

Richard Riess
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Pro Per

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

Richard Riess,
Petitioner,

v.

Desiree Capuano,
Respondent.

Case No.: TD 035397

**DECLARATION OF RICHARD RIESS IN
SUPPORT OF REQUEST TO
TEMPORARILY SUSPEND CHILD
VISITATION SCHEDULE**

I, Richard Riess, hereby declare under penalty of perjury that I am the Petitioner in the captioned matter and that all statements made herein are true and correct to the best of my knowledge, and that such statements are based on facts and information made known to me after March 7, 2012. The statements made herein are only those which I believe relate to Gabriel being in immediate and ongoing danger while he is in Desiree's care.

SUMMARY

1. Desiree has knowingly allowed her fiancé, with whom she has been cohabiting, to engage in criminal activities and the use of methamphetamine, in the house while her children are present.
2. Desiree has consistently withheld critical information regarding hers and her fiancé's drug use and involvement in criminal activities from me and from the Court.

3. Desiree has a chronic drug problem and uses marijuana on a daily basis, in the presence of her children, and was unable and unwilling to discontinue her use even while she participated in a drug diversion program in exchange for deferred prosecution of criminal drug charges.
4. Desiree regularly operates a motor vehicle while under the influence of marijuana.
5. Desiree has repeatedly and consistently exercised very poor judgment and has executed decisions which have put her children in serious danger.
6. Desiree has consistently refused to provide for Gabriel's basic necessities, claiming she did not have the money for it, while continuing to fund hers and her fiancé's drug habits.
7. Although much of the criminal activity occurring around the children was conducted by Kristopher, Desiree knew of it and allowed it to continue.

BACKGROUND

8. I am the biological father of Gabriel Riess.
9. Desiree Capuano is the biological mother of Gabriel Riess.
10. Desiree and I attended mediation on December 6, 2011 and came to an agreement with respect to custody and visitation of Gabriel.
11. I have physical custody of Gabriel, as agreed upon at mediation.
12. Desiree has visitation with Gabriel, at her residence in Peoria, AZ, during the summer, winter and spring school breaks, and alternating long weekends, as agreed upon at mediation.
13. Desiree's visitation periods, in Arizona, range in length from 3 days to 7 weeks in duration. Her next scheduled visitation is for 3 weeks, from December 14, 2012 through January 5, 2013.

14. When I agreed to the current visitation terms I did not know about, or suspect, Desiree's and Kristopher's, ongoing drug use and involvement in criminal activities. Had I known of such I would not have agreed to the current visitation terms.
15. During Gabriel's visitation periods he is often left in Kristopher's or other unknown persons' care while Desiree is at work or engaging in social activities.
16. Throughout these proceedings I have repeatedly expressed my concerns that Desiree and Kristopher were involved in drug use and criminal activities, which I believed put Gabriel in serious danger while in Desiree's care.
17. From early 2010 through the present, Desiree has been cohabiting with her fiancé Kristopher Lauchner.
18. From November 2011 until the present Desiree and Kristopher have been residing in a house owned by, and rented from, a cousin of Kristopher.
19. It is my belief, based on my extensive experiences with Desiree, and her actions and statements over the past year, that she is a very skilled manipulator and routinely exploits people's pity and compassion to get what she wants from them, and to avoid accepting the responsibilities and consequences of her actions and decisions.
20. I believe, based on her statements to, and demeanor before the Court, that Desiree has been attempting to manipulating the Court throughout these proceedings by falsely representing herself, her intentions, and her relationship with Gabriel. I believe this is supported by her actions over the past year, which belie her statements and presentation before the Court.

DESIREE'S AND KRISTOPHER'S DRUG USE

21. Over the past year I have learned that Desiree and Kristopher were regularly using illegal drugs, including marijuana and methamphetamine, in the home and while Desiree's children were present.
22. On September 27, 2011 (Gabriel's 11th birthday), while Desiree had Gabriel in Phoenix, Desiree was arrested at her residence for possession of marijuana and possession of drug paraphernalia (Ex. 1). The arresting officers found, amongst other things, a large green bong in the master bedroom vanity; four pipes containing marijuana residue, and a small baggy containing 1.3 grams of marijuana in the night-stand to the right of Desiree's bed (Ex. 1, pp 4-5).
23. The marijuana and related artifacts found in Desiree's home on September 27, 2011 were not in a locked, secure place or out of reach of the children who were in the home (Ex. 1, p 4) and regularly left unsupervised, contrary to Desiree's previous testimony to the Court.
24. On November 1, 2011, Desiree was called to the scene of Kristopher's arrest to pick up Gabriel and her other child from the police (the children were in Kristopher's care, outside the home when he was arrested). Upon her arrival, the police searched her purse and again found marijuana and paraphernalia which they confiscated (Ex. 2, p 8).
25. On November 1, 2011, Desiree falsely stated to the police that she had a permit for the marijuana. Such false statement was in violation of A.R.S. § 36-2816(E) and constitutes grounds for revocation of Desiree's medical marijuana card pursuant to A.R.S. § 36-2815(D).
26. On November 4, 2011, Desiree applied for a medical marijuana card in order to be able to continue her drug use without legal consequences. A medical marijuana card was issued to Desiree on November 7, 2011.

27. Desiree's physician recommendation for her medical marijuana card was obtained from an organization named Arizona 420 Evaluations, which is a for-profit business whose sole service is to provide instant medical marijuana recommendations to walk-in customers, not from a physician who had knowledge of Desiree's medical history.
28. Desiree falsely stated on the application for her medical marijuana card that she suffers from severe and chronic pain, resulting from chronic or debilitating fibromyalgia, myalgia, and arthritis (see exhibit 1 of Desiree's Responsive Declaration dated 2/21/12).
29. On March 13, 2012 Desiree agreed to enter the TASC drug diversion program in exchange for deferred prosecution of her criminal drug possession charges (Ex. 3). On September 19, 2012 the charges were dismissed based on her apparent successful completion the drug diversion program.
30. On November 19, 2012 I received an email from Desiree boasting that even while she was in the drug diversion program she "never had to stop" her use of marijuana, and even though she had to submit a urine and hair drug test for Child Protective Services they "still did not test for marijuana due to the fact that [she's] legal". I believe it is Desiree's position that because she has a medical marijuana card her chronic use of marijuana is completely immune from any scrutiny whatsoever, regardless of the danger it may put her children in or the effect it may have on them (Ex. 4).
31. On September 16, 2012 I discovered that Desiree had posted a public message on her Facebook page on November 29, 2010 stating that she had attended an event called "Hug a Pothead Day" (Ex. 5). I believe such public support and promotion of recreational marijuana use negatively affects her children because her postings are published publicly and can be viewed by anyone on the Internet, including her children, their teachers, friends, neighbors, et cetera. I also believe it demonstrates Desiree's affinity to recreational drug use and further proves that her marijuana use is purely recreational, not medicinal.

32. Since returning from his summer visitation Gabriel has stated the following to me:
1. while he was in Arizona with Desiree, her house often smelled like marijuana.
 2. Desiree would often say that she was “going to smoke”, then she would go to her bedroom or the garage and close the door. Gabriel said he knew she was smoking marijuana because he could smell it, and because Desiree and Kristopher were indiscrete about smoking cigarettes in front of him, and generally smoked cigarettes freely throughout the house.
 3. he believes Desiree has a drug problem because “she can’t even quit using it while she’s in the drug program”.
 4. he is uncomfortable speaking openly with Desiree because “she freaks out or get’s all emotional and starts crying or screaming if you say something she doesn’t want to hear”. I believe that behavior is the result of Desiree's habitual drug use.
 5. Desiree openly told him about her marijuana use and that “everybody knows” she uses it and she is going to continue using no matter what anyone thinks.
 6. he would sometimes notice a smell like burning plastic in Desiree’s house. I believe what Gabriel was smelling was burning methamphetamine.
33. On November 6, 2012 I was contacted by Sgt. Livingston of the Glendale Police Department. He inquired, in part, whether I knew what illness Desiree had claimed to get her medical marijuana card. I told him she had claimed sever and chronic pain due to arthritis. Sgt. Livingston stated he was surprised by that because Desiree seemed very healthy and was very active when the police searched her house and interviewed her.

DESIREE'S AND KRISTOPHER'S CRIMINAL ACTIVITIES

34. Over the past year I have learned, through my own research, that both Desiree and Kristopher were repeatedly involved in a variety of illegal activities, including shoplifting, possession of stolen property, prohibited possession of lethal weapons, and possession of methamphetamine.
35. Prior to my discovery of Desiree's and Kristopher's criminal activities, Desiree repeatedly insisted to me and to the Court that neither herself nor Kristopher had been engaging in illegal activities, that Kristopher's criminal behavior was in the past, and that he was "not that type of person anymore". Even when confronting Desiree about their criminal activities she insisted they had done nothing wrong, and accused me of invading their privacy.
36. The purpose of the police presence at Desiree's home on September 27, 2011 (when she was arrested for possession of marijuana) was to question Kristopher regarding their investigation of him for passing counterfeit currency on numerous occasions.
37. On November 1, 2011 Kristopher was arrested on two counts of forgery and one count of tampering with evidence (Ex. 2). Gabriel, and Desiree's other child, were in Kristopher's care at the time, and Kristopher had taken the children with him to a Wal-Mart store while he committed forgery and organized retail theft by using counterfeit currency to pay for items (Ex. 2, p 11).
38. In December 2011 Kristopher was arrested for shoplifting in Peoria, AZ, near his and Desiree's home. This arrest occurred less than six weeks after his arrest for forgery. Kristopher pled guilty to that charge on January 10, 2012 and was sentenced to one year of unsupervised probation which he is currently serving (Ex. 6).
39. Gabriel has told me that while he was in Phoenix with Desiree she told him she and Michael used to have fights that would escalate to physical violence; that he would hit her and she would throw things at him.

40. Desiree concealed all information about hers, Kristopher's and Michael's arrests, convictions, violence and criminal activities from me and from the Court, and it has only been through my own research and efforts that I have been able to discover these facts.
41. On October 3, 2012 I discovered that Kristopher had been arrested on October 2, 2012 on the charges of shoplifting; possession of a lethal weapon by a prohibited person; possession of a dangerous drug; possession of drug paraphernalia; and discharging a firearm within the city limits. In particular, Kristopher had shoplifted a Bushmaster 223 (aka M-16, AR-15) assault rifle from a hunting store in Glendale, AZ.
42. Kristopher then hid the stolen assault rifle in the attic of Desiree's house. The weapon was not locked or in a secure place and children in the home could have come into unsupervised contact with it.
43. Kristopher was subsequently booked into the Maricopa County Jail but issued a bond of \$9,000. At this time Kristopher is still in custody but can be bonded out at any time.
44. Kristopher has numerous family members, including his father who lives in Phoenix, that have the financial resources and the means to post his bond.
45. It is my belief that upon his release from custody Kristopher would continue to reside with Desiree at the same house they have been cohabiting at since November 2011, and which is owned by Kristopher's cousin.
46. Desiree has not filed for a restraining order against Kristopher and he would have the legal right to continue to reside at their residence.
47. On October 4 and 5, 2012 the local Phoenix television news ran a stories on Kristopher's arrest, wherein they showed his mug shots, stated his full name, and showed the front of Desiree's house

on the television. Those stories (including the video broadcasts) have also been posted on the respective news channel's web sites, and are accessible to anyone, including Gabriel.

48. When Gabriel saw the news video showing Desiree's house and yard he was embarrassed and deeply troubled by it.
49. In the week of October 15, 2012 I spoke with Sgt. Livingston of the Glendale Police Department, regarding Kristopher's investigation and arrest. Sgt. Livingston provided me the following information:
 1. the Glendale Police, Repeat Offenders Unit, had been investigating and monitoring Kristopher's activities for some time, including watching the house where he lived (i.e. Desiree's house).
 2. on October 2, 2012, while Kristopher was being arrested, the police executed a search warrant on Desiree's home.
 3. while searching the house the police found additional lethal weapons, including swords and daggers, which were in plain view in the living room and were within reach of children, with the aid of a chair or stool.
 4. one of the daggers which was in plain view in the living room bore a Nazi swastika on the handle.
 5. from their investigation the police have determined that Kristopher had been associating with a number of dangerous individuals, including having them at Desiree's house while Desiree's children were present.
 6. the dangerous drug with which Kristopher was caught was crystal methamphetamine;
 7. Kristopher had fired at least one test round from the assault rifle, either in the back yard of Desiree's home, or inside the house.

8. Kristopher possessed a large amount of military style clothing and paraphernalia which he kept in Desiree's home, and seemed to think of himself as a military or law enforcement type, which lead the police to believe Kristopher was serious threat to the safety of the community.
9. they believed Desiree's knowledge of the events was greater than she had stated.
50. On November 6, 2012 I was contacted by Sgt. Livingston, informing me that during the course of interviewing Desiree on October 2, 2012 she did admit to the police that she knew Kristopher was hiding the stolen assault rifle in the house; and that during the execution of the search warrant the police also found a quantity of methamphetamine in the garage of the house.
51. On November 9, 2012 I received a copy of the police reports relating to the investigation and arrest of Kristopher and the execution of the search warrant on Desiree's home (Ex. 7). The reports confirmed the information previously provided by Sgt. Livingston, as well as the following information:
 1. the assault rifle was hidden in the attic above the garage and was not locked or otherwise secured or protected from the children in the home.
 2. the serial number of the assault rifle had been illegally filed off.
 3. five glass smoking pipes with methamphetamine residue were found in the garage, within reach of the children in the home.
 4. a glass water bong, which is typically used in smoking methamphetamine, and containing methamphetamine residue, was found in the garage, within reach of the children in the home.
 5. a small metal case containing approximately 2 grams of methamphetamine was found in the garage, within reach of the children in the home.

6. several syringes were found along with the methamphetamine in the garage, within reach of the children in the home.
7. a spent .223 calibre shell casing was found in the trash next to the house.
8. Kristopher admitted he had discharged the rifle inside the house and had used blankets to muffle the sound.
9. the police had Desiree's home under surveillance from September 25, 2012 through October 2, 2012.
10. Desiree was not at home when the police began the execution of the search warrant.
11. Desiree's other child, Sage, was at home with two of Desiree's friends who had been living at the house (in Gabriel's bedroom) since July, 2012 when the police executed the search warrant.
12. Sage and Desiree's other friends were required to exit the house while the police executed the search warrant.
13. Desiree stated to the police that she "knew Kristopher was doing bad things", that he had "recently stolen an assault rifle", and that "the rifle was in the house".
14. during her interview Desiree told the police Kristopher leaves the house for long periods of time and she has no idea where he goes or what he does; when Kristopher is home he spends the majority of his time in the garage; that she has no idea what he does in the garage, or what is in the garage; and that she knew Kristopher had used methamphetamine.
15. during his interrogation Kristopher admitted to stealing the assault rifle and hiding it in the house; Kristopher claimed the trigger lock falling off the rifle in the store was a sign from God that he wanted him to steal the rifle; Kristopher stated he stole the rifle so he could protect his family; he stated that he owed people money that he believed people with guns

might come after him; he admitted to firing the rifle in the living room of the house; he admitted to using methamphetamine and bath salts.

16. Kristopher also admitted to having a problem or an “addiction” to stealing things and that he “just couldn’t help himself”.
 17. another glass pipe, of the type commonly used to smoke methamphetamine, containing residue, was seized from Kristopher’s possession at the time of his arrest;
 18. two blankets, containing what appear to be a hole and burns caused by discharging a firearm at very close range, were seized from Desiree’s home the day after the execution of the search warrant.
52. Based on her statements to the police Desiree either had no idea about the criminal activities and dangerous drug use going on right in her own home, which raises serious concerns about her ability and interest in providing a safe environment for her children; or she knew about what was transpiring but did nothing to stop it until the police became involved and left her no choice. Either way, she put her children in an incredibly dangerous and possibly life threatening situation to satisfy her selfish desire to be with Kristopher.
53. Although Desiree stated to the police that she never went into the garage and had no idea what Kristopher was doing in the garage or what was in the garage, she has posted numerous photographs on her Facebook page of herself, Gabriel and her other son spending time in the garage (Ex. 8). Gabriel has also told me that while he was there for the summer Desiree would often “hang out” in the garage with Kristopher.
54. Although Desiree maintains that she had no knowledge of Kristopher possessing any firearms, she had copied onto the iPod she gave Gabriel, a picture of Kristopher and Desiree’s other child

- handling a pistol inside the house (Ex. 9). It appears Kristopher was teaching the child to aim and fire the pistol.
55. Gabriel has told me that Kristopher had, one time, shown him the dagger with the swastika on it.
56. When I asked Desiree about the Nazi dagger she admitted that it was mounted on the wall in the living room (Ex. 10). When I asked her why she would even want something like that in her house, namely, on display in the living room, she responded that she didn't. Yet she allowed Kristopher to do so, in plain view of Gabriel, who she knew is actively Jewish and therefore adversely affected by such Nazi and Holocaust artifacts. I believe this is an example of Desiree's willingness to put Kristopher, and own desires, before her children.
57. Immediately upon Kristopher's arrest Desiree proceeded to attempt to disassociate herself with him, including contacting his family members and asking that they not help him bond out of jail (Ex. 11). I believe that is nothing more than an attempt to distance herself from any potential legal consequences of hers and Kristopher's illegal activities.
58. Although Desiree maintains that she had no idea that Kristopher was involved in illegal activities, I had confronted her on at least two occasions regarding two separate incidences of Kristopher's illegal activities (Ex. 12). Both times Desiree refused to address the issue of Kristopher's illegal activities but continued to defend him and insist that he was good for Gabriel.
59. On January 20, 2012, I filed a request for a restraining order against Kristopher (case no. TS015675), based on his repeated threats, interference, and his extensive violent history. A temporary restraining order was granted, but at the hearing on February 7, 2012 the Court denied the request. Both Kristopher and Desiree appeared for the hearing, in person and submitted supporting documents which were not served on me and which the Court did not provide me the opportunity to review.

60. On October 19, 2012 I was contacted by Dana Markusen of the Maricopa County Child Protective Service regarding an open case on Desiree. On October 26, 2012 I was then contacted by Jennifer Grow of the Maricopa County Child Protective Service. Miss Grow informed me that the “matter is currently open as an investigation”. It is my understanding that at this time the investigation is still ongoing.
61. I believe Desiree's cohabiting with men who have a record of violence and criminal activities, while insisting that those same men are not dangerous or harmful, shows that she has, and continues to exercise very poor judgment with respect to the safety of her children and puts her own desires before the safety of her children.
62. I believe Desiree's insistence that Kristopher is not a bad person and that he is not the person he was ten years ago demonstrates her willingness to ignore and conceal facts that may put her children in danger, to satisfy her own selfish desires.
63. Based on Kristopher's extensive history of criminal activity, as well as his recent criminal activity, arrests and convictions, I believe it is very dangerous for Gabriel to be in his presence for any period of time.

REFUSAL TO COOPERATE IN GABRIEL’S INTEREST

64. While Gabriel was visiting Desiree over the summer she had at least two friends residing at her home, in Gabriel's bedroom. When I requested the names of the friends she refused to provide the information. She stated it was none of my business and she didn't have to tell me who lived at her house (Ex. 13). I believe this demonstrates that Desiree considers her friends more significant than her children, and her refusal to inform me of the people living in her home when Gabriel is present demonstrates her lack of willingness to cooperate in the interest of Gabriel's safety.

65. Desiree has consistently refused to cooperate in discovery and to disclose information which is vital to determining Gabriel's safety and well-being (Ex. 14) when he is in her care. She has withheld critical information from myself and from the Court which would be required for any responsible parent, and for the Court, to react in Gabriel's best interests and to ensure his safety.

DESIREE'S CHARACTER AND UNRELIABILITY

66. Desiree was scheduled to have a visitation with Gabriel for Memorial Day weekend, 2012. Three weeks prior to that date she told Gabriel that she had already purchased his plane ticket. However, there was no further contact with Desiree until after Memorial Day weekend and the visitation never occurred.
67. Desiree was scheduled to have a visitation with Gabriel for Columbus Day weekend, 2012. Desiree did not contact me or Gabriel regarding her intentions for the visitation and did not exercise her visitation for that weekend.
68. On September 7, 2012 the Court ordered that Desiree be permitted additional visitation with Gabriel in Los Angeles, on the condition that she provide at least two weeks' notice to me. Desiree has not indicated any intention or interest in exercising that additional visitation.
69. Each time I asked Desiree why she did not exercise her visitation she stated she could not afford it. However, she was able to continue funding her drug habits (including renewing her medical marijuana card at a cost of \$150 per year).
70. Since before September 7, 2012 Desiree has not spoken to Gabriel.
71. Desiree did not contact Gabriel on, or before, his birthday on September 27, 2012.

72. On September 29, 2012 Gabriel forwarded me an email he had received from Desiree, wherein she stated “I will not call you however as I am not going to call the house phone...and it is of no interest for you to speak to me while you are there.”

DESIREE’S MANIPULATION, DECEPTIVE BEHAVIOR, MISREPRESENTATION

73. Due to Desiree frequently and deliberately providing me false information, withholding information about her situation and her intentions, which I believe a reasonable person would need in order to make responsible decisions regarding their children (e.g. hers and Kristopher’s drug use and arrests), I cannot possibly know that Gabriel is safe or properly cared for while he is in Desiree’s care, or what her true intentions are.
74. In open court, on September 7, 2012, when asked by the Court how her visitation with Gabriel over the summer vacation went, Desiree stated with great emotion and sentiment that it went “wonderfully” and that Gabriel had a “great time”. When the Court then entered an order granting Desiree two additional visitations between that date and the winter break visitation, Desiree responded with enthusiastic gratitude. However, since that hearing Desiree has not had any contact with Gabriel, and has not even exercised her scheduled visitation (Columbus Day weekend), let alone the additional visitations the Court granted her. I believe this is further evidence of Desiree’s false representation and sincere lack of interest in being involved in Gabriel’s life.
75. I believe, based on my experiences with Desiree and her own statements over the past 19 months, that she is very manipulative; will say anything including making very serious, false allegations against others; will freely exploit other people's pity, compassion and sympathy; and will agree to

any terms, to get what she wants. Then, once she has obtained what she wants she will completely disregard any prior agreements and commitments and deny her prior statements and intentions.

CONCLUSION

76. Over the past six months Gabriel has exhibited a growing lack of interest in visiting, maintaining a relationship, and even in communicating with Desiree. Specifically:
1. when she did not call or follow through on her visitation over Memorial Day weekend Gabriel expressed no concern;
 2. since returning from his summer visitation in August, he has not initiated any contact with her; he has expressed to me his disappointment that she is still using drugs; he has expressed his disappointment that she has consistently refused to provide him anything he has requested while he is not in her care, her frequent failure to follow through on her promises to him, her unpredictable and violent mood changes (including sometimes getting angry or crying for no apparent reason), and her retaliatory behavior such as disconnecting the mobile phone she had gotten him because he did not want to visit with her, and having her fiancé send insulting and offensive messages because Gabriel did not think to call her on Mother's Day.
 3. he has not expressed any concern about Desiree not contacting him since before September 7, 2012 and he has not attempted to contact her.
77. I believe Desiree's drug use and involvement in criminal activity, over the past year, prove that she has a serious drug problem which puts Gabriel in danger when he is in her care.
78. I believe Desiree's attempts to conceal the histories of violence of the men that she has recently been in relationships with, proves her willingness to put her personal desires before the safety of

her children and makes it impossible for me and for the Court to be certain of Gabriel's safety when he is in her care.

79. I believe Kristopher's recent criminal activities, and that he took Gabriel with him while he was engaging in criminal activities proves that Gabriel is in danger when he is in Kristopher's presence and, that Desiree's attempts to portray Kristopher as a good and responsible person show that she has, and will continue to exercise very poor judgment in matters relating to the safety and well-being of her children.
80. I believe, even though Kristopher is currently incarcerated, he can be bonded out of jail at any time and, upon his release, he will return to residing with Desiree at his cousin's house where they have been living since November 2011.

Dated this 25th day of November, 2012.

Richard Riess

Exhibit 1

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



MARIJUANA-POSSESS/USE

Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Original Information

Original Page: 1

Date Added: 09/27/2011

Added By: (704) ABERNETHY, C

Charges

1	Charge Type	Description								Statute	UCR	<input type="checkbox"/> Att
	State	MARIJUANA-POSSESS/USE								13-3405A1	35A	<input checked="" type="checkbox"/> Com
	Alcohol, Drugs or Computers Used		Location Type		Premises Entered	Forced Entry	Weapons					
	<input type="checkbox"/> Alcohol <input checked="" type="checkbox"/> Drugs <input type="checkbox"/> Computers		APARTMENT COMPLEX			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.					
	Entry		Exit		Criminal Activity				2.			
				POSSESSING/CONCEALING				3.				
Bias Motivation		Bias Target		Bias Circumstances				Bias Group				
2	Charge Type	Description								Statute	UCR	<input type="checkbox"/> Att
	State	DRUG PARAPHERNALIA-POSSESS/USE								13-3415A	35B	<input checked="" type="checkbox"/> Com
	Alcohol, Drugs or Computers Used		Location Type		Premises Entered	Forced Entry	Weapons					
	<input type="checkbox"/> Alcohol <input checked="" type="checkbox"/> Drugs <input type="checkbox"/> Computers		APARTMENT COMPLEX			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.					
	Entry		Exit		Criminal Activity				2.			
				POSSESSING/CONCEALING				3.				
Bias Motivation		Bias Target		Bias Circumstances				Bias Group				

Victims

1	Type	Code	Name(Last, First, M)								AKA		
	S	VI	STATE OF ARIZONA										
SSN		DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes		
			00					0			1,2		
License: <input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:			State:			Marital:	Resident:	Citizen:		
Address										Hm ph:			
AZ													
Occupation			Employer Name/Address									Cell ph:	
Govt			/									Wk ph:	
Scars, Marks, Tatoos or Other Distinguishing Features:													
Physical Characteristics:													

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



MARIJUANA-POSSESS/USE

Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Original Information

Original Page: 2

Date Added: 09/27/2011

Added By: (704) ABERNETHY, C

Offenders

1	Type I	Code OF	Name(Last, First, M) CAPUANO, DESIREE YVONNE								AKA	
SSN [REDACTED]	DOB [REDACTED]	Age 30	Race W	Ethnicity N	Sex F	Height 504	Weight 115	Hair BLN	Eyes HAZ			
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number: [REDACTED]			State: [REDACTED]		Marital: S	Resident:		Citizen: US	
Address [REDACTED]										Hm ph: [REDACTED]		
Occupation [REDACTED]			Employer Name/Address [REDACTED]								Cell ph: [REDACTED]	
											Wk ph:	
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

Other Persons Involved

1	Type I	Code IO	Name(Last, First, M) [REDACTED]								AKA	
SSN [REDACTED]	DOB [REDACTED]	Age 37	Race W	Ethnicity N	Sex M	Height 509	Weight 180	Hair BLN	Eyes HAZ			
License: <input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number: [REDACTED]			State: [REDACTED]		Marital:	Resident:		Citizen: US	
Address [REDACTED]										Hm ph: [REDACTED]		
Occupation [REDACTED]			Employer Name/Address [REDACTED]								Cell ph:	
											Wk ph:	
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



MARIJUANA-POSSESS/USE

Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Original Information

Original Page: 3

Date Added: 09/27/2011

Added By: (704) ABERNETHY, C

Property

1	Prop ID 799307	Status IMPOUND	Class 11	NCIC	Make/Model	Serial Number			
Owner STATE OF ARIZONA			Owner Applied Number		License / State		Color		
Description Wooden Box With Four Pipes							Quantity 1	UM	Value \$1.00
Gun Type			Caliber		Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:									
2	Prop ID 799308	Status IMPOUND	Class 11	NCIC	Make/Model	Serial Number			
Owner STATE OF ARIZONA			Owner Applied Number		License / State		Color Green		
Description Green Bong With Residue							Quantity 1	UM	Value \$1.00
Gun Type			Caliber		Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:									
3	Prop ID 799310	Status SEIZED	Class E	NCIC	Make/Model	Serial Number			
Owner STATE OF ARIZONA			Owner Applied Number		License / State		Color Green		
Description Green Leafy In Baggy							Quantity 1	UM DU	Value
Gun Type			Caliber		Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:									

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



MARIJUANA-POSSESS/USE

Reported 09/27/2011 12:00

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Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Original Information

Original Page: 4

Date Added: 09/27/2011

Added By: (704) ABERNETHY, C

Assisting Officers

(704) ABERNETHY, C

Notes / Narratives

On 9/27/11, at 1200 hours, suspect was in possession of marijuana and paraphernalia at 20100 N. 78th Way #1080.

The following supplement has been entered into the following two Departmental Reports:

11-21751 (COUNTERFEIT, FORGERY)

11-22639 (POSSESSION OF MARIJUANA)

On 9/27/11 at about 1112 hours, I responded, with Officer Ange, to 20100 N. 78th Way #1080, in an attempt to contact [REDACTED] regarding a counterfeit currency case.

Upon arrival, after knocking on the apartment door, we received no answer. Then, while preparing to leave, a white male passed us in the lot (in a car) and asked if we were looking for him. He said his name was [REDACTED] I told him that we indeed wished to speak with him.

[REDACTED] parked his car and then escorted us to his apartment. He opened the door. I asked him if we could step inside. He allowed us to enter.

Once inside, [REDACTED] spoke to Officer Ange about a counterfeit money case that she was working on. [REDACTED] claimed to have originally received the fake \$100 from a guy, [REDACTED] that he met at a pool hall. He said that he sold his pool cue to the guy for \$300. Once he learned that the money was fake, he found the guy again (the same night that he tried to pass the \$100 bill at Fascinations) again at the pool hall. He gave the guy back the remaining 2 bills and took his cue back. See Officer Ange supplement for further regarding the interview.

During the interview, I asked [REDACTED] if he had any more counterfeit money in the apartment. He said that he did not. After establishing that he shared a bedroom with his fiancée Desiree Capuano ([REDACTED] pointed out his bedroom), I asked him if I could search his bedroom for counterfeit money. He said that I could but he did not know if Desiree would give permission. I again asked if I could search the bedroom. He stated, "absolutely".

I searched the bedroom that [REDACTED] claimed to share with Desiree. I discovered the following:

1. Large green bong - located in the master bath vanity
2. Brown box - located in the night-stand to the right of the bed. In the box were two glass pipes with residue and two stone pipes. Also in the box was a small baggy containing a green leafy substance. The green leafy substance had the color, odor, an

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Original Information

Original Page: 5

Date Added: 09/27/2011

Added By: (704) ABERNETHY, C

Notes / Narratives

consistency of marijuana.

I showed [REDACTED] the items. I read him his rights under Miranda. he said that he understood. I asked him who the items belonged to. He would not answer. Just then, Desiree, entered the apartment. I showed her the items, she said that they were hers. I read Desiree her rights under Miranda. She said that she understood her rights. I again asked Desiree if the items, including the marijuana and pipes, were hers. She stated that items were indeed hers. She stated that she plans on getting a medical card for the future use. She stated that this was the only illegal thing that she did.

I arrested Desiree for POM and PODP. I handcuffed her to the rear (double locked). I escorted Desiree to my patrol vehicle, where Officer Ange searched her. Officer Ange asked her to sit inside the patrol car which she did. Officer Ange secured Desiree's seatbelt.

I transported Desiree to the D3 Jail for booking. While enroute, Desiree stated that she received the marijuana from a friend at work. Desiree said that her friend at work has a medical marijuana card. Desiree said that she did not pay for the marijuana.

Jail staff later transported Desiree to the D2 Jail to complete the booking.

On 9/27/11 at about 1500 hours, I field tested the above described green leafy substance. I tested it as I was trained by DPS in April 2011. The results: Positive for marijuana. Total weight - 1.3 grams (including baggy). Items were impounded at D4.

I will longform the following charges to the County Prosecutor, regarding Desiree Capuano:

Possession of Marijuana (11-22639)

Possession of Drug Paraphernalia (11-22639)

Please see Officer Ange's supplement.

NFI

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Supplement Information

Supplement Page: 1

Date Added: 09/29/2011 06:46:11

Added By: (704) ABERNETHY, C

Supplement Notes

Impound:

On 9/29/11, I impounded the recording of the knock and talk conducted on 9/27/11 at the residence of [REDACTED] and Capauno.

(It should be noted that [REDACTED] requested to call his lawyer just before the arrest of Capauno on 9/27/11.)

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



MARIJUANA-POSSESS/USE

Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Supplement Information

Supplement Page: 1

Date Added: 09/29/2011 06:48:40

Added By: (704) ABERNETHY, C

Property

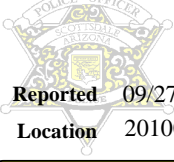
1	Prop ID 799623	Status IMPOUND	Class 77	NCIC	Make/Model	Serial Number		
	Owner STATE OF ARIZONA		Owner Applied Number		License / State	Color		
Description Recording Of Knock And Talk						Quantity 1	UM	Value \$1.00
Gun Type			Caliber		Finish	Grip	Gun Stock	
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:		
Property Notes:								

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-22639



Reported 09/27/2011 12:00

Found 09/27/2011 11:45

Occurred 09/27/2011 11:12

Location 20100 N 78th Pl Apt. 1080, Scottsdale, AZ

Original Officer (704) ABERNETHY, C

Supplement Information

Supplement Page: 2

Date Added: 09/29/2011 06:48:40

Added By: (704) ABERNETHY, C

Supplement Notes

159504 Voucher ID created for this supplement.



SCOTTSDALE POLICE DEPARTMENT

DR#: 11-22639	OFFICER: Abernethy	ID#: 704
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SUSPECT INFORMATION (Last name, first name, middle initial)	DATE OF BIRTH
Desiree Capuano	

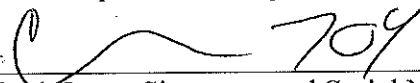
ITEM NO.	DESCRIPTION	MARIJUANA	METH	COCAINE	COCAINE BASE
	Green leafy substance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Chemical and visual tests were used to indicate the presence of the above controlled substances.
Each item listed is present in a usable condition.

Certification:

- ☒ I certify that I have successfully completed training from the Arizona Department of Public Safety Crime Laboratory to identify marijuana using the visual appearance of marijuana and a chemical color test.
- ☐ I certify that I have successfully completed training from the Arizona Department of Public Safety Crime Laboratory to identify methamphetamine, cocaine and cocaine base using chemical color tests.

If this matter proceeds to Superior Court, I will be able to testify.

 704
Field Tester Signature and Serial Number

Craig Abernethy 704		1500
Scottsdale Police Dept	D4 Station	09/27/2011

Field Tester Name and Serial Number

Location Tested

Date/Time

Scottsdale Police Department
9065 E. Via Linda, Scottsdale, AZ 85258
(480)312-5000

JMS internal Booking # 2011010444	Alert/VP VP6		CITY OF SCOTTSDALE ARREST REPORT	DNA previous <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DNA taken <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fingerprinted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Photo <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AZAFIS PCN number							

IDENTIFICATION

1 ORI #	2 AGENCY NAME Scottsdale Police Department	3a-ARREST # 2011013946	3b DR # 11-22639								
5a-LAST, FIRST, MIDDLE NAME CAPUANO, DESIREE YVONNE	5b- Citizenship US	5c- Interpreter <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	5d- Language	7 SEX <input type="checkbox"/> M <input checked="" type="checkbox"/> F	8 RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> B	9 HGT. 5'04	10 WGT. 115	11 EYE HAZEL	12 HAIR BLN	13 SKIN MED	
15 PLACE OF BIRTH (CITY, COUNTY, STATE) FLORIDA	16 SSN	17 DATE OF BIRTH	18 AGE 30	19 AFIS ARN							
20 SID #	21a-Relative/Emergency Contact	21b-Relationship	21c-Address/Phone	22 DL #	23 ST						
24 FBI #					25 IDENTIFICATION COMMENTS						
26 <input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> NON-RESIDENT	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)			28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)						
30 EMPLOYER (NAME OF COMPANY/SCHOOL)			31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)			32 BUSINESS PHONE					

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) 20100 N 78TH PL SCOTTSDALE, AZ				34 DIST/BEAT D4/19	39 ARMED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	40 DESCRIPTION OF WEAPON	
41 DATE OF ARREST 09/27/2011	42 TIME OF ARREST 12:00	1. AM 2. PM	<input checked="" type="checkbox"/> MIL.	43 DAY OF ARREST S M T W T F S 1 2 3 4 5 6 7	44 TYPE ARREST BOOKED		
CHARGE # 1	F/M F	Cnt 1	Charge MARIJUANA-POSSESS/USE			State/Local 13-3405A1	Citation/Warrant #
DR # 1122639	Bond 0.00	Release Date 09/27/2011	Violation Date 09/27/2011	Court ORI SUPC	DV	Prep Offense	Disposition LONG FORM
CHARGE # 2	F/M F	Cnt 1	Charge DRUG PARAPHERNALIA-POSSESS/USE			State/Local 13-3415A	Citation/Warrant #
DR # 1122639	Bond 0.00	Release Date 09/27/2011	Violation Date 09/27/2011	Court ORI SUPC	DV	Prep Offense	Disposition LONG FORM

66 ARREST DISPOSITION	68 ACCOMPLICE ARRESTED WITH	DOB:	BOOKING#:
ALIAS AKA			
Scars, Marks and Tattoos			

BOOKING

Date of Booking: 09/27/2011	Booking Time: 12:29	Day of Booking: Tuesday	Cell:	Booking Detention Officer: (B616) HALE, A
Property Locker: District 3 Jail Area Locker 108				Property Received From: Capuano, Desiree Yvo
Property Taken: 1 Drivers License, 2 Ring - White, 1 Hair Accessories, 1 Cellular Telephone				
Date Taken: 09/27/2011	Taken By: (B616) HALE, A		Date Returned: 09/27/2011	Returned By: (B616) HALE, A

RELEASE INFORMATION

Date of Release: 09/27/2011	Release Time: 12:53	Release Notes:		
Release To: SELF	Release Reason: PENDING LONG FORM	Release Detention Officer: (B616) HALE, A		
Related Cases				
ARRESTING OFFICER (Badge#) (704) ABERNETHY, C		TRANSPORTING OFFICER (Badge#)		SUPERVISOR (Badge#) (511) BROWN, B
Booking Notes:				

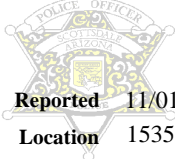
Exhibit 2

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 1

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Charges

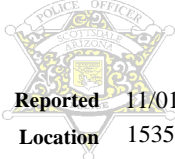
1	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
		FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	250	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
		POSSESSING/CONCEALING			3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
2	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input type="checkbox"/> Com
		FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
3	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input type="checkbox"/> Com
		FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
4	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
	State	FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 2

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Charges

5	Charge Type	Description				Statute	UCR	<input type="checkbox"/> Att	
		TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER				13-2809A1	90Z	<input type="checkbox"/> Com	
	Alcohol, Drugs or Computers Used		Location Type		Premises Entered	Forced Entry			
	<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY/ROAD/ALLEY			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	Entry		Exit		Criminal Activity				
								Weapons	
								1.	
								2.	
								3.	
Bias Motivation		Bias Target		Bias Circumstances		Bias Group			

Victims

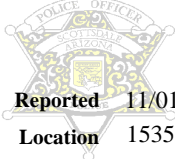
1	Type	Code	Name(Last, First, M)							AKA		
	B	VI	WALMART 15355									
SSN		DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes	
								0			1,2,3,4,5	
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:			State:		Marital:		Resident:		Citizen:
Address										Hm ph: (480) 348-5505		
15355 N NORTHSIGHT BL, SCOTTSDALE, AZ 85260										Cell ph:		
Occupation			Employer Name/Address									
Dept			asset Prot /									
Wk ph: (480) 348-5505												
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 3

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Offenders

1	Type I	Code OF	Name(Last, First, M) LAUCHNER, KRISTOPHER MICHAEL								AKA	
SSN [REDACTED]	DOB [REDACTED]	Age 31	Race W	Ethnicity N	Sex M	Height 509	Weight 180	Hair BLN	Eyes HAZ			
License: <input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number: [REDACTED]			State: [REDACTED]		Marital: U	Resident:		Citizen: US	
Address [REDACTED]										Hm ph: [REDACTED]		
Occupation			Employer Name/Address [REDACTED]								Cell ph: [REDACTED]	
											Wk ph: [REDACTED]	
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

Other Persons Involved

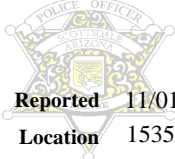
1	Type I	Code RP	Name(Last, First, M) [REDACTED]								AKA	
SSN [REDACTED]	DOB [REDACTED]	Age 34	Race W	Ethnicity N	Sex F	Height 509	Weight 180	Hair BRO	Eyes HAZ			
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number: [REDACTED]			State: [REDACTED]		Marital: U	Resident: R		Citizen: US	
Address [REDACTED]										Hm ph: [REDACTED]		
Occupation [REDACTED]			Employer Name/Address [REDACTED]								Cell ph: [REDACTED]	
											Wk ph: [REDACTED]	
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 4

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Property

1	Prop ID 807315	Status COUNTERFEITED/ FORGED	Class 20	NCIC	Make/Model US / 100.00 BILL	Serial Number [REDACTED]
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Counterfiet \$100.00 Bill						Quantity 1
Gun Type						UM
Caliber						Value \$1.00
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sight Type:
Property Notes:						
1	Prop ID 807322	Status SEIZED	Class 73	NCIC	Make/Model MEMOREX / CD-R	Serial Number
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Dvd Of Walmart Video						Quantity 1
Gun Type						UM
Caliber						Value \$1.00
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sight Type:
Property Notes:						
1	Prop ID 807323	Status SEIZED	Class 57	NCIC	Make/Model	Serial Number
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Walmart Lp Reports And Photos						Quantity 1
Gun Type						UM
Caliber						Value \$1.00
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sight Type:
Property Notes:						

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 5

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Property

2	Prop ID 807316	Status COUNTERFEITED/ FORGED	Class 20	NCIC	Make/Model US / 100.00 BILL	Serial Number [REDACTED]
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Counterfiet 100.00 Bill						Quantity 1
Gun Type		Caliber	Finish	Grip	Gun Stock	
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type:						
Property Notes:						
2	Prop ID 824409	Status STOLEN	Class 20	NCIC	Make/Model	Serial Number
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Money						Quantity 1
Gun Type		Caliber	Finish	Grip	Gun Stock	
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type:						
Property Notes:						
3	Prop ID 807317	Status COUNTERFEITED/ FORGED	Class 20	NCIC	Make/Model US / 100.00 BILL	Serial Number [REDACTED]
Owner WALMART 15355		Owner Applied Number		License / State		Color
Description Counterfiet 100.00 Bill						Quantity 1
Gun Type		Caliber	Finish	Grip	Gun Stock	
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type:						
Property Notes:						

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 6

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Property

4	Prop ID 807318	Status COUNTERFEITED/ FORGED	Class 20	NCIC	Make/Model US / 50.00	Serial Number [REDACTED]	
Owner WALMART 15355			Owner Applied Number		License / State	Color	
Description Counterfiet 50.00 Bill						Quantity 1	UM
						Value \$1.00	
Gun Type		Caliber	Finish		Grip	Gun Stock	
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sight Type:
Property Notes:							
5	Prop ID 807319	Status COUNTERFEITED/ FORGED	Class 20	NCIC	Make/Model US / 50.00	Serial Number [REDACTED]	
Owner WALMART 15355			Owner Applied Number		License / State	Color	
Description Counterfiet 50.00 Bill						Quantity 1	UM
						Value \$1.00	
Gun Type		Caliber	Finish		Grip	Gun Stock	
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sight Type:
Property Notes:							

Assisting Officers

(704) ABERNETHY, C

(718) ANGE, J

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Original Information

Original Page: 7

Date Added: 11/01/2011

Added By: (594) THOMPSON, P

Notes / Narratives

On 11-01-11, 0905 hours, Parker reported an unknown W/M had passed 3, 100 dollar bills and 2, 50 dollar bills at Walmart, all of which were counterfeit.

On 11-01-11, 1120 hours I was operating a fully marked Scottsdale Police vehicle wearing regulation blue uniform. I was dispatched to Walmart, 15355 N. Northsight in reference to a Fraud.

I contacted Parker, Loss Prevention who stated the following: On 10-29-11, 1525 hours a W/M went through a register and purchased a Sony Blu Ray Player for \$98.00 plus tax and paid cash with a \$100.00 and a \$50.00 bill. On 10-30-11, 1843 hours the same W/M went to the same register and purchased a Visio Blu Ray Player for \$108.00 and paid with a \$100.00 and \$50.00 bill. On 10-30-11, 1853 hours the same W/M went to the same register and purchased a Radio for \$40.00 and an I-Phone accessory for \$12.00 and utilized a \$100.00 bill. All the bills were discovered on 11-01-11 when the cash room caught the counterfeit bills. Parker then went through the videos and obtained the videos of the suspect in the store and leaving in a Black in Color large SUV, possibly a Cadillac Escalade. The only description on the W/M was he was wearing khaki long pants, khaki short sleeved shirt and a khaki ball cap.

Parker also has the suspect returning an item at another store which he had paid cash and received a refund. She is attempting to identify the other store return to obtain more information on the suspect. She will let us know if she is successful.

I seized the counterfeit bills and impounded them at D-4 along with the LP Reports and DVD of the suspects actions. The video is very grainy and very difficult to make a positive identification on the suspect.

Victim rights mailed.

SA Killgallon, Secret Service and Sgt Henderson, Financial Crimes were notified.

At 1630 hours, 11-01-11 I was contacted by Officer Koerner who stated the suspect had returned to the store and was arrested. Upon further investigation by Koerner the suspect admitted to passing the counterfeit bills.

No further information or action taken at this time.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/01/2011 22:46:44

Added By: (870) RIGBERG, M

Supplement Notes

On 11/01/11 at about 1600 hours, I responded to Bell and Hayden to assist Ofc. Koerner #875 with a traffic stop he had made on a possible suspect vehicle related to this case. Upon arrival, I observed Ofc. Koerner and Ofc. Wieger #1346 at the vehicle. Ofc. Wieger was at the driver's side door and Ofc. Koerner was slightly back. After speaking briefly with the officers, I learned there were two small children in the back seat of the car. Based on wanting to minimize the childrens' exposure to the investigation, I asked the driver, identified as Kristopher Lauchner, to exit the vehicle. As he did, I observed several pieces of what appeared to be a torn up piece of currency fall from his lap onto the stair step of the vehicle, his car seat and on the ground. Lauchner agreed to speak with the officers to the rear of the vehicle. I recovered the pieces of currency and looked at them. There were three small pieces of what appeared to be a \$100.00 bill. I turned these over to Ofc. Koerner. Ofc. Koerner interview Lauchner about the currency and the prior allegations of passing counterfeit currency at Wal-Mart. Launcher made several statements of admission to knowingly possessing counterfeit currency, as well as destroying evidence (tearing up the last bill he had) and throwing it out the window.

While on scene, Lauchner's fiancée, Desiree Capuano arrived to pick up her children. Desiree agreed to let us search her purse and vehicle. A search of her purse revealed a small wooden box that, when opened, contained a "one hitter" style of metal pipe. The pipe and box smelled like marijuana. Desiree told me that she had a "permit" for the paraphernalia, but that we could keep it. She did not have the permit with her. I explained to desiree that we would impound the box for destruction and turned it over to Ofc. Wieger. Desiree explained that she has never seen any unusual currency in her home, and did not know anything about what we were investigating.

I then had Desiree take her children from the scene.

See Ofc. Koerner's supplement for further.

Nothing further at this time.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/01/2011 23:48:06

Added By: (1346) WIEGER, G

Supplement Notes

On 11/1/2011 at approximately 1600 hours, I responded to Hayden and Bell Roads as requested to back Officer Koerner (#875) on a traffic stop related to this case. Upon arrival, I spoke with Officer Koerner, who was seated in his vehicle. Kristopher Lauchner was in his vehicle, along with two young male children. After getting a brief update from Officer Koerner, I walked up to and spoke with Lauchner. Lauchner told me that his fiancée was on her way to the stop pick up the children. It was about this time that Sgt. Rigberg (#870) arrived on scene and began speaking with Lauchner.

Sgt. Rigberg asked Lauchner to step out of his vehicle. I had him walk to the rear of his vehicle and sit on a curb. When he was seated, Sgt. Rigberg walked up to us from the driver side of the vehicle with what appeared to be pieces of torn currency in his hands. He stated that when Lauchner exited the vehicle, the pieces of currency fell out onto the step of the vehicle and onto the ground.

While Officer Koerner and Sgt. Rigberg spoke with Lauchner, I briefly spoke with the children, to confirm their welfare. A short time later, Lauchner's fiancée, Desiree Capuano, identified by her Arizona driver license, pulled up to the traffic stop. When she exited her vehicle, Sgt. Rigberg spoke briefly with her. He asked if he could search her purse, to which she responded, "Yes." During his search, he located small wooden box that, when opened, contained a "one hitter" style of metal pipe, commonly used to smoke marijuana. When asked, Desiree stated that she had a medical marijuana card, but that she did not have it on her at the time. Sgt. Rigberg explained to Desiree that we would impound the box and pipe for destruction (DR #11-25834). I later transported and impounded the items at District 4 for destruction. Desiree then took the two children and left the scene.

Shortly thereafter, Officer Koerner arrested Lauchner. I completed the Vehicle Inventory Report, and mailed copies to Lauchner and the registered owner of the vehicle. The vehicle was towed from the scene.

NFI

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/02/2011 07:52:42

Added By: (B1119) LORIMER, J

Property

1	Prop ID 807455	Status IMPOUND	Class 20	NCIC	Make/Model U.S / \$20.00 BILL	Serial Number [REDACTED]		
	Owner WALMART 15355		Owner Applied Number		License / State	Color Green / White		
Description Counterfiet Bill						Quantity 2	UM	Value \$1.00
Gun Type			Caliber	Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:								

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 2

Date Added: 11/02/2011 07:52:42

Added By: (B1119) LORIMER, J

Supplement Notes

On 11/02/2011 at 0700 hours, I was dispatched to the Walmart store at 15355 Northsight to pick up counterfeit money that was used by the offended related to this case to purchase merchandise.

When I arrived on scene, I met [REDACTED] of Loss Prevention. She gave me two 20 dollar bills that she told me were used by the offender on 11/01/2011 at 1539 hours while checking out at register 4.

The serial numbers on both 20 dollar bills are the same [REDACTED] I scanned a copy of the bills and attached them to this report. The actual bills were impounded at District 4 in the mailbox on 11/02/2011 at 0815 hours.

Becky told me she has video of this incident and was transferring it to disk on 11/02/2011. I asked her to advise SPD when it was ready for pick up.

NFI

Lorimer B1119

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/02/2011 08:04:00

Added By: (B1119) LORIMER, J

Property

1	Prop ID 807455	Status IMPOUND	Class 20	NCIC	Make/Model U.S / \$20.00 BILL	Serial Number [REDACTED]		
	Owner WALMART 15355		Owner Applied Number		License / State	Color Green / White		
Description Counterfiet Bill						Quantity 2	UM	Value \$1.00
Gun Type		Caliber		Finish	Grip	Gun Stock		
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:								

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/02/2011 09:43:02

Added By: (875) KOERNER, T

Property

1	Prop ID 807467	Status IMPOUND	Class 77	NCIC	Make/Model	Serial Number		
	Owner		Owner Applied Number		License / State	Color Multi-colored		
Description 3 Torn Pieces Of A Counterfiet Bill						Quantity 1	UM	Value \$1.00
Gun Type		Caliber	Finish		Grip	Gun Stock		
Condition:		Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:			Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:								

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/02/2011 12:34:25

Added By: (875) KOERNER, T

Supplement Notes

On 11/01/2011 at approximately 1555 hours, I was dispatched to the area of 15355 North Northsight (Walmart) reference a suspect contact. Comments said that a male subject had previously passed counterfeit bills at the Walmart and had returned. Comment said the subject was leaving the Walmart in a black colored SUV, displaying Arizona license plate [REDACTED] Further the subject had two young children with him in the vehicle.

The vehicle exited the Walmart traveling northbound on Northsight towards Hayden Road. An unmarked Scottsdale Police Unit, call sign X4, was able to locate the vehicle at the intersection of Northsight and Hayden Road. The vehicle was in the left turn only lane for southbound Hayden Road. The unmarked unit observed the SUV make an unsafe movement proceeding straight through the light instead of completing the left turn as required by the lane. The unmarked unit called out the position of the SUV until I was able to get behind it.

I caught up to the vehicle as it traveled northbound on Northsight at Frank Lloyd Wright (FLW). The vehicle made a left turn to westbound FLW. I was delayed due to traffic, but was able to monitor its travel. The vehicle made several lane changes (I was forced to maneuver through moderate traffic to catch the vehicle) before getting behind it at Greenway-Hayden Loop (GHL).

I initiated a traffic stop on the vehicle, which turned onto northbound GHL from FLW. The vehicle slowed, but did not stop on GHL. It continued to Bell Road where it yielded on Bell Road just east of GHL. I contacted the vehicle's driver, Kristopher Lauchner, who identified himself with an Arizona Driver's license.

Lauchner said he had just come from the Walmart after purchasing computer printer toner. I asked if he routinely goes to the Walmart and he said he had only been to the Walmart one or two times previously.

Due to traffic concerns, I had Lauchner move to a paved parking lot on the south side of Bell (about 8050 East). I conducted routine MVD/Wants/Warrants checks on Lauchner until backup Scottsdale Police Officer G. Wieger #1346 arrived. Additionally, I pulled up a copy of the original report by Scottsdale Police Officer P. Thompson #594. The report said a white male subject made three transactions at the Walmart during which counterfeit \$100 and \$50 bills were presented. Further it said surveillance video of the transactions was available. It said the subject was seen in a black colored SUV.

At that time, I approached the vehicle with Officer Wieger. While we spoke briefly with Lauchner, Scottsdale Police Sergeant M. Rigberg #870 arrived on scene. I contacted Sergeant Rigberg, who made contact with Lauchner. Lauchner was asked to exit his vehicle and he agreed. Lauchner was told to sit on a concrete curb off the left rear of his vehicle.

I was informed by Sergeant Rigberg that 3 torn pieces of what appeared as a \$100 bill were found in the vehicle as Lauchner exited. Those pieces were turned over to me and were impounded as evidence. The pieces were about 1 inches by 3/8 inches in an irregular pattern that was consistent with a subject having been torn them by hand.

I spoke with Lauchner about the original report and his possible involvement. I informed him that Walmart had video of a subject making transactions during which counterfeit bills were used. The subject in those transactions was a white male and that subject was seen driving away in a black colored SUV.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 2

Date Added: 11/02/2011 12:34:25

Added By: (875) KOERNER, T

Lauchner initially denied having been at the Walmart in the last week. He, then, changed his story saying he had been a couple purchases and that he had used cash during those transactions.

Since Lauchner was being detained and I was now asking questions that could be incriminating, I read him his Miranda Rights from a standard issue Miranda Warnings card. At about 1640 hours, Lauchner said he understood his rights and agreed to answer questions related to the incident.

Lauchner repeated his statements as documented above.

Lauchner then said that he had gotten the bills about three weeks earlier from a subject named " [REDACTED] [REDACTED] had bought a pool cue for \$400 dollars and had paid with 2 \$100 bills and 4 \$50 bills. That sale was in a pool hall in Phoenix. Lauchner attempted to get gas a couple days later and was told by an employee that the \$50 bill he was using was "fake." The bill was returned to Lauchner, who attempted to track down [REDACTED] He was unable to find him.

Lauchner said he believed the bills from [REDACTED] were fake when I went to Walmart to buy a DVD player. He handed the clerk a \$100 bill and a \$50 bill. The clerk looked at the bills and accepted them at that time. That transaction made Lauchner uncertain if the bills were real or fake. Lauchner said he only made one other purchase using the bills from Jose.

When asked about the torn pieces of currency, Lauchner stated that he got "nervous" when my patrol vehicle got behind his vehicle. He said he still had one \$100 bill from [REDACTED] He was not certain the bill was good, so he ripped it up, and through it out the window. He said it was while I was passing through traffic catching up to it vehicle (about 8300 East FLW).

At about 1709 hours, I placed Lauchner under arrest. He was handcuffed behind the back using a single finger to test for tightness. He was searched incident to arrest and secured in the backseat of my patrol vehicle.

Lauchner was transported to the Scottsdale Police District 2 jail for processing. He was booked for 3 counts of Forgery (related to the 3 transactions during which counterfeit money was presented) and 1 count of Tampering with Physical Evidence (for ripping up and throwing out most of the \$100 bill on his person). He was released after being processed pending a long form complaint for the above charges.

The post Miranda conversation with Lauchner was recorded and those recordings were impounded as evidence.

NO FURTHER INFORMATION AT THIS TIME.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/03/2011 18:41:48

Added By: (875) KOERNER, T

Vehicles

1	Status	Year	Make	Model	Style	Color
		2005	INFINITI	QX56	LL	BLK
VIN		License Plate Type		License / State	License Year	Value
		PASSENGER VEHICLE			2011	
Owner						
Vehicle Notes						

Supplement Notes

Since the original report and arrest, I have spoken with Scottsdale Police Officer J. Ange #718 reference this incident. She advised me that she investigated another incident involving counterfeit money being passed at the Fascinations store at 14747 N. Northsight (see related DR #11-21751). She said her investigation showed Kristopher Lauchner had attempted to pass a counterfeit \$100 bill, but the clerk at the store refused to take the bill. During follow-up investigation, Kristopher told a story about having gotten money from a subject named "Jose" when he sold a pool cue.

It should be noted that the incident date for Officer Ange's report was 09/16/2011. That was significantly prior to the incidents involved with this report. It is very apparent that Kristopher was lying and is more than likely significantly more involved than he has stated during contact with police.

No further information at this time.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/09/2011 18:24:43

Added By: (875) KOERNER, T

Property

1	Prop ID 808960	Status IMPOUND	Class 77	NCIC	Make/Model	Serial Number		
	Owner		Owner Applied Number		License / State	Color Multi-colored		
Description Cd Containing Offender Interview Under M						Quantity 1	UM	Value \$1.00
Gun Type			Caliber	Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:								

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 2

Date Added: 11/09/2011 18:24:43

Added By: (875) KOERNER, T

Supplement Notes

162375 Voucher ID created for this supplement. Impound of CD CONTAINING OFFENDER INTERVIEW UNDER MIRANDA, NFD

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/15/2011 13:35:37

Added By: (704) ABERNETHY, C

Charges

1	Charge Type State	Description THEFT - ORGANIZED RETAIL	Statute 13-1819A1	UCR 23C	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type DEPARTMENT / DISCOUNT /	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
1	Charge Type	Description Voided/Replaced by: (704) ABERNETHY, C FORGERY-OFFERS FORGED INSTRUMENT	Statute 13-2002A3	UCR 250	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type DEPARTMENT / DISCOUNT /	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1.
Entry		Exit	Criminal Activity POSSESSING/CONCEALING		
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
2	Charge Type	Description FORGERY-OFFERS FORGED INSTRUMENT	Statute 13-2002A3	UCR 250	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type DEPARTMENT / DISCOUNT /	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1.
Entry		Exit	Criminal Activity POSSESSING/CONCEALING		
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
2	Charge Type	Description Voided/Replaced by: (704) ABERNETHY, C FORGERY-OFFERS FORGED INSTRUMENT	Statute 13-2002A3	UCR 999	<input type="checkbox"/> Att <input type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type DEPARTMENT / DISCOUNT /	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Bias Group

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 2

Date Added: 11/15/2011 13:35:37

Added By: (704) ABERNETHY, C

Charges

3	Charge Type	Description	Statute		UCR	<input type="checkbox"/> Att
		Voided/Replaced by: (704) ABERNETHY, C FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3		999	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons	
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.	
Entry	Exit	Criminal Activity			2.	
					3.	
Bias Motivation		Bias Target	Bias Circumstances		Bias Group	
3	Charge Type	Description	Statute		UCR	<input type="checkbox"/> Att
		TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER	13-2809A1		90Z	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons	
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY/ROAD/ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.	
Entry	Exit	Criminal Activity			2.	
					3.	
Bias Motivation		Bias Target	Bias Circumstances		Bias Group	
5	Charge Type	Description	Statute		UCR	<input type="checkbox"/> Att
		Voided/Replaced by: (704) ABERNETHY, C FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3		999	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons	
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.	
Entry	Exit	Criminal Activity			2.	
					3.	
Bias Motivation		Bias Target	Bias Circumstances		Bias Group	
5	Charge Type	Description	Statute		UCR	<input type="checkbox"/> Att
		Voided/Replaced by: (704) ABERNETHY, C TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER	13-2809A1		90Z	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons	
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY/ROAD/ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.	
Entry	Exit	Criminal Activity			2.	
					3.	
Bias Motivation		Bias Target	Bias Circumstances		Bias Group	

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 3

Date Added: 11/15/2011 13:35:37

Added By: (704) ABERNETHY, C

Charges

6	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	<input type="checkbox"/> Com
	Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
	<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers	DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
	Entry	Exit	Criminal Activity		2.
					3.
	Bias Motivation	Bias Target	Bias Circumstances	Bias Group	

Victims

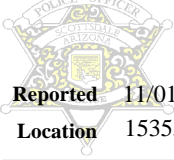
1	Type	Code	Name(Last, First, M)	AKA							
	B	VI	WALMART 15355								
	SSN	DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes
								0			2,3,4,5,6
	License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:			State:		Marital:	Resident:	Citizen:
Address										Hm ph: (480) 348-5505	
15355 N NORTHSIGHT BL, SCOTTSDALE, AZ 85260										Cell ph:	
Occupation			Employer Name/Address								
Dept			asset Prot /								
Wk ph: (480) 348-5505											
Scars, Marks, Tatoos or Other Distinguishing Features:											
Physical Characteristics:											
1	Type	Code	Name(Last, First, M)	AKA							
	B	VI	WALMART 15355								
	SSN	DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes
								0			1,2,3,4,5
	License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:			State:		Marital:	Resident:	Citizen:
Address										Hm ph: (480) 348-5505	
15355 N NORTHSIGHT BL, SCOTTSDALE, AZ 85260										Cell ph:	
Occupation			Employer Name/Address								
Dept			asset Prot /								
Wk ph: (480) 348-5505											
Scars, Marks, Tatoos or Other Distinguishing Features:											
Physical Characteristics:											

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 4

Date Added: 11/15/2011 13:35:37

Added By: (704) ABERNETHY, C

Supplement Notes

On 11/15/2011, I added the charge of ORGANIZED RETAIL THEFT.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 11/15/2011 13:48:29

Added By: (704) ABERNETHY, C

Charges

3	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
	State	CRIMINAL SIMULATION	13-2004A	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
3	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		Voided/Replaced by: (704) ABERNETHY, C TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER	13-2809A1	90Z	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY/ROAD/ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
4	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
	State	TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER	13-2809A1	90Z	<input type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY/ROAD/ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group
4	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
	State	Voided/Replaced by: (704) ABERNETHY, C FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 2

Date Added: 11/15/2011 13:48:29

Added By: (704) ABERNETHY, C

Charges

7	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
	State	FORGERY-OFFERS FORGED INSTRUMENT	13-2002A3	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		DEPARTMENT / DISCOUNT /		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group

Victims

1	Type	Code	Name(Last, First, M) Voided/Replaced by: (704) ABERNETHY, C								AKA	
	B	VI	WALMART 15355									
SSN		DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes	
								0			2,3,4,5,6	
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:		State:		Marital:		Resident:		Citizen:	
Address										Hm ph: (480) 348-5505		
15355 N NORTHSIGHT BL, SCOTTSDALE, AZ 85260										Cell ph:		
Occupation			Employer Name/Address									
Dept			asset Prot /									
Wk ph: (480) 348-5505												
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												
1	Type	Code	Name(Last, First, M)								AKA	
	B	VI	WALMART 15355									
SSN		DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes	
								0			1,2,3,4,5,6,7	
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:		State:		Marital:		Resident:		Citizen:	
Address										Hm ph: (480) 348-5505		
15355 N NORTHSIGHT BL, SCOTTSDALE, AZ 85260										Cell ph:		
Occupation			Employer Name/Address									
Dept			asset Prot /									
Wk ph: (480) 348-5505												
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 3

Date Added: 11/15/2011 13:48:29

Added By: (704) ABERNETHY, C

Supplement Notes

On 11/15/11, I added the charge of Criminal Simulation.

☐ Domestic Violence ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Establishment

Agency: SPD

Incident / Investigation Report

Case Number: 11-25802



THEFT - ORGANIZED RETAIL

Reported 11/01/2011 09:05

Found 11/01/2011 09:05

Occurred 11/01/2011 09:05

Location 15355 N Northsight Bl, Scottsdale, AZ

Original Officer (594) THOMPSON, P

Supplement Information

Supplement Page: 1

Date Added: 12/08/2011 08:40:24

Added By: (704) ABERNETHY, C

Property

1	Prop ID 814459	Status IMPOUND	Class 77	NCIC	Make/Model	Serial Number		
	Owner WALMART 15355		Owner Applied Number		License / State	Color		
Description Store Video						Quantity 1	UM	Value \$1.00
Gun Type			Caliber	Finish	Grip	Gun Stock		
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type:		Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sight Type:			
Property Notes:								

JMS internal Booking # 2011012162	Alert/VP VPX		CITY OF SCOTTSDALE ARREST REPORT	DNA previous <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DNA taken <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fingerprinted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Photo <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AZAFIS PCN number							

IDENTIFICATION

1 ORI # AZ0072500	2 AGENCY NAME Scottsdale Police Department	3a-ARREST # 2011016027	3b DR # 11-25802							
5a-LAST, FIRST, MIDDLE NAME LAUCHNER, KRISTOPHER MICHAEL	5b- Citizenship US	5c- Interpreter <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	5d-Language	7 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	8 RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> B	9 HGT. 5'09	10 WGT. 180	11 EYE HAZEL	12 HAIR BLN	13 SKIN FAR
15 PLACE OF BIRTH (CITY, COUNTY, STATE) CA	16 SSN - - -	17 DATE OF BIRTH - - -	18 AGE 37	19 AFIS ARN - - -						
20 SID # - - -	21a-Relative/Emergency Contact	21b-Relationship	21c-Address/Phone	22 DL # - - -	23 ST -					
24 FBI # - - -	25 IDENTIFICATION COMMENTS									
26 <input type="checkbox"/> RESIDENT <input checked="" type="checkbox"/> NON-RESIDENT	27 HOME ADDRESS (STREET, CITY, STATE, ZIP) - - -			28 RESIDENCE PHONE - - -	29 OCCUPATION (BE SPECIFIC)					
30 EMPLOYER (NAME OF COMPANY/SCHOOL) SELF			31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)				32 BUSINESS PHONE			

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) 8050 E BELL RD SCOTTSDALE, AZ 85260				34 DIST/BEAT D4/19	39 ARMED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	40 DESCRIPTION OF WEAPON			
41 DATE OF ARREST 11/01/2011	42 TIME OF ARREST 17:09	<input type="checkbox"/> 1. AM <input checked="" type="checkbox"/> 2. PM	<input checked="" type="checkbox"/> MIL.	43 DAY OF ARREST S M T W T F S 1 2 3 4 5 6 7	44 TYPE ARREST BOOKED				
CHARGE # 1	F/M F	Cnt 1	Charge FORGERY-OFFERS FORGED INSTRUMENT			State/Local 13-2002A3	Citation/Warrant #		
DR # 1125802	Bond 0.00	Release Date 11/01/2011	Violation Date 10/29/2011	Court ORI SUPC	DV N	Prep Offense	Disposition LONG FORM		
CHARGE # 2	F/M F	Cnt 1	Charge FORGERY-OFFERS FORGED INSTRUMENT			State/Local 13-2002A3	Citation/Warrant #		
DR # 1125802	Bond 0.00	Release Date 11/01/2011	Violation Date 10/30/2011	Court ORI SUPC	DV N	Prep Offense	Disposition LONG FORM		
CHARGE # 3	F/M F	Cnt 1	Charge FORGERY-OFFERS FORGED INSTRUMENT			State/Local 13-2002A3	Citation/Warrant #		
DR # 1125802	Bond 0.00	Release Date 11/01/2011	Violation Date 10/30/2011	Court ORI SUPC	DV N	Prep Offense	Disposition LONG FORM		
CHARGE # 4	F/M F	Cnt 1	Charge TAMPER WITH PHYSICAL EVIDENCE-DESTROY/ALTER			State/Local 13-2809A1	Citation/Warrant #		
DR # 1125802	Bond 0.00	Release Date 11/01/2011	Violation Date 11/01/2011	Court ORI SUPC	DV N	Prep Offense	Disposition LONG FORM		
66 ARREST DISPOSITION				68 ACCOMPLICE ARRESTED WITH				DOB:	BOOKING#:
ALIAS AKA									
Scars, Marks and Tattoos									

Date of Booking:	Booking Time:	Day of Booking:	Cell:	Booking Detention Officer:
11/01/2011	17:42	Tuesday		(B891) BUYCKS, R
Property Locker:				Property Received From:
District 2 Jail Area Locker 20				Lauchner, Kristopher
Property Taken:				
1 Belt, 1 Wallet, 1 Cellular Telephone, 1 Necklace - White, 1 Bracelet - White, 2 Key, 1 Sunglasses, 1 Drivers License, 2 Debit Credit Card				
Date Taken:	Taken By:		Date Returned:	Returned By:
11/01/2011	(B891) BUYCKS, R		11/01/2011	(B718) RUSHING, J

RELEASE INFORMATION

Date of Release:	Release Time:	Release Notes:		
11/01/2011	19:15			
Release To:	Release Reason:	Release Detention Officer:		
SELF	PENDING LONG FORM	(B718) RUSHING, J		
Related Cases				
ARRESTING OFFICER (Badge#)		TRANSPORTING OFFICER (Badge#)		SUPERVISOR (Badge#)
(875) KOERNER, T		(875) KOERNER, T		(680) HOSTER, B
Booking Notes:				
Majors completed by B747				

Exhibit 3

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-103751-001 DT

03/13/2012

COMM. CHRISTINE E. MULLENEAUX
FOR COMMISSIONER R. JEFFREY
WOODBURN

CLERK OF THE COURT
L. Sheehan
Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

DESIREE YVONNE CAPUANO (001)

DAVID LEE GOLDFARB

DISPOSITION CLERK-CSC
VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF PROSECUTION

The Court has received the State's Motion for Suspension of Prosecution Pursuant to Rule 38.1 with the Defendant's Consent to Participate in Deferred Prosecution Program & Acknowledgement. The Court has also received a Waiver of Preliminary Hearing pursuant to Rule 5.1(b) and the Information pursuant to Rule 13.1.

IT IS ORDERED vacating the Preliminary Hearing which was scheduled for today's date.

IT IS ORDERED that further proceedings be suspended for two (2) years in accordance with Rule 38.1 to allow the Defendant to participate in the deferred prosecution program.

IT IS ORDERED that the Defendant notify TASC of the Defendant's current address and promptly notify TASC of any changes to their address at all times during the next two years, unless earlier than that date the Court dismisses the charges in this case.

IT IS ORDERED that the parties are to notify the Court that an arraignment is to be held in this matter, if the prosecutor seeks to resume prosecution.

IT IS ORDERED releasing the Defendant on the Defendant's own recognizance.

Exhibit 4

Subject: Re: Request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 19 Nov 2012 10:10:40 -0700
To: Richard Riess <richardriess@gmail.com>

You don't get it Richard. I was allowed to use marijuana the entire time I was in the TASC program. I never had to stop and I still completed the program successfully and all charges were dropped. Thanks to your call to CPS I had to submit to both a urine and hair drug test and they still did not test for marijuana due to the fact that I'm legal. But nice try.

On Monday, November 19, 2012, Richard Riess wrote:

With respect to marijuana use, the question at this point is not whether your use is legal, but rather whether it is potentially harmful to the children. The card allows you to possess and use marijuana but that would not be the court's concern. The Court's concern is whether you have a "problem" with it. It is comparable to alcohol in that sense. Alcohol is legal, but if the parent has a drinking problem then it becomes a child safety issue and the Court can intervene. By accepting the prop 200 deferred prosecution in exchange for taking TASC you admitted to having a drug "problem" (that's what prop 200 is for - to help people with a drug problem who are otherwise not bad people). But upon completion of TASC you returned to using it. That shows that there is a real problem. The fact that you have a card only helps in the criminal aspect - not in the family court matter. In fact, having the card, after admitting that you have a problem is a strike AGAINST you.

As for what I hope to gain - to avoid putting Gabriel in a potentially harmful situation. I don't care if you use drugs, as long as Gabriel is not around them. But, by your own admission, you are continuing to use marijuana and you had no idea that Kristopher was using and keeping meth in the house. That shows that you have no idea what is transpiring in your own home. That the person you are engaged to can be using meth in your own home, under your very nose, and that you have no knowledge of it suggests that you have no control over, or concern for, the environment that you're raising your children in. It seems, once again, you made statements to cover your ass without thinking of the potential consequences of them (your statements to the police) and now they're going to bite you in the ass. Then again, I don't see how you could possibly have said something that would not have bitten you: if you said you knew about the meth and its use then you would be criminally liable; if you said you didn't know then you would be negligent and not providing a safe environment for your children.

So, I continue to bring up the marijuana use because a) you have implicitly admitted to having a marijuana problem by accepting prop 200; b) after such admission you continue to use it; c) you're technically not eligible for a medical marijuana card because of such admission (a history of drug abuse disqualifies you from receiving the card - clearly DPS isn't aware of it yet).

Exhibit 5

Search for people, places and things













- Wall
- Info
- Photos (29)
- Friends

In a relationship with





Kristopher Lauchn

Friends (85)

-  Sage Capuano
-  Donald Tomlin
-  Mary Sayers
Saint Petersburg
-  Lori Coble
-  Tracy Pickell
-  Kayla Lauchner
-  Laura Tomlin
-  Nina Lindsey-Broy
-  Chris Myers
-  Michael Capuano

Family

-  Donald Tomlin
Father
-  Teresa Hoffman
Mother

Desiree Capuano

Works at [Apollo Group, Inc.](#) Studied A.S. Oracle Certified DBA at [St. Petersburg College](#) Lives in [Phoenix, Arizona](#) In a relationship with [Kristopher Lauchner](#)
Born on October 1

Friends

Message

Write Post

Add Photo / Video

Write

 Paul Kendrick

Your voice will make a difference. Sign the petition.



PETITION: Please Help Close down Cancer Is Funny Cause People Die.
Paul has invited you to sign a petition on Causes
I want people to sign this to show our disgust with Facebook in allowing a page which will only cause distress for those people who are already going through a distressing situation


 Like · Comment · Share · Sign the petition · September 4 at 6:38am via Causes ·

 Gabriel Riess




Come see the new VEVO!
<http://www.vevo.com>

 Like · Comment · Share · VEVO Fan Page · August 24 at 8:30pm via VEVO ·

 Cheryl Sifford

I guess not, I hope to catch up to you soon. Take care!

Like · Comment · August 15 at 10:06pm ·


 Cheryl Sifford

Hey Desi, are you up?

Like · Comment · August 15 at 9:59pm ·

RECENT ACTIVITY

Desiree and [Philip Lagasse](#) are now friends. · Add Philip as Friend

 Desiree Capuano added a new photo.

**Rebecca McKay**

Rebecca just answered a question about Desiree!
Desiree has new answers to unlock.



Like · Comment · Share · See what they said · April 25, 2011 at 6:23pm via 21 questions ·

**Desiree Capuano** went to [HUG A POTHEAD DAY <3](#).

View · Join · November 29, 2010 at 3:47pm

**Tracee Johann**

I love youuu! :)

Like · Comment · April 10, 2011 at 7:04pm ·

**Teresa Hoffman**

Call me if you need me to walk you through or you get lost

Like · Comment · March 25, 2011 at 8:01am ·

RECENT ACTIVITY

Desiree is now friends with [Cindy Lauchner-Manzione](#) and 5 other people.

**Teresa Hoffman**

If you reach E GLENROSA ST you've gone about 0.1 miles too far

Like · Comment · March 25, 2011 at 8:01am ·

**Teresa Hoffman**

Turn RIGHT onto E CAMELBACK RD.E CAMELBACK RD is 0.5 miles past E CHAPARRAL RD
Zoom to this StepAvoid this Step 0.3 mi
10. Turn LEFT onto N 78TH ST.If you reach N PARKWAY AVE you've gone about 0.1 miles too far

Like · Comment · March 25, 2011 at 8:00am ·

**Teresa Hoffman**

Turn RIGHT onto E MCDONALD DR.If you reach AZ-101-LOOP S you've gone about 0.3 miles too far
Zoom to this StepAvoid this Step 1.2 mi
8. Turn LEFT onto N HAYDEN RD.N HAYDEN RD is 0.2 miles past N 82ND ST
Zoom to this StepAvoid this Step 1.5 mi
9. Turn RIGHT onto E CAMELBACK RD.E CAMELBACK RD is 0.5 miles past E

Like · Comment · March 25, 2011 at 8:00am ·

**Teresa Hoffman**

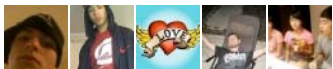
Merge onto AZ-101-LOOP E via EXIT 15A.Zoom to this StepAvoid this Step 15.4 mi
6. Take the MCDONALD DR exit, EXIT 45.Zoom to this StepAvoid this Step 0.4 mi
7. Turn RIGHT onto E MCDONALD DR.

Search for people, places and things

Q



Going (723)



Maybe (58)



Invited (564)



Export · Report

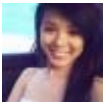
HUG A POTHEAD DAY <3

Public Event · By [Suzie Californiaa](#)

Wednesday, April 20, 2011

12:00am until 3:00am

EVERYWHERE!!!



Suzie Californiaa

HOPE EVERYBODY HAD A GREAT 420!!! AND&& ENJOYED GETTING HUGGED TODAY! I KNOW I DID ;]

Like · Comment · April 20, 2011 at 4:43pm ·



Nick Roldan

you all can smoke my ball hair

Like · Comment · April 20, 2011 at 11:18am ·



Wanda Reyes

happy 420 everyone!!

Like · Comment · April 20, 2011 at 6:46am ·



Danne Nguyen

♥ time to get burning

Like · Comment · April 20, 2011 at 4:27am ·



Ivette Ramirez Alvarado

♥

Like · Comment · April 19, 2011 at 11:47pm ·



Roberto Bermudez

started just now

Like · Comment · April 19, 2011 at 9:44pm ·

[Roberto Bermudez](#) likes this.




Write a comment...

Press Enter to post.

Chat


Guests

Going (723)



Suzie Californiaa


Add Friend



Desiree Capuano


Works at Apollo Group, Inc.

Add Friend



Teniqua Montgomery


Add Friend



Nathan Lee Bartnick


Central Visual And Performing Arts High School

Add Friend



Brian Wells

Co-founder / Promoter / DJ at Sygma Productions



Melissa Pardo

San Leandro, California

Add Friend

Close

1 of 1

Exhibit 6

Public Access to Court Information - Case Search

Case Information

Case Number:	M-0750-CR-2011001638	Category:	Criminal
Title:	STATE OF ARIZONA VS LAUCHNER	Filing Date:	12/15/2011
Court:	Peoria Municipal	Disposition Date:	1/10/2012
Judge:	None		

KRISTOPHER M LAUCHNER DEFENDANT - D 1				Date of Birth: 07/1974
Citation	Count	Description	Disp. Date	Disposition
C00000000202598	1	SHOPLIFTING-REMOVAL OF GOODS	1/10/2012	GUILTY

Case Activity

Date	Description	Party
1/10/2013	CAL: PROBATION COMPLETION DATE	D 1
11/5/2012	PETITION TO REVOKE PROBATION	D 1
9/10/2012	TELEPHONE CALL	D 1
8/7/2012	TELEPHONE CALL	D 1
4/30/2012	APPEARANCE	D 1
3/8/2012	**IMPORTANT** CASE INFORMATION	D 1
3/7/2012	COLLECTION-TELEPHONE CONTACT	D 1
1/30/2012	APPEARANCE	D 1
1/25/2012	APPEARANCE	D 1
1/10/2012	FUND: PUBLIC SAFETY - SURCH	D 1
1/10/2012	PLEA AGREEMENT RECEIVED	D 1
1/10/2012	FUND: COURT ENHANCEMENT FEE	D 1
1/10/2012	FUND: 2007 SURCHARGES (84%)	D 1
1/10/2012	ARRAIGNMENT	D 1
1/10/2012	CAL: ARRAIGNMENT	
1/10/2012	PROBATION	D 1
1/10/2012	1/T PAYMENT/PAYMENT PLAN	D 1
1/10/2012	FORM: PAYMENT ORDER	D 1
1/10/2012	NOT GUILTY/NOT RESP PLEA	D 1
1/10/2012	FUND: 2011 ADDTNL ASSESSMENT	D 1
1/10/2012	FUND: PUBLIC SAFETY ENH FEE	D 1
1/10/2012	FUND: BASE FINE	D 1
1/10/2012	FUND: TIME PYMT \$20 JCEF	D 1
1/10/2012	FUND:PROBATION ASSESSMENT	D 1
12/15/2011	COMPLAINT FILED-UNIFORM CITATN	D 1

NOTES:

Exhibit 7

Exhibit 8

RECENT ACTIVITY

Desiree changed her profile picture. · Like · Comment ·

Carrie Davis likes this.



Write

a comment

Press Enter to post.



Desiree Capuano was tagged in Kristopher Lauchner's photos.



January 14 at 4:41pm ·



Desiree Capuano added 2 new photos.



January 5 at 9:32pm near Peoria, AZ ·

RECENT ACTIVITY

"I yuv her!!!" on Kristopher Lauchner's photo.



Desiree Capuano added 2 new photos.



January 4 at 7:21pm near Peoria, AZ ·



Desiree Capuano

Desiree started playing Family Feud & Friends iPhone/iPad.
www.ludia.com

Desiree Capuano started playing Family Feud & Friends iPhone/iPad! Join the fun by getting the game for free!

Exhibit 9



Exhibit 10

Subject: Re: Request for confirmation
From: Richard Riess <richardriess@gmail.com>
Date: Sun, 21 Oct 2012 23:37:30 -0700
To: Desiree Capuano <desiree.capuano@gmail.com>

Thank you for the response.

There are a couple of comments, inline, below.

On Sun, 2012-10-21 at 22:28 -0700, Desiree Capuano wrote:

On Thursday, October 18, 2012, Richard Riess wrote:
Desiree:

Good day. I'm sorry to intrude, but I was hoping you might be able to confirm some newly obtained information for me.

- Kristopher had a number of swords and daggers mounted on the walls
(and other places) of your house.

1 sword and 1 dagger that were purchased at the mall. Gabriel helped pick out the sword.

- The swords and daggers were not secured and were reachable by Gabriel,
when there was no adult supervision.

They were mounted out of the reach of the children and the children were rarely without supervision.

Given Kristopher's criminal activities over the last year I don't believe he qualifies as responsible adult supervision. While Gabriel was there over the summer you were at work on weekdays and Kristopher usually slept until past noon. So, I would say, Gabriel and Sage were regularly in the presence of the weapons without adult supervision. I suppose we can disagree on this point.

According to Sgt Livingston, the sword and dagger could have been reached by the children if they stood on a chair.

- At least one of those daggers bore a Nazi swastika and was in plain
site of the people (namely the children) in the home.

Any markings on the dagger could not be seen due to the location of the wall mounting.

According to Gabriel, Kristopher showed him the dagger at one point and Gabriel has told me about the swastika on it. But, I generally don't bring up claims based only on what Gabriel says because they are not admissible. Why would you want something like that in your house,

Exhibit 11

Subject: Re: Lauchner's presence during Gabriel's visitation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 9 Oct 2012 15:13:58 -0700
To: Richard Riess <richardriess@gmail.com>

I've already spoken to everyone he knows to explain what happened. There is no one left that has the money and is willing. He is already aware of this.

On Tuesday, October 9, 2012, Richard Riess wrote:

Well, that's curious. If you don't mind me asking, how can you be so certain?

Richard

On Tue, 2012-10-09 at 13:05 -0700, Desiree Capuano wrote:

> He will not be bonded or be getting out.

>

> On Tuesday, October 9, 2012, Richard Riess wrote:

> Desiree:

>

> I was informed by the court this morning that Lauchner's bond
> was set at
> \$9000. I assume, with such a low bond he will be bonding out
> soon.

>

> May you confirm whether he will continue to reside at your/his
> address
> upon his release? He was living there at the time of his
> arrest so it
> is my understanding that he has tenant rights and may,
> therefore, have
> the right to continue to reside at that address unless you or
> the
> landlord successfully have him evicted.

>

> My interest is as it relates to Gabriel's visitation periods.

> I don't

> think there is any question or dispute any more whether
> Gabriel being in
> the same home as Kristopher, or left in Kristopher's care, is
> dangerous
> to Gabriel's well-being or safety.

>

> Thank you,
> Richard

>

>

Exhibit 12

Subject: Re: Legal request
From: Richard Riess <richardriess@gmail.com>
Date: Mon, 20 Feb 2012 18:41:52 -0800
To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

Since Kristopher lives in the same house where Gabriel would be spending his visitation time with you, his character and conduct are my concern and I have a legal right to know who will be residing in the home with Gabriel during the time he is in Phoenix. When you're at work or "administering your medical marijuana" Gabriel would be left alone with Kristopher.

Although you did not explicitly state it in your response, I shall take it as being an admission that it was, in fact, the Kristopher Michael Lauchner that lives with you that was arrested by the Scottsdale Police on November 1, 2011 while Gabriel was in your care, and only 5 weeks after you were arrested.

I thank you for your time and cooperation in this matter.

Sincerely,
Richard

On Mon, 2012-02-20 at 17:38 -0700, Desiree Capuano wrote:

Don't you have a warrant for fraud out of lake pleasant and at least two other fraud cases you were charged with? There have been no charges filed against Kris, and why would you be so intent on making him an issue? He was nothing but supportive to Gabriel and non-judgmental of you. Why do you seek out more enemies, don't you get tired of being the jerk everyone hates?

On Monday, February 20, 2012, Richard Riess wrote:
Desiree:

I just received a notice from the Scottsdale Police Department that a Kristopher Michael Lauchner was arrested on 11/01/11 for 3 counts of forgery (ARS 13-2002) and one count of tampering with evidence (ARS 13-2809) at 5:09pm, on East Bell Rd, DR# 11-25802.

Can you confirm whether or not this is the same Kristopher Michael Lauchner that resides in the same domicile as you, and that you insist is a good person, and that you see no problem with having Gabriel

around?

Thank you,
Richard

Subject: Re: Request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 30 Jul 2012 16:35:34 -0700
To: Richard Riess <richardriess@gmail.com>

I am not doing this with you. I will not go round and round with extensive emails that go nowhere. The best I can tell you is that if you discover something that you think is important, present it to the judge. It will be dealt with then.

On Monday, July 30, 2012, Richard Riess wrote:

I am not able to confirm what you are requesting because it is not true. I am not working under another false name. The best I can say is submit your report as an exhibit and I can provide my rebuttal at the hearing.

The purpose of my request for you to confirm the information regarding Lauchner's conviction for shoplifting on 1/10/12 is so that the matter will not have to be disputed when we return to court. If you choose not to comment or respond it just means that I will have to provide you a copy of the records that I have (as part of discovery) and provide a copy of those records for the court's review. The goal is to save the court's time.

I'm not trying to be adversarial. I'm just going through the legal process. We, as parties to a case, have a duty to the court, as part of the discovery process, to attempt to determine, ahead of time, which matters are conceded and which are in dispute. So far you have refused to cooperate in the discovery process but I shall continue to comply with the Rules of Court.

Richard

On Mon, 2012-07-30 at 15:35 -0700, Desiree Capuano wrote:

> I have a report that you are working under another false name
> (alias). Can you confirm that?

>

> On Monday, July 30, 2012, Richard Riess wrote:

> Desiree:

>

> Good afternoon. I wonder if you might be kind enough to
> confirm some
> information for me. I have a record of a Kristopher Michael
> Lauchner,
> DOB 7/7/1974, pleading guilty to a shoplifting charge on
> 1/10/2012.
> According to my records the offense occurred on or about
> 12/15/2011 in
> Peoria, AZ.

>

> Can you confirm the accuracy of that information?
>
> Thank you,
> Richard
>
>

Exhibit 13

Subject: Pre-hearing request for confirmation
From: Richard Riess <richardriess@gmail.com>
Date: Mon, 03 Sep 2012 17:27:46 -0700
To: Desiree Capuano <desiree.capuano@gmail.com>

Desiree:

Don't get angry or hostile at the following message. I'm just performing my due diligence in preparation for the hearing on Friday. These are issues that I expect will come up at the hearing and so we're required to make a reasonable attempt to resolve them beforehand.

1. May you please confirm that the following addresses are all of the address you have resided at since you have moved to Phoenix? If I have missed any may you please inform me? May you also provide the dates for which you resided at each address?

4455 E. Paradise Valley Parkway S, #1011, Phoenix, AZ 85032
14602 N. 19th Ave, #157, Phoenix, AZ 85023
20100 N 78th Pl, #1080, Scottsdale, AZ 85255
2713 E. Sylvia St, Phoenix, AZ 85032
9153 N. 84th Dr, Peoria, AZ 85945

2. How many times, since relocating to Phoenix, have you had to change your child's school due to relocating?

3. Do you, or any other party residing in your home, have any arrests other than your arrest on 9-27-11, Kristopher Lauchner's arrests on 11-1-11 and 12-15-11? If so, what are the respective dates and charges?

4. What are the full names and dates of birth of all persons residing in your home? I am entitled to this as long as Gabriel will be staying in your home, and I understand you had some friends staying with you over the summer (to whom you gave Gabriel's bedroom).

5. What are the terms and duration of Kristopher Lauchner's current probation? Only answer this if Lauchner still resides in the home.

6. What is the current status of your possession of marijuana case and TASC requirement?

7. Do you, or anyone residing in your home, keep any drugs, alcohol or weapons in the home?

8. Are you currently taking any medication (including marijuana and/or painkillers).

9. To the best of your knowledge are you, or anyone who resides in your home, currently under investigation for any criminal activity?

10. Have you, or anyone residing in your home, every been investigated

Exhibit 14

Subject: Re: Request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Tue, 20 Nov 2012 17:46:43 -0700
To: Richard Riess <richardriess@gmail.com>

None of your business.

On Tuesday, November 20, 2012, Richard Riess wrote:

Desiree:

I was wondering if you could confirm for me, the following:

1. You recently paid the \$150 fee to renew your medical marijuana card.
2. The monthly dollar amount that you spend on marijuana use, including paraphernalia and supplies.
3. The debilitating medical condition(s) which you stated on your medical marijuana card application which qualify you to receive and use medical marijuana.
4. The name of the physician that diagnosed your debilitating medical condition(s) which qualify you for medical marijuana use.
5. The frequency with which you use marijuana (how many times per day).
6. The manner in which you use the marijuana (smoke, ingest, etc.).
7. Where you use marijuana (in your room, living room, etc.).

This information pertains to my petitions for child support and change of visitation.

Thanks,
Richard

Subject: Re: Request for confirmation
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 30 Jul 2012 15:35:44 -0700
To: Richard Riess <richardriess@gmail.com>

I have a report that you are working under another false name (alias). Can you confirm that?

On Monday, July 30, 2012, Richard Riess wrote:

Desiree:

Good afternoon. I wonder if you might be kind enough to confirm some information for me. I have a record of a Kristopher Michael Lauchner, DOB 7/7/1974, pleading guilty to a shoplifting charge on 1/10/2012. According to my records the offense occurred on or about 12/15/2011 in Peoria, AZ.

Can you confirm the accuracy of that information?

Thank you,
Richard

Subject: Re: Gabriel's school supplies
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Sun, 8 Jul 2012 01:22:22 -0700
To: Richard Riess <richardriess@gmail.com>

I will not send you a receipt but I will send all of his school things with him.

On Sunday, July 8, 2012, Richard Riess wrote:

Thanks but I already completed the purchase of all of the items on the list. I will forward you a copy of the receipts. The total came to about \$90. Please also forward me a copy of the receipts for the items you purchased and whether you will be forwarding them with him when he returns or keeping them there.

Thank you.

Richard

On Sun, 2012-07-08 at 00:29 -0700, Desiree Capuano wrote:

> Gabriel has all supplies listed above except a thesaurus. If you feel
> the need to get him supplies as well, that is up to you. I will keep
> looking for the last item.

>

> On Friday, June 29, 2012, Richard Riess wrote:

> Desiree:

>

> I received, in the mail, yesterday a letter from Dodson which
> included a
> list of the supplies Gabriel will require upon the start of
> school in
> August. I have copied the list below. I am writing to
> inquire whether
> you intend to pay any portion of those costs. I will forward
> you a copy
> of the receipts once I acquire the items (that is, if you
> actually
> intend to contribute). Specifically, I am requesting you
> contribute at
> least half of the cost (since your income is actually greater
> than
> mine).

>

> - Backpack. Please do not use a tote bag, it will not be
> large enough.

> - General Binder for classroom organization.

> - Class dividers labeled for English, Math, History, Science,
> Elective
> and PE.

Subject: Re: Legal notice
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Thu, 29 Mar 2012 12:42:01 -0700
To: Richard Riess <richardriess@gmail.com>

Only an actually officer of the court can demand or require that I submit anything further to that request. If the judge orders that I provide documentation or specific answers I will comply. Until then you have my response as certified as received through the Compton Courthouse.

On Thursday, March 29, 2012, Richard Riess wrote:

Desiree:

With respect to my prior discovery request wOhich you refused to provide responses or objections to I request that you please either furnish the requested documents and information or, in the alternative, provide your specific, individual objections to each request.

In your response you only provided a single blanket objection to the entire request and no legitimate basis for the objection. In the event you object to any specific request(s) you're required to list each individual request or interrogatory that you're objecting to and the basis for the objection. Also, discovery matters are to be handled between the parties and only a notice of request and response should be filed with the court. In the event you refuse to provide the requested documents and information, and you refuse to provide your individual objections then I will have to notify the court of your refusal to participate in discovery.

If you're unsure of how to proceed or what you're discovery requirements are please refer to the California Code of Civil Procedure or consult a California attorney.

Your prompt attention and cooperation are appreciated.

Thank you,
Richard

P.S. This is a legitimate legal request - I am not harassing you or trying to be difficult. You are claiming that you cannot afford child support due to your expenses and cost of living so I have the right to demand that you provide proof of your claims regarding your financial situation.

Subject: Re: TASC requirements
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Thu, 22 Mar 2012 12:09:29 -0700
To: Richard Riess <richardriess@gmail.com>

Nope.

On Thursday, March 22, 2012, Richard Riess <richardriess@gmail.com> wrote:

> Desiree:

>

> Can you inform me if your TASC requirement includes random or periodic
> drug testing? If so, that may satisfy my request for drug testing and
> abstinence from consumption while Gabriel is in your care.

>

> Thank you,

> Richard

>

>

Subject: Legal request

From: Desiree Capuano <desiree.capuano@gmail.com>

Date: Mon, 20 Feb 2012 17:38:50 -0700

To: Richard Riess <richardriess@gmail.com>

Don't you have a warrant for fraud out of lake pleasant and at least two other fraud cases you were charged with? There have been no charges filed against Kris, and why would you be so intent on making him an issue? He was nothing but supportive to Gabriel and non-judgmental of you. Why do you seek out more enemies, don't you get tired of being the jerk everyone hates?

On Monday, February 20, 2012, Richard Riess wrote:

Desiree:

I just received a notice from the Scottsdale Police Department that a Kristopher Michael Lauchner was arrested on 11/01/11 for 3 counts of forgery (ARS 13-2002) and one count of tampering with evidence (ARS 13-2809) at 5:09pm, on East Bell Rd, DR# [11-25802](#).

Can you confirm whether or not this is the same Kristopher Michael Lauchner that resides in the same domicile as you, and that you insist is a good person, and that you see no problem with having Gabriel around?

Thank you,
Richard

Subject: Re: further curiosity
From: Desiree Capuano <Desiree.Capuano@apollogrp.edu>
Date: Tue, 31 Jan 2012 23:12:43 -0700
To: Richard Riess <richardriess@gmail.com>

Richard, you are not my prosecuting attorney. You are the father of my child. That's it. Please limit yourself to items concerning Gabriel and his current needs.

Thank you.

Desiree Capuano
Product Support Owner
602.713.2193
480.455.2086
desiree.capuano@apollogrp.edu

On Jan 31, 2012, at 10:40 PM, "Richard Riess" <richardriess@gmail.com> wrote:

Desiree:

This is only for my own curiosity, not an interrogatory: In order to qualify for a medical marijuana card a person has to be diagnosed with a "debilitating condition" (cancer, glaucoma, MS, HIV/AIDS, hepatitis C, etc). So, I'm curious, what debilitating condition are you claiming?

Thanks,
Richard

On Tue, 2012-01-31 at 14:54 -0700, Desiree Capuano wrote:

This message is private and confidential. If you have received it in error, please notify the sender and remove it from your system.

This message is private and confidential. If you have received it in error, please notify the sender and remove it from your system.

Subject: Re: Gabriel's medical insurance information
From: Desiree Capuano <desiree.capuano@gmail.com>
Date: Mon, 16 Jan 2012 22:52:56 -0700
To: Richard Riess <richardriess@gmail.com>

You have asked me for this no less than 3 time Richard. I got your request. You cannot have the 1 medical card I have currently as I need it for the rest of the family too. However, I have requested additional medical cards for you and for Sage's father. I will be sending it as soon as I get it so please stop asking.

Thank you.

On Mon, Jan 16, 2012 at 8:45 PM, Richard Riess <richardriess@gmail.com> wrote:

Desiree:

When you have an opportunity, please provide your medical insurance information as it pertains to Gabriel so I may have it on hand for when Gabriel requires it.

Thank you,
Richard