

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION 22

CAUSE NO.: 49G221007FB056351

STATE OF INDIANA )  
 )  
VS. )  
 )  
SHAMUS PATTON )  
B/M DOB: 4-22-93 )

**INFORMATION**

COUNT I  
AGGRAVATED BATTERY  
CLASS B FELONY  
I.C. 35-42-2-1.5

COUNT II  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT III  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT IV  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT V  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT VI  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT VII  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT VIII  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT IX  
CRIMINAL RECKLESSNESS  
CLASS C FELONY  
I.C. 35-42-2-2

COUNT X  
BATTERY  
CLASS C FELONY  
I.C. 35-42-2-1

COUNT XI  
CRIMINAL RECKLESSNESS  
CLASS C FELONY  
I.C. 35-42-2-2

COUNT XII  
CRIMINAL GANG ACTIVITY  
CLASS D FELONY  
I.C. 35-45-9-3

COUNT XIII  
CARRYING A HANDGUN WITHOUT  
A LICENSE  
CLASS A MISDEMEANOR  
I.C. 35-47-2-1

COUNT XIV  
DANGEROUS POSSESSION OF A  
FIREARM  
CLASS A MISDEMEANOR  
I.C. 35-47-10-5

On this date, Peter Perkins came before the Prosecuting Attorney of the Nineteenth Judicial Circuit and, being duly sworn (or having affirmed) stated that in Marion County, Indiana:

COUNT I

On or about July 17, 2010, Shamus Patton knowingly inflicted injury upon a person, that is: Lorenzo Copeland, which injury created a substantial risk of death or caused serious permanent disfigurement or protracted loss or impairment of the function of a bodily organ, by shooting at and against the body of Lorenzo Copeland, shattering his left femur;

COUNT II

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is: Demarcus Pettis, in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT III

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is: a minor, J.H. (B/M, DOB: 9-9-99), in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT IV

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is: a minor, L.A. (B/M, DOB: 9-13-95), in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT V

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is: Joshua Smith, in a rude, insolent or angry manner, by means of a deadly weapon, that is, a firearm;

COUNT VI

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is, a minor, M.H. (B/M, DOB: 10-18-93), in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT VII

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is, a minor, K.K. (B/M, DOB: 2-26-95), in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT VIII

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is, a minor, R.C. (B/M, DOB: 2-17-94), in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT IX

On or about July 17, 2010, near the intersection of South Illinois Street and West Maryland Street, Shamus Patton did recklessly perform an act, that is: shooting a firearm at least nine (9) times into a place where people are likely to gather, which act created a substantial risk of bodily injury to another person;

COUNT X

On or about July 17, 2010, Shamus Patton knowingly touched another person, that is: a minor, S.W. (B/M, DOB: 9-15-93) in a rude, insolent or angry manner, by means of a deadly weapon, that is: a firearm;

COUNT XI

On or about July 17, 2010, Shamus Patton did recklessly inflict serious bodily injury on another person, that is: a minor, S.W. (B/M, DOB: 9-15-93), by using a deadly weapon, that is: a firearm, to shoot at and against the body of S.W.;

COUNT XII

From on or about May 26, 2009 through on or about July 17, 2010, Shamus Patton did knowingly actively participate in a criminal gang, that is: a gang known as the Ratchet Boyz and/or a gang known as the Savage Boyz, which criminal gangs are groups of three (3) or more persons that promotes, sponsors, assists in or participates in a felony or an act that would be a felony if committed by an adult, that is: battery;

COUNT XIII

On or about July 17, 2010, Shamus Patton carried a handgun upon his person without a license to carry such handgun;


COUNT XIV

On or about July 17, 2010, Shamus Patton, being a child under the age of eighteen (18) years, did knowingly possess a firearm, that is: a handgun;


all of which is contrary to statute and against the peace and dignity of the State of Indiana.

I swear or affirm under penalties for perjury as specified by I.C. 35-44-2-1, that the foregoing representations are true.

7-26-10  
Date

  
\_\_\_\_\_  
CHESTER GOOCH, DETECTIVE  
Affiant

**CARL J. BRIZZI**  
Marion County Prosecutor  
19<sup>th</sup> Judicial Circuit



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LAWRENCE J. BRODEUR, 10516-53  
Deputy Prosecuting Attorney

STATE'S WITNESSES:  
CHESTER GOOCH, IMPD  
PETER PERKINS, IMPD  
BOBBIE JAMES, IMPD  
MICHAEL PUTZEK, IMCFSA  
MICHAEL SMILKO, IMOCFSA  
LORENZO COPELAN  
DEMARCUS PETTIS  
MINOR J.H.  
MINOR L.A.  
JOSHUA SMITH  
MINOR M.H.  
MINOR K.K.  
MINOR R.C.  
MINOR S.W.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

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CRIMINAL DIVISION 22

CAUSE NO.: 49G221007FB056351

STATE OF INDIANA )  
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VS. )  
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SHAMUS PATTON )  
B/M DOB: 4-22-93 )

**INFORMATION**

COUNT XV  
CRIMINAL GANG ENHANCEMENT  
A SENTENCE ENHANCEMENT  
I.C. 35-50-2-15

On this date, Chester Gooch came before the Prosecuting Attorney of the Nineteenth Judicial Circuit and, being duly sworn (or having affirmed), stated that in Marion County, Indiana:

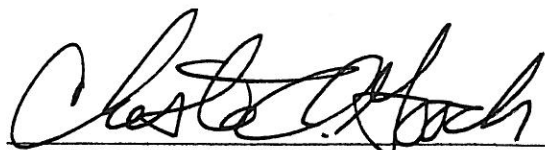
On or about July 17, 2010, Shamus Patton, as a member of a criminal gang, that is: the Ratchet Boyz, did knowingly commit the felony offenses of Aggravated Battery (a Class B felony), Battery (a Class C felony) and Criminal Recklessness (a Class C felony) and committed such felony offenses at the direction of or in affiliation with a criminal gang, that is: the Ratchet Boyz;

all of which is contrary to statute and against the peace and dignity of the State of Indiana.


I swear or affirm under penalty for perjury as specified by I.C. 35-44-2-1 that the foregoing representations are true.



7-26-10  
Date

  
\_\_\_\_\_  
CHESTER GOOCH, DETECTIVE  
Affiant

**CARL J. BRIZZI**  
Marion County Prosecutor  
19<sup>th</sup> Judicial Circuit

  
\_\_\_\_\_  
LAWRENCE J. BRODEUR, 10516-53  
Deputy Prosecuting Attorney

STATE'S WITNESSES:  
DERRICK HARRIS, IMPD  
MIGUEL ROA, IMPD  
FRANK MILLER, IMPD  
SCOTT RODRIGUEZ, IMPD  
MARSHALL DEPEW, IMPD  
KEEPER OF THE RECORDS FOR IMPD

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION 22

CAUSE NO.: 49G221007FB056351

STATE OF INDIANA )  
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VS. )  
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SHAMUS PATTON )

**MOTION FOR SUBSTANTIAL BOND**

COMES NOW the State of Indiana, by its Marion County Deputy Prosecuting Attorney, Lawrence J. Brodeur, and moves the Court to set a substantial bond for the defendant, Shamus Patton, in the above-entitled cause. In support of this motion, the State of Indiana would show the Court the following:

1. That the defendant, Shamus Patton, has been charged in a fifteen (15) count Information with offenses relating to the shooting of nine (9) people;
2. That, since 2008, the defendant, Shamus Patton, has had nine (9) referrals to the Juvenile Court;
3. That, for at least the period of the last one (1) year, the defendant, Shamus Patton, has been an active member of a criminal gang in Indianapolis;
4. That the shootings with which the defendant, Shamus Patton, is charged involved firing multiple shots into crowds attending the Indiana Black Expo Summer Celebration. Such shootings could well have resulted in nine (9) homicides, rather than nine (9) individuals shot who appear, at this time, to be able to make full recoveries from their respective injuries;

5. That the defendant, Shamus Patton, has clearly demonstrated a complete disdain for any authority, including the authority of this Court to bring him to trial;
6. That the defendant, Shamus Patton, has clearly demonstrated that he is an extreme risk for further violence, should he be released on bond in the above-entitled cause.

WHEREFORE, the State of Indiana, by its Marion County Deputy Prosecuting Attorney, Lawrence J. Brodeur, respectfully requests that the Court set bond in the above-entitled cause in the amount of two hundred fifty thousand dollars (\$250,000.00), with a cash only option.



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LAWRENCE J. BRODEUR, 10516-53  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that I have mailed or delivered a true copy of the foregoing motion to Eugene Hollander, who has indicated that he will be representing the defendant, Shamus Patton, on this 26<sup>th</sup> day of July, 2010.



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LAWRENCE J. BRODEUR  
Deputy Prosecuting Attorney

Marion County Prosecuting Attorney  
251 East Ohio Street  
Suite 160  
Indianapolis, Indiana 46204  
(317) 327-3522

STATE OF INDIANA )  
 ) SS:  
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CAUSE NO.: 49G221007FB056351

STATE OF INDIANA )  
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VS. )  
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SHAMUS PATTON )  
B/M DOB: 4-22-93 )

**PROBABLE CAUSE AFFIDAVIT**

I, Chester Gooch, being first duly sworn upon my oath, state as follows:

I am a police officer with the Indianapolis Metropolitan Police Department (IMPD). I am currently assigned as a detective with the Aggravated Assault Unit of the Indianapolis Metropolitan Police Department.

This investigation involves two shooting incidents that occurred on July 17, 2010. The first shooting incident occurred at approximately 9:30 p.m. on July 17, 2010, near the intersection of South Illinois Street and West Maryland Street in Indianapolis, Marion County, Indiana. The second shooting incident occurred a few minutes later on July 17, 2010, near the intersection of Georgia Street and South Meridian Street in Indianapolis, Marion County, Indiana.

These two shooting incidents took place during the 2010 Indiana Black Expo Summer Celebration. As a result, there were hundreds, if not thousands, of people in downtown Indianapolis during the evening of July 17, 2010. I am one of many detectives and law enforcement officers who were assigned to the investigation of this case and the capture of the perpetrator.

The information contained in this Probable Cause Affidavit is information known to me personally, information obtained from other law enforcement sources, information obtained from victims of and witnesses to the two shooting incidents, information from law enforcement reports and information from sources otherwise set forth in this Probable Cause Affidavit. Because this is a Probable Cause Affidavit, not every fact or circumstances relating to the investigation of these two shooting incidents is contained within this Probable Cause Affidavit.

## **SHOOTING AT ILLINOIS AND MARYLAND**

On July 17, 2010, at approximately 9:30 p.m., several shots were fired near the intersection of South Illinois Street and West Maryland Street, Indianapolis, Marion County, Indiana. Indianapolis Metropolitan Police Department officers at or near the scene of this first shooting responded almost immediately. Upon arrival at that location, Indianapolis Metropolitan Police Department officers found several individuals suffering from gunshot wounds, as set forth below>

### **1. Demarcus Pettis**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was Demarcus Pettis (B/M, DOB: 7-20-91). Law enforcement officers at the scene observed that Demarcus Pettis sustained a gunshot wound to his left calf and left foot. Demarcus Pettis was transported by ambulance to Methodist Hospital.

While he was still at the scene of the shooting, I spoke with Demarcus Pettis (B/M, DOB: 7-20-91). Demarcus Pettis advised me that he was walking near the intersection of South Illinois Street and West Maryland Street when he heard gunshots. Demarcus Pettis stated that as he was running away from the sound of the gunshots, he felt a pain in his leg and later realized that he had been shot.

On July 17, 2010, while at Methodist Hospital, Demarcus Pettis (B/M, DOB: 7-20-91) provided a recorded statement to Indianapolis Metropolitan Police Department Detective Sherron Franklin. In that recorded statement, Demarcus Pettis indicated that he was walking by the Steak N' Shake with his little brother when he heard gunshots. Demarcus Pettis further stated that he was running away from the gunshots and felt pain. Demarcus Pettis indicated that, at some point after being shot, he fell to the ground.

In his recorded statement to Indianapolis Metropolitan Police Department Detective Sherron Franklin, Demarcus Pettis (B/M, DOB: 7-20-91) stated that he had no idea who shot him or why he was shot. However, in such recorded statement, Demarcus Pettis stated that prior to the shooting a crowd of people were coming towards him ("like gang banging or something ... I don't know). Demarcus Pettis stated that these people coming towards him were wearing hats, which he described as black baseball hats.

### **2. J.H. (a Minor)**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit as J.H. (B/M, DOB: 9-9-99). Law enforcement officers at the

scene observed that J.H. sustained a gunshot wound to his left thigh. J.H. was transported by ambulance to Methodist Hospital.

While he was still at the scene of the shooting, I spoke with J.H. (B/M, DOB: 9-9-99). J.H. told me that he was walking near the intersection of South Illinois Street and West Maryland Street, with his brother and his brother's friends, when he heard gunshots. J.H. further stated that he was running away from the gunshots and felt a pain in his leg. It was at this time that J.H. realized that he had been shot.

On July 17, 2010, while at Methodist Hospital, J.H. (B/M, DOB: 9-9-99) provided a recorded statement to Indianapolis Metropolitan Police Department Detective Sherron Franklin. In such recorded statement, J.H. stated that he was walking with his brothers when he heard gunshots. J.H. stated that he started to run away, but got shot before he started running. J.H. stated that he ran to an area near the Steak N' Shake restaurant, pulled up his pant leg, and realized that he had been shot.

In his recorded statement, J.H. (B/M, DOB: 9-9-99) stated that he did not see anyone shooting and did not see anyone with a gun. However, J.H. stated that, prior to the shooting, he saw a lot of people "grouping up" like they were about to fight. J.H. also believed that these individuals were wearing baseball hats.

### **3. L.A. (a Minor)**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit was L.A. (B/M, DOB: 9-13-95). Law enforcement officers at the scene observed that L.A. sustained a gunshot wound to the lower right leg. L.A. was transported by ambulance to Methodist Hospital.

On July 17, 2010, while at Methodist Hospital, L.A. (B/M, DOB: 9-13-95), provided a recorded statement to Indianapolis Metropolitan Police Department Detective Sherron Franklin and Indianapolis Metropolitan Police Department Detective Doug Cook. During that recorded statement, L.A. stated that he was standing by the Steak N' Shake when shooting started and he got shot in the leg. L.A. further stated that he could not provide a description of anyone who fired a shot or anyone who had a gun.

In his recorded statement, L.A. (B/M, DOB: 9-13-95) stated that just prior to the shooting, he heard someone say, "He's about to shoot, he's about to shoot." Shortly thereafter, L.A. heard gunshots and saw people start falling to the ground.

In his recorded statement, L.A. (B/M, DOB: 9-13-95) stated that as he was running away from the scene, he saw individuals wearing shirts that had "Grimmie Boyz" on such shirts. L.A. also described individuals he observed during the evening of July 17, 2010 who were wearing clothing that he believed represented other gangs in Indianapolis. L.A. also indicated that earlier in the evening, he had seen a group of

individuals he knew as members of the gang "Ratchet Boyz" arguing with individuals in another gang.

#### **4. Lorenzo Copeland**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was Lorenzo Copeland (B/M, DOB: 3-3-92). Law enforcement officers at the scene observed that Lorenzo Copeland sustained a gunshot wound to his right thigh. In addition, Lorenzo Copeland also suffered a broken left femur. Lorenzo Copeland was transported by ambulance to Wishard Hospital.

While at Wishard Hospital, Lorenzo Copeland (B/M, DOB: 3-3-92) provided a statement to Indianapolis Metropolitan Police Department Detective Sgt. Leslie VanBuskirk. Lorenzo Copeland stated that he was with his cousin, Kenyatta "Budda Man" Robinson, when he was shot at an unknown location. Lorenzo Copeland also stated that he believed that he fell after being shot and broke his leg due to the fall. Lorenzo Copeland indicated that he did not see who shot him.

On July 25, 2010, Indianapolis Metropolitan Police Department Detective Sgt. Scott Rodriguez and Indianapolis Metropolitan Police Department Detective Frank Miller interviewed Lorenzo Copeland (B/M, DOB: 3-3-92) and his mother, Emaryne Copeland, regarding the extent of the injuries to Lorenzo Copeland. Emaryne Copeland had spoken with the surgeon at Wishard Hospital, who confirmed that a bullet had gone through Lorenzo Copeland's right leg and then had gone into his left leg, shattering the femur. Surgery was required on Lorenzo Copeland's left leg, in which surgeons inserted a rod and screws into the bone of such left leg.

Both Lorenzo Copeland (B/M, DOB: 3-3-92) and his mother, Emaryne Copeland, executed a release form on July 25, 2010, to allow law enforcement officers to obtain the relevant medical records of Lorenzo Copeland.

#### **5. Joshua Smith**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was Joshua Smith (B/M, DOB: 7-6-91). Law enforcement officers at the scene observed that Joshua Smith sustained a gunshot wound to his left buttock area. Joshua Smith was transported by ambulance to Wishard Hospital.

While at Wishard Hospital, Joshua Smith (B/M, DOB: 7-6-91) provided a statement to Indianapolis Metropolitan Police Department Detective Sgt. Leslie VanBuskirk. Joshua Smith stated that he was shot from behind and did not see who shot him. Joshua Smith further stated that at the time of the shooting he was with a minor, identified for purposes of this Probable Cause Affidavit as C.J. (B/M, Age 17). Joshua



Smith also stated to Detective VanBuskirk that he had been with Shamus Patton earlier in the evening.

At the time that Joshua Smith (B/M, DOB: 7-6-91) was shot, he was wearing a home detention ankle bracelet.

On July 19, 2010, Joshua Smith (B/M, DOB: 7-6-91) provided a recorded statement to me. Such statement was given by Joshua Smith at the Indianapolis Metropolitan Police Department. During that recorded statement, Joshua Smith stated that, at the time that he was shot, he was with friends identified as "Nuke" and "Chicken." Joshua Smith was able to identify "Nuke" as a minor, identified for purposes of this Probable Cause Affidavit as C.J. (B/M, Age 17). Joshua Smith did not provide the real name of his friend "Chicken."

During his recorded statement, Joshua Smith (B/M, DOB: 7-6-91) stated that on July 17, 2010, prior to the shooting, he was with Shamus Patton. However, Joshua Smith indicated that he was not with Shamus Patton at the time of the shooting.

During the course of this investigation, IMPD detectives compiled a 6-person photo array, which photo array included a picture of Shamus Patton (B/M, DOB: 4-22-93). This photo array was designated as photo array number 97431. Picture number 3 in photo array number 97431 was a picture of Shamus Patton (B/M, DOB: 4-22-93).

During his recorded statement on July 19, 2010, I showed Joshua Smith (B/M, DOB: 7-6-91) photo array number 97431 and asked Joshua Smith if he recognized any of the pictures in that photo array. Joshua Smith stated that picture number 3 was Shamus Patton, who was with him downtown prior to the shooting. Joshua Smith circled the number 3 on photo array number 97431 and also signed and dated photo array number 97431 directly below the picture of Shamus Patton (B/M, DOB: 4-22-93).

During his recorded statement, Joshua Smith (B/M, DOB: 7-6-91) denied that Shamus Patton (B/M, DOB: 4-22-93) was a member of any gang, including a gang known as the Ratchet Boyz. However, Joshua Smith admitted that he had heard that members of a gang known as the Grimmie Boyz had previously shot at Shamus Patton.

#### **6. M.H. (a Minor)**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit as M.H. (B/M, DOB: 10-18-93). Law enforcement officers at the scene observed that M.H. has sustained a gunshot wound to his right foot. M.H. was transported by ambulance to Wishard Hospital.

While at Wishard Hospital, M.H. (B/M, DOB: 10-18-93) provided a statement to Indianapolis Metropolitan Police Department Detective Sgt. Leslie VanBuskirk. M.H.

stated that he was near a parking garage off Illinois Street with some friends when he heard 4-5 shots and began running. As M.H. was running, he felt a burning sensation in his foot and realized that he had been shot.

On July 19, 2010, M.H. (B/M, DOB: 10-18-93) provided a recorded statement to me. Such recorded statement was given by M.H. at the Indianapolis Metropolitan Police Department. During such recorded statement, M.H. stated that, prior to the shootings, he heard individuals yelling "Haughville" and "Grimmie Boyz."

During his recorded statement, I showed M.H. (B/M, DOB: 10-18-93) photo array number 97431 and asked M.H. if he recognized the person who was firing the gun on July 17, 2010. M.H. indicated that such individual was picture number 3 on photo array number 97431. M.H. circled picture number 3 on photo array number 97431 and also signed and dated photo array number 97431 directly below the picture of Shamus Patton (B/M, DOB: 4-22-93) on photo array number 97431.

#### **7. K.K. (a Minor)**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit as K.K. (B/M, DOB: 2-26-95). Law enforcement officers at the scene observed that K.K. sustained a gunshot wound to his left heel. K.K. was transported by ambulance to Wishard Hospital.

While at Wishard Hospital, K.K. (B/M, DOB: 2-26-95) provided a statement to Indianapolis Metropolitan Police Department Detective Sgt. Leslie VanBuskirk. K.K. stated that he heard five gunshots and felt pain in his foot.

#### **8. R.C. (a Minor)**

One of the individuals shot during the incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit as R.C. (B/M, DOB: 2-17-94). Law enforcement officers at the scene observed that R.C. sustained a gunshot wound to his right thigh. R.C. was transported by ambulance to Methodist Hospital.

While at Methodist Hospital, R.C. (B/M, DOB: 2-17-94) provided a statement to Indianapolis Metropolitan Police Department Detective Sherron Franklin and to Indianapolis Metropolitan Police Department Detective Doug Cook. During that statement, R.C. stated that he was standing by the movie theaters near the intersection of South Illinois Street and West Maryland Street when he heard gunshots and then felt pain in his leg area.

In addition to obtaining statements from shooting victims relating to the July 17, 2010 incident near the intersection of South Illinois Street and West Maryland Street, Indianapolis, Marion County, Indiana, law enforcement officers also obtained statements from a number of witnesses to such incident. Such witnesses include the following:

**1. S.R. (a Minor)**

One of the individuals who witnessed the shooting incident near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purposes of this Probable Cause Affidavit as S.R. (B/M, DOB: 6-16-94). S.R. provided a statement to Indianapolis Metropolitan Police Department Detective Derrick Harris, who is assigned to the Gang Unit.

In his statement to Detective Derrick Harris, S.R. (B/M, DOB: 6-16-94) stated that he was a member of a gang named the "Grimmie Boyz" and that Shamus Patton (B/M, DOB: 4-22-93) was a member of a gang named the "Ratchet Boyz." S.R. stated that he was near the intersection of South Illinois Street and West Maryland Street when Shamus Patton came up and started shooting. S.R. also stated that he thought that everything was "cool" between the Grimmie Boyz and the Ratchet Boyz and did not understand why Shamus Patton shot at members of the Grimmie Boyz.

S.R. (B/M, DOB: 6-16-94) was shown photo array number 97431 and S.R. indicated that picture number 3 on photo array number 97431 was a photograph of Shamus Patton (B/M, DOB: 4-22-93) and was a photograph of the individual shooting the firearm on July 17, 2010, near the intersection of South Illinois Street and West Maryland Street. S.R. circled number 3 on photo array number 97431 and signed his name below the picture of Shamus Patton (B/M, DOB: 4-22-93) on photo array number 97431.

**2. J.G. (a Minor)**

One of the individuals who witnessed the shooting incident on July 17, 2010, near the intersection of South Illinois Street and West Maryland Street was a minor, identified for purpose of this Probable Cause Affidavit as J.G. (B/M, DOB: 5-25-95). J.G. provided a recorded statement to me on 7-19-10. Such recorded statement was taken at the Indianapolis Metropolitan Police Department.

During the recorded statement on 7-19-10, J.G. (B/M, DOB: 5-25-95) stated that he was standing right in front of the individual who pulled out a handgun and started shooting. J.G. stated that prior to the shooting, he heard individuals yelling "Grimmie Boyz," "Haughville," and "Is this Ratchet Boyz?" J.G. also stated that he only saw one individual shoot a gun.

During the recorded statement on 7-19-10, J.G. (B/M, DOB: 5-25-95) was shown photo array number 97431 and asked if he recognized any of the pictures in that photo array. J.G. stated that picture number 3 of photo array number 97431 was a picture of the individual that he saw shooting the gun. J.G. circled the entire picture number 3 in photo array number 97431 and signed his name below the picture of Shamus Patton (B/M, DOB: 4-22-93) on photo array number 97431.

### **3. Jordan Yates**

One of the individuals who witnessed the shooting incident on July 17, 2010, near the intersection of South Illinois Street and West Maryland Street was Jordan Yates (B/M, DOB: 11-23-91). On 7-19-10, Jordan Yates provided a statement to Indianapolis Metropolitan Police Department Detective Derrick Harris.

During the statement provided to Detective Derrick Harris, Jordan Yates (B/M, DOB: 11-23-91) stated that he was in the area of South Illinois Street and West Maryland Street, talking to a female. Jordan Yates stated that he saw a black male, in his late teens, heavy set, with a medium complexion and wearing a black t-shirt and blue jeans pull out a handgun and start shooting. Jordan Yates also stated that he thought that the individual doing the shooting might be named Shamus.

On July 19, 2010, Jordan Yates (B/M, DOB: 11-23-91) was shown photo array number 97431 and asked if he recognized any of the pictures in that photo array. Jordan Yates stated that picture number 3 of photo array number 97431 was a picture of the individual that he saw shooting the handgun. Jordan Yates circled the number 3 on photo array number 97431 and signed his name directly below the picture of Shamus Patton (B/M, DOB: 4-22-93) on photo array number 97431.

### **SHOOTING AT GEORGIA AND MERIDIAN**

A few minutes after the shooting that took place near the intersection of South Illinois Street and West Maryland Street, a second shooting was reported to the Indianapolis Metropolitan Police Department near the intersection of Georgia Street and South Meridian Street. Indianapolis Metropolitan Police Department Detective Chester Gooch was assigned as the lead detective on such shooting.

The victim of the second shooting on July 17, 2010 was a minor, identified for purposes of this Probable Cause Affidavit as S.W. (B/M, DOB: 9-15-93). Law enforcement officers at the scene observed that S.W. had sustained gunshot wounds to both knees and in the area of his back. S.W. was transported by ambulance to Methodist Hospital.

On July 18, 2010, S.W. (B/M, DOB9-15-93) provided a recorded statement regarding this shooting incident to Indianapolis Metropolitan Police Department Detective Sherron Franklin. S.W. stated that he was near the intersection of Georgia Street and South Meridian Street when an individual walked behind him, called out his name, and then pulled out a gun and started shooting. S.W. admitted that he was wearing a shirt with his name on it.

During his recorded statement to Detective Sherron Franklin, S.W. (B/M, DOB: 9-15-93) claimed that he never before saw the individual who shot him. Sometime after the conclusion of this recorded statement, Detective Sherron Franklin showed S.W. photo array number 97431 and asked S.W. if he recognized any of the pictures in that photo array. S.W. stated that picture number 3 in photo array number 97431 was a picture of the individual who shot him. S.W. circled the entire picture number 3 in photo array number 97431 and signed his name directly below the picture of Shamus Patton (B/M, DOB: 4-22-93) on photo array number 97431.

### **FURTHER INVESTIGATION**

On July 17, 2010, Detectives with the Indianapolis Metropolitan Police Department Gang Unit went to a residence located at 3107 Manor Court, Indianapolis, Marion County, Indiana. Such residence was listed in law enforcement reports as the residence of Shamus Patton (B/M, DOB: 4-22-93).

Detectives spoke with the Barbara Turentine, the mother of Shamus Patton. Barbara Turentine confirmed that Shamus Patton (B/M, DOB: 4-22-93) lived at such residence. However, she indicated that he was not present at that time, that she had not seen him in a couple of days and that she did not know his whereabouts.

On July 18, 2010, Detectives with the Indianapolis Metropolitan Police Department applied for and obtained a search warrant to search the residence located at 3107 Manor Court, Indianapolis, Marion County, Indiana, to search for the person of Shamus Patton (B/M, DOB: 4-22-93) and to search for certain specified evidence relating to these shooting incidents.

The search warrant was executed by law enforcement officers with the Indianapolis Metropolitan Police Department on July 18, 2010. During the execution of that search warrant, law enforcement officers seized a laptop computer, two cell phones, and a box containing eight unfired Smith & Wesson 40 caliber cartridges.

On Monday, July 19, 2010, Shamus Patton (B/M, DOB: 4-22-93) was arrested at an apartment complex near the intersection of 10<sup>th</sup> Street and Country Club Drive in Indianapolis, Marion County, Indiana. After Shamus Patton was arrested, he was searched by law enforcement officers pursuant to that arrest. At that time, law

enforcement officers recovered from the person of Shamus Patton two cell phones and one unfired Smith & Wesson 40 caliber cartridge.

On May 17, 2010, Shamus Patton (B/M, DOB: 4-22-93) was carrying a handgun upon his person. Due to the fact that Shamus Patton was under the age of eighteen (18), Shamus Patton did not have a permit to carry such a handgun and did not have the legal authority to possess a firearm.

### **BALLISTICS EXAMINATIONS**

During the course of this investigation, law enforcement officers recovered nine (9) spent cartridges from the scene of the shootings near the intersection of South Illinois Street and West Maryland Street. Those nine (9) spent cartridges were sent to the Marion County Crime Lab for analysis.

During the course of this investigation, law enforcement officers recovered six (6) spent cartridges from the scene of the shootings near the intersection of Georgia Street and South Meridian Street. Those six (6) spent cartridges were sent to the Marion County Crime Lab for analysis.

The eight (8) unspent cartridges recovered during the search warrant executed on May 18, 2010 were sent to the Marion County Crime Lab for analysis. The one (1) unspent cartridge seized from the person of Shamus Patton (B/M, DOB: 4-22-93) was also sent to the Marion County Crime Lab for analysis.

Michael Putzek with the Marion County Crime Lab examined all of the spent and unspent cartridges specified above. His preliminary report is, as follows:

1. The nine (9) spent cartridges recovered from the scene of the shootings near the intersection of South Illinois Street and West Maryland Street were all fired from the same firearm.
2. The six (6) spent cartridges recovered from the scene of the shooting near the intersection of Georgia Street and South Meridian Street were all fired from the same firearm and were all fired from the same firearm that fired the nine (9) spent cartridges recovered near the intersection of South Illinois Street and West Maryland Street.
3. The eight (8) unspent cartridges recovered during the search warrant executed on May 18, 2010 were consistent in brand, primer color, caliber and primer sealant with the nine (9) spent cartridges recovered from the scene of the shootings near the intersection of South Illinois Street and West Maryland Street and with the six (6) spent cartridges recovered from the scene of the shooting near the intersection of Georgia Street and South Meridian Street.

4. The one unspent cartridge recovered from the person of Shamus Patton (B/M, DOB: 4-22-93) on May 19, 2010 was consistent in brand, primer color, caliber and primer sealant with the nine (9) spent cartridges recovered near the scene of the shootings near the intersection of South Illinois Street and West Maryland Street and with the six (6) spent cartridges recovered near the scene of the shooting near the intersection of Georgia Street and South Meridian Street.

### CRIMINAL GANG ACTIVITY

During the course of this investigation, I received information from Indianapolis Metropolitan Police Department Detective Miguel Roa of the Gang Unit, who is familiar with criminal gangs and criminal gang activity in the Indianapolis area. The report from Detective Miguel Roa is set forth below.

On July 17, 2010, I, Detective Miguel Roa of the Indianapolis Metropolitan Police Department Gang Unit was detailed to the Indiana Black Expo Summer Celebration. On July 17, 2010, there were nine (9) individuals shot in the downtown area. These individuals were shot by a known gang member, Shamus Patton (B/M, DOB: 4-22-93).

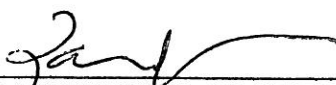
Shamus Patton (B/M, DOB: 4-22-93) is a confirmed member of a criminal street gang known as the "Ratchet Boyz." The Ratchet Boyz street gang is known to frequent the Brightwood-Martindale area of Indianapolis, as well as two IPS schools – Arlington and Arsenal Tech High Schools. Shamus Patton and the street gang Ratchet Boyz have been historically at odds with another street gang known as the "Grimmie Boyz."

As of last year, Shamus Patton (B/M, DOB: 4-22-93) was claiming membership with a gang known as the "Savage Boyz," which is a known affiliate of the Ratchet Boyz. Gang Detective Derrick Harris has also had previous gang cases/encounters with Shamus Patton at the time that Shamus Patton claimed membership with the Savage Boyz. The Savage Boyz/Ratchet Boyz have committed or have attempted to commit crimes against members of the Grimmie Boyz. These gangs are extremely violent and have been involved in violent crimes.

I swear or affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge and belief.

  
CHESTER GOOCH  
Affiant

Subscribed and sworn to before me on this 2<sup>nd</sup> day of July, 2010.

  
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LAWRENCE J. BRODEUR, 10516-53  
Deputy Prosecuting Attorney