

IN THE ENCANTO JP (PHX CENTRAL) COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

****FINAL****

RELEASE QUESTIONNAIRE

Notice: Unless a specific Form IV is sealed or ordered redacted by the Court, all Form IVs are public records of the Court or Clerk at the time they are provided to the Court and will be released in their entirety upon request.

DEFENDANT'S NAME LEVITICUS L NAJAR DOB [REDACTED] BOOKING NO. [REDACTED]
ALIAS(ES) _____ CASE NO. PF2017135526002

A. GENERAL INFORMATION

Charges
1 Cts. 13-2926 ABAND/CONCEAL DEAD BODY/PARTS F5

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person? Yes No
If yes, PCN = _____

Pursuant to A.R.S. §13-610 one or more of the above charges requires the arresting agency to secure a DNA sample from the arrested person? Yes No

If yes, does the defendant have a valid DNA sample on file with AZDPS? Yes No

If no, Arresting Agency has taken required sample? Yes No

Offense Location:
Offense Date: 2017-08-02
Arrest Location: [REDACTED]
Date: 2017-08-03 Time: 09:37

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
See Addendum (Page 3)

C. OTHER INFORMATION (Check if applicable)

1. Defendant is presently on probation, parole or any other form of release involving other charges or convictions:
Explain:

2. List any prior Arrests?

Convictions?

F.T.A.'s?

3. Is there any indication the defendant is:

An Alcoholic? An Addict?
 Mentally disturbed? Physically Ill?

4. Defendant is currently employed
With whom

How long:

5. Where does the defendant currently reside? [REDACTED]

With whom

How long: _____ years _____ months _____ days

6. What facts indicate the defendant will flee if released?
Explain: DEF IS HOMELESS

7. What facts does the state have to oppose an unsecured release? Explain: DEF IS HOMELESS

D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)

1. Firearm or other weapon was used
Type: BASEBALL BAT

Someone was injured by the defendant

Medical attention was necessary
Nature of injuries: VICTIM DECEASED

2. Someone was threatened by the defendant
Nature and extent of threats:

3. Did the offense involve a child victim? Yes No
If yes, was DCS notified? Yes No

4. If property offense, value of property taken or damaged:

Property was recovered

5. Name(s) of co-defendant(s):

E. CRIMES OF VIOLENCE

- 1. Relationship of defendant to victim:
[] Victim(s) and defendant reside together
2. How was the situation brought to the attention of the police?
[] Victim [X] Third Party [] Officer observed
3. [] There are previous incidents involving these same parties
Explain:
4. Is defendant currently the subject of:
[] An order of protection [] Any other court order
[] Injunction against harassment
Explain:

- 3. [] Evidence of the offense was found in the defendant's possession
Explain:
4. Was the defendant under the influence of alcohol or drugs at the time of the offense?
[] Yes [X] No [] Unk

H. DRUG OFFENSES

- 1. If the defendant is considered to be a drug dealer, please state the supporting facts:
2. What quantities and types of illegal drugs are directly involved in the offense?

F. DOMESTIC VIOLENCE ISSUES (Check if applicable)

Defendant's actions

- [] Threats of homicide/suicide/bodily harm
[] Control/ownership/jealousy issues [] Crime occurs in public
[] Prior history of DV [] Kidnapping
[] Frequency/intensity of DV increasing [] Depression
[] Access to or use of weapons [] Stalking behavior
[] Violence against children/animals
[] Multiple violations of court orders

- [] Drug field test completed
[] Defendant admission of drug type
Approximate monetary value: \$
3. Was any money seized?

[] Yes [] No
Amount: \$

G. CIRCUMSTANCES OF THE ARREST (Check if applicable)

- 1. Did the defendant attempt to:
[] Avoid arrest [] Resist arrest [] Self Surrender
Explain:

I. ADDITIONAL INFORMATION

- 1. Military Service:
Has the defendant served in the military services of the United States? [] Yes [X] No [] Unknown
If yes, currently on active duty? [] Yes [] No
Branches Served In:
(AF - Air Force AR - Army CG - Coast Guard MC - Marine Corp
MM - Merchant Marines NG - National Guard NV - Navy
RS - Reserves)
2. Is the defendant homeless?
[X] Yes [] No [] Unknown
3. Do you need the court to provide an interpreter to help communicate and to understand what is being said?
[] Yes [X] No
If so, what language:

- 2. [] Defendant was armed when arrested
Type:

If a fugitive arrest, a Form IVA must also be completed

I certify that the information presented is true to the best of my knowledge.
ARRESTING OFFICER/SERIAL NUMBER: DIVENTI, ROBERT L/08593
ARREST AGENCY/DUTY PHONE NUMBER: AZ0072300/602-262-6657
DATE: 2017-08-03
DEPARTMENTAL REPORT NO. 201700001346813/AZ0072300

ADDENDUM**B1. Probable Cause Statement**

ON AUGUST 2, 2017 AT 2054 HOURS, I RESPONDED TO NORTH 14TH PLACE IN REFERENCE TO A POSSIBLE BURIED PERSON. I ATTENDED AN INCIDENT BRIEFING AT WHICH TIME I LEARNED THE FOLLOWING ON AUGUST 2, 2017 AT 1819 HOURS, OFFICERS OF THE CITY OF PHOENIX POLICE DEPARTMENT RESPONDED TO A CHECK WELFARE FROM THE CALLER, IDENTIFIED AS [REDACTED] WHO WAS DOING SOME RENOVATIONS AT HIS HOME LOCATED AT [REDACTED] NORTH 14TH PLACE WHEN HE PULLED UP THE FLOORING IN A BACK BEDROOM AND FOUND, UNDER THE FLOORING, A SIXFOOT WHITE TRUCK TOOL BOX WRAPPED IN PLASTIC WITH A FOUL ODOR COMING FROM INSIDE. WHEN OFFICERS ARRIVED, THEY PRIED OPEN THE TOOL BOX TO FIND WHAT APPEARED TO BE A MATTRESS, WITH ITS SPRINGS AND STUFFING OUT, WITH A ROPE TIED AROUND IT. OFFICERS CUT THE ROPE AND INSIDE THE MATTRESS WERE SEVERAL LARGE TRASH BAGS THAT HAD A LIQUID FEEL AND A STRONG ODOR OF DECOMPOSITION. THE OWNER OF THE HOUSE, [REDACTED], CAME FROM CONNECTICUT THE OTHER DAY TO REMOVE HIS DAUGHTER, METIKA [REDACTED] NAJAR, AND HER HUSBAND, LEVITIQUUS NAJAR, FROM THE HOUSE WHICH [REDACTED] OWNS. HE REMOVED METIKA AND LEVITICUS MONDAY MORNING AND BEGAN RENOVATIONS IN THE HOUSE WHEN HE DISCOVERED THE FLOORING WAS NOT LEVEL AND AFTER REMOVING THE FLOORING HE DISCOVERED THE TOOL BOX WRAPPED IN PLASTIC. [REDACTED] HAS OWNED THE HOUSE SINCE 1997 AND HAS RENTED OUT THE HOUSE TO METIKA AND LEVITIQUUS FROM 2005 TO PRESENT DAY. LEVITIQUUS WAS LAST SEEN LEAVING THE RESIDENCE MONDAY NIGHT AND METIKA LEFT THE RESIDENCE ON DURING THE LATE AFTERNOON HOURS OF WEDNESDAY AUGUST 02, 2017. AT THE CONCLUSION OF THE BRIEFING DETECTIVES ENTERED THE RESIDENCE AND METICULOUSLY CUT THROUGH TWELVE LAYERS OF WRAPPING, TO INCLUDE PLASTIC, AIR MATTRESS, MATTRESS COVERING AND MANY OTHER MATERIALS. A HUMAN SKULL WRAPPED IN DUCT TAPE AND HAIR APPEARED TO BE IN THE CENTER OF THE LAYERS. DROPS OF A RED SUBSTANCE RESEMBLING BLOOD WAS LOCATED ON THE FLOOR OF THE ROOM WHERE THE TOOL BOX CONTAINING THE SKULL WAS LOCATED. ANOTHER RED DROP WAS LOCATED ON CEILING OF THE LIVING ROOM. IN THE BACKYARD WAS A SPRING OUTLINE OF A MATTRESS WHICH HAD BEEN BURNED, ALONG WITH SEVERAL ARTICLES OF CLOTHING WHICH WERE ALSO BURNED. A LARGE FIRE PIT WITH ASHES WAS LOCATED NEXT TO THE BURNT MATTRESS SPRING. METIKA WAS LOCATED AND INTERVIEWED WHERE SHE STATED THE FOLLOWING METIKA HAD MET [REDACTED] AND HIS BROTHER, [REDACTED] APPROXIMATELY TWO TO THREE MONTHS AGO AND HAD ALLOWED THEM TO STAY AT HER RESIDENCE FROM TIME TO TIME. APPROXIMATELY TWO WEEKS AGO METIKA OBSERVED LEVI WALK INTO THE SMALL ROOM WHERE [REDACTED] WAS STAYING AND CLOSED THE DOOR BEHIND HIM. METIKA HEARD WHAT SOUNDED LIKE A BAT HIT A BICYCLE THREE TIMES. LEVI EXITED THE ROOM WHILE [REDACTED] LAID LIFELESS ON THE BED. METIKA BELIEVED LEVI STRUCK [REDACTED] BECAUSE HE HAD HIT ON HER OR BECAUSE HE WAS ATTEMPTING TO GET THE BAD SPIRITS OUT OF HIS BODY. METICKA CONFIRMED THAT [REDACTED] DIED SHE AND LEVI PUT HIS BODY IN THEIR WOOD SHED IN THE BACKYARD. LEVI WRAPPED [REDACTED] BODY IN A TARP AND METIKA NEVER SAW [REDACTED] BODY AGAIN. HOWEVER METIKA STATED SHE HAD TOUCHED EVERYTHING AND KNEW [REDACTED] WAS PUT INTO A BOX. LAST SATURDAY JULY 29TH METIKA BURNED THE MATTRESS [REDACTED] WAS KILLED ON, ALONG WITH SOME CLOTHES, TO PROTECT HER HUSBAND, LEVI. METIKA IDENTIFIED LEVI, [REDACTED] AND [REDACTED] THROUGH PHOTOGRAPHS. AT THIS TIME THE REMAINS HAVE NOT BEEN IDENTIFIED AND LEVI IS STILL OUTSTANDING.



**SUPERIOR COURT OF ARIZONA FOR
Maricopa County
Final Release Order and Order Regarding Counsel**

State of Arizona 1 Cnt ABAND/CONCEAL D F5

CaseNumber: **PF2017135526002**

vs.

Booking#: [REDACTED]

Leviticus L Najar

It is hereby ordered that **Leviticus L Najar shall be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference

PLEASE CALL (602)506-8757 - 24 HOURS PRIOR TO YOUR HEARING

August 10, 2017 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ,
85003-2243 Courtroom: 3D **Docket: RCCT2**

Preliminary Hearing

PLEASE CALL (602)506-8757 - 24 HOURS PRIOR TO YOUR HEARING

August 14, 2017 at 08:45 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ,
85003-2243 Courtroom: 3D **Docket: RCCT2**

WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.

RELEASE TYPE

Bailable As a Matter of Right

The defendant has been found to be bailable as a matter of right. IT IS HEREBY ORDERED that the defendant must comply with all release conditions and shall be released from custody in this Cause Number as follows:

Secured Appearance Bond

The defendant will deposit with the Clerk of the above Court the total sum of **\$75,000.00**, which includes all applicable surcharges.

nature of allegations; flight risk; danger to community

If the bond is posted the defendant is subject to the supervision restrictions and conditions of the Pretrial Services Agency set forth below.

- PSA Supervision
- Electronic Monitoring

Before Release: Mandatory Install

Defendant shall NOT BE released from Jail until Electronic Monitoring Equipment has been Installed. Curfew Times to be determined by PSA

With Curfew Restrictions -

You May Not Leave Your Home Except During The Hours Set or Approved by Your Pretrial Officer.

RELEASE CONDITIONS

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to have any physical contact with any alleged victim.
4. You are not to initiate contact with the alleged complainant or witness.
5. You are not to initiate contact with the arresting officers.
6. You are not to possess any weapons.
7. You are not to possess any drugs without a valid prescription.
8. You are not to drive a motor vehicle without a valid driver's license.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

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Case#: **PF2017135526002**

Booking#: [REDACTED]

9. You must continue to provide the court with proof of your local address.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. You must maintain contact with your attorney. If convicted, you will be required to appear for Sentencing. If you fail to appear, you may lose your right to a direct appeal. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. **a.** You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. **b.** You will refrain from committing any criminal offenses. **c.** You will diligently prosecute any appeal. **d.** You will not leave the state without permission of the court. If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

If you are released on a felony charge, and the court finds the proof evident or the presumption great that you committed a felony during the period of release, the court must revoke your release. You may also be subject to an additional criminal charge, and upon conviction you could be punished by imprisonment in addition to the punishment which would otherwise be impossible for the crime committed during the period of release. Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.

ATTORNEY APPOINTMENT

The Court finds you to be indigent and orders an attorney to provide you representation.

You must contact the Office of the Legal Defender at **222 N. Central Avenue, Suite 8100, Phoenix, AZ 85004. 602-506-8800**

ACKNOWLEDGEMENT BY DEFENDANT

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date 8/4/2017 5:00:00 AM

Address: Homeless

City, State, Zip: PHOENIX, AZ, 85003

Sigmund Popko
Judge / Commissioner

Signature:

Leviticus L Najjar
Defendant