Joseph worked out at the gym. He got back home between 8:30 a.m. and 9:30 a.m. When Joseph got home he cleaned up and got Adrian ready and went job hunting. He got back home later in the afternoon. He checked his email and his school work. He then contacted Katie. Joseph stated Katie wanted to get together as soon as she could get her mom to watch her child. Before Joseph left he laid Adrian on his back in his bed. He put pillows on each side of Adrian's head to keep him from moving side to side. He also propped a baby bottle on Adrian's chest which was filled with 6-8 ounces of Simlac formula. Joseph then went to meet Katie at the Rock Rest Bar. Joseph said his intent was to get a quick drink then bring Katie home. Joseph stated he had 2 shots of Patron Silver and 3 draft beers. He stated Katie then drove him home and they sat in the parking lot for 1 minute. Joseph went upstairs and kicked his boots off. He then warmed up some food before checking on Adrian. When he checked on Adrian he found him on his back as he had left him. He was purple and blue with his hands up by his head. He wasn't acting normal; he was cold and wouldn't move. Adrian also had a white crusty substance on his chin, which he wiped away. Joseph picked Adrian up and laid him on the couch in the living room. He freaked out and called Katie. When Gay came out of her room she picked up Adrian and told Joseph it was going to be ok. [REDACTED] I

[REDACTED] Investigator Clark asked Joseph if it was possible that time got away from [REDACTED]

Deputy Danielle Hurst  
Affiant's Name (print)

\_\_\_\_\_  
Affiant's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Based upon the foregoing facts, your affiant submits that there is probable cause to believe that criminal offenses have been committed in violation of Colorado law. Your affiant further submits that there is probable cause to charge Joseph Trujillo April 07, 1986, with the commission of these offenses.

Your affiant requests this affidavit and warrants or court orders resulting from this affidavit be sealed by the Court to preserve the integrity of the on-going investigation.

Approved \_\_\_\_\_

JUDGE

*unsealed  
# 2/1/10*

Deputy Danielle Hurst

Affiant's Name (print)

*Danielle Hurst*  
Affiant's Signature

Subscribed and sworn to before me this 22 day of January, 2010