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Phoenix, AZ 85003
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Attorney for Plaintiff

DR 201800000110425 - Phoenix Police Department
Manistee Justice Court
VACATE
0131695863

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
COUNTY OF MARICOPA, RCC-DOWNTOWN

THE STATE OF ARIZONA, Plaintiff, vs. JUSTIN MATHEW DAVIS, aka JUSTIN MATTHEW DAVIS aka JUSTIN DAVIS Defendant.	CR2018-103460-001 DIRECT COMPLAINT **COUNT 1:** ARMED ROBBERY, A CLASS 2 FELONY Dangerous (Justin Mathew Davis) **COUNT 2:** KIDNAPPING, A CLASS 2 FELONY Dangerous (Justin Mathew Davis)

DCO

COUNT 3: AGGRAVATED ASSAULT, A CLASS 3 FELONY Dangerous (Justin Mathew Davis)
COUNT 4: THEFT OF MEANS OF TRANSPORTATION, A CLASS 3 FELONY (Justin Mathew Davis)
COUNT 5: MISCONDUCT INVOLVING WEAPONS, A CLASS 4 FELONY (Justin Mathew Davis)
COUNT 6: MISCONDUCT INVOLVING WEAPONS, A CLASS 6 FELONY (Justin Mathew Davis)
COUNT 7: POSSESSION OR USE OF DANGEROUS DRUGS, A CLASS 4 FELONY (Justin Mathew Davis)
COUNT 8: POSSESSION OR USE OF NARCOTIC DRUGS, A CLASS 4 FELONY (Justin Mathew Davis)

IN CUSTODY

The complainant herein personally appears and, being duly sworn, complains on information and belief against JUSTIN MATHEW DAVIS, charging that in Maricopa County, Arizona:

COUNT 1:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, did in the course of taking property; to wit: car keys, of another from [redacted] person or immediate presence and against his will, used threats or force against [redacted], with the intent to coerce surrender of the property or to prevent resistance to JUSTIN MATHEW DAVIS's taking or retaining the property while JUSTIN MATHEW DAVIS or

an accomplice used or threatened to use a deadly weapon, dangerous instrument or a simulated deadly weapon, against [redacted], in violation of A.R.S. §§ 13-1904, 13-1901, 13-1902, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

The State further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a handgun, a deadly weapon or dangerous instrument, in violation of A.R.S. §§ 13-105 and 13-704.

COUNT 2:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, knowingly did restrain [redacted] with the intent to place him in reasonable apprehension of imminent physical injury, in violation of A.R.S. §§ 13-1304, 13-1301, 13-701, 13-702, and 13-801.

The State further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a handgun, a deadly weapon or dangerous instrument, in violation of A.R.S. §§ 13-105 and 13-704.

COUNT 3:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, using a handgun, a deadly weapon or dangerous instrument, intentionally,

knowingly or recklessly did cause a physical injury to [redacted] in violation of A.R.S. §§ 13-1203, 13-1204, 13-3105, 13-701, 13-702, and 13-801.

The State further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a handgun, a deadly weapon or dangerous instrument, in violation of A.R.S. §§ 13-105 and 13-704.

COUNT 4:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, without lawful authority, knowingly did control [redacted] Nissan Maxima, a means of transportation, knowing or having reason to know that the property was stolen, in violation of A.R.S. §§ 13-1801, 13-1814, 28-3304, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 5:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, knowingly did possess a handgun, a deadly weapon, while being a prohibited possessor, in violation of A.R.S. §§ 13-3101, 13-3102, 13-3105, 13-701, 13-702, and 13-801.

COUNT 6:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, knowingly did possess a defaced handgun, a deadly weapon, knowing it was defaced, in violation of A.R.S. §§ 13-3101, 13-3102, 13-701, 13-702, and 13-801.

COUNT 7:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, knowingly did possess or use methamphetamine, a dangerous drug, in violation of A.R.S. §§ 13-3401, 13-3407, 13-3418, 13-701, 13-702, and 13-801.

COUNT 8:

JUSTIN MATHEW DAVIS, on or about January 19, 2018, knowingly did possess or use heroin, a narcotic drug, in violation of A.R.S. §§ 13-3401, 13-3408, 13-3418, 13-701, 13-702, and 13-801.

[redacted]

/s/ Marcus J Beecher
Deputy County Attorney

IN CUSTODY

[redacted] Agency: Phoenix Police Department

Complainant

Subscribed and sworn upon information and belief this 23 day of January, 2018.

mb

IN THE MANISTEE JP (GLENDALE) 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 JUSTIN MATHEW DAVIS DOB [redacted] BOOKING NO. T429461

ALIAS(ES) CASE NO. PF2018103460001

A. GENERAL INFORMATION

Charges
See Addendum (Page 3)

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: 2018-01-19
Arrest Location: [redacted]
Date: 2018-01-19 Time: 05:00

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? ROBB, THEFT, PON

Convictions? SEE ABOVE

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] PHOENIX, AZ
With whom
How long: _____years _____months _____days
6. What facts indicate the defendant will flee if released?
Explain: VIOL FEL PRIOR FELONY CONV

7. What facts does the state have to oppose an unsecured release? Explain:SEE ABOVE

D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)

1. ☒ Firearm or other weapon was used
Type: HANDGUN

☒ Someone was injured by the defendant

☒ Medical attention was necessary
Nature of injuries: VIC WAS PISTOL WHIPPED IN HEAD

2. ☒ Someone was threatened by the defendant
Nature and extent of threats: PISTOL WHIPPED VIC AND THEN POINTED GUN AT VIC''S CHEST

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:
5000

☒ 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 ☐ 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:

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

G. CIRCUMSTANCES OF THE ARREST (Check if applicable)

1. Did the defendant attempt to:

☒ Avoid arrest ☒ Resist arrest ☐ Self Surrender

Explain: FLED IN VEHICLE/RAN

2. ☒ Defendant was armed when arrested
Type: THRU GUN DURING FOOT PURSUIT WITH POLICE

3. ☒ Evidence of the offense was found in the defendant's possession
Explain: IN POSS OF METH AND NARC

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?
☐ Yes ☒ 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? METH AND NARC

☒ Drug field test completed

☒ Defendant admission of drug type
Approximate monetary value: $
3. Was any money seized?

☐ Yes ☒ No
Amount: $

I. ADDITIONAL INFORMATION

1. Military Service:

Has the defendant served in the military services of the United States? ☐ Yes ☒ No ☐ Unknown

If yes, currenlty 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?
☒ Yes ☐ No ☐ Unknown

3. Do you need the court to provide an interpreter to help communicate and to understand what is being said?
☐ Yes ☒ No

If so, what language:

Pursuant to AO 2003-046, the oath has been [illegible] pursuant to the law and required procedures.

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.

[redacted]	[redacted]	2018-01-19
ARRESTING OFFICER/SERIAL NUMBER	ARREST AGENCY/DUTY PHONE NUMBER	DATE
[redacted]	/	/
DEPARTMENTAL REPORT NO.	DEPARTMENTAL REPORT NO.	DEPARTMENTAL REPORT NO.

ADDENDUM

A. Charges

1 Cts. 13-3407A1 DANGEROUS DRUG-POSS/USE F4
1 Cts. 13-3408A1 NARCOTIC DRUG-POSSESS/USE F4
1 Cts. 13-1904A2 ARMED ROBBERY-THREAT USE WPN F2
1 Cts. 13-3102A4 POSS WPN BY PROHIB PERSON F4
1 Cts. 13-3102A7 POSSESS DEADLY/DEFACED WPN F6
1 Cts. 13-1304A4 KIDNAP-APPREHENSION OF INJURY F2
2 Cts. 13-1204 AGGRAVATED ASSAULT F3

B1. Probable Cause Statement

ON 1182018 AT APPROXIMATELY 2302 HOURS SUSPECT JUSTIN DAVIS AND HIS FRIEND, AN UNKNOWN BLACK MALE SUSPECT KNOWN TO THE VICTIM AS JERRY ENTERED THE BULL SHOOTERS BAR TOGETHER. APPROXIMATELY 30 MINUTES LATER THE VICTIM ENTERED THE BAR AND JOINED JUSTIN AND JERRY AT THE POOL TABLES. THE THREE MALES CONTINUED TO PLAY BILLIARDS UNTIL THEY LEFT THE BAR AT APPROXIMATELY 0130.THE VICTIM ADVISED HE WAS LEAVING AND WALKED TOWARDS HIS 2002 NISSAN MAXIMA AT WHICH TIME THE TWO SUSPECT FOLLOWED HIM TO HIS CAR. JUSTIN APPROACHED THE VICTIM AS HE WAS ENTERING HIS VEHICLE. JUSTIN ASKED THE VICTIM IF HE CAN GIVE HIM A RIDE HOME. THE VICTIM AGREED, TO GIVE JUSTIN A RIDE HOME EVEN THOUGH HE THOUGHT IT WAS ODD JUSTIN AND JERRY ARRIVED TOGETHER, IN JERRYS BLACK VOLKSWAGEN BUG, BUT ASKING HIM FOR A RIDE.THE VICTIM ALLOWED JUSTIN INTO HIS NISSAN MAXIMA. JUSTIN HAD TO SIT IN THE REAR SEAT DIRECTLY BEHIND THE VICTIM. THE VICTIMS FRONT PASSENGER SEAT HAD PREVIOUSLY BEEN REMOVED FROM THE CAR FOR AN UNRELATED REASON. JUSTIN INSTRUCTED THE VICTIM WHAT ROUTES TO TAKE AND DIRECTION TO DRIVE. ONCE THE VICTIM WAS AT 3549 W DUNLAP AVE. JUSTIN ASKED THE VICTIM TO PULL OVER SO HE CAN EXIT AND URINATE ON THE SIDE OF THE ROAD. THE VICTIM COMPLIED WITH THIS REQUEST. THE VICTIM THEN OBSERVED THE BLACK VOLKSWAGEN BUG PULL UP BEHIND HIS VEHICLE. AT THAT TIME JUSTIN PRODUCED A SILVER SEMIAUTOMATIC HANDGUN, WHICH HE HAD CONCEALED ON HIS PERSONS. JUSTIN WAS SITTING DIRECTLY BEHIND THE VICTIM, WHOM WAS POSITIONED IN HIS DRIVERS SEAT. JUSTIN POINTED THE A .25 CALIBER SEMIAUTO HANDGUN AGAINST THE RIGHT SIDE OF THE VICTIMS RIBS, WHILE REMAINING POSITIONED BEHIND HIM. JUSTIN DEMANDED THE VICTIM GIVE UP HIS WALLET AND BELONGINGS. THE VICTIM REFUSED TO COMPLY. JUSTIN THREATENED THE VICTIM BY TELLING HIM HIS WALLET IS NOT WORTH HIS LIFE. WHILE JUSTIN WAS MAKING THESE STATEMENTS TO THE VICTIM HE CHAMBERED A ROUND INTO THE GUN BY RACKING THE SLIDE BACK ON THE GUN. THE VICTIM HEARD JUSTIN RACK THE SLIDE SEVERAL TIMES SO HE WAS CONFUSED WHAT JUSTIN WAS DOING. THE VICTIM STILL REFUSED TO COMPLY WITH JUSTINS DEMAND. JUSTIN THEN PISTOL WHIPPED THE VICTIM IN THE BACK OF THE HEAD WITH THE HANDGUN IN HIS POSSESSION. THIS CAUSED A BLOODY LACERATION TO VICTIMS HEAD. WHILE JUSTIN WAS COMMITTING THE ARMED ROBBERY AND AGGRAVATED ASSAULT INSIDE THE VEHICLE, JERRY EXITED THE BLACK VOLKSWAGEN BUG AND APPROACHED THE DRIVERS SIDE WINDOW OF THE VEHICLE AND POINTED HIS SEMIAUTO HANDGUN AT THE VICTIMS HEAD. JERRY ALSO DEMANDED THE VICTIM TO GIVE UP HIS WALLET AND BELONGINGS. THE VICTIM CONTINUED TO RESIST THE DEMANDS OF THE SUSPECTS. JERRY AND JUSTIN ULTIMATELY FORCED THE VICTIM OUT OF HIS 2002 NISSAN MAXIMA. JERRY WAS ALSO ABLE TO GET THE VICTIMS KEYS AWAY FROM HIM.JUSTIN OCCUPIED THE DRIVERS SEAT OF THE VICTIMS CAR. JERRY THEN GAVE JUSTIN THE KEYS TO THE VICTIMS NISSAN MAXIMA. JUSTIN FLED THE SCENE EAST ON DUNLAP AVE TOWARDS THE FREEWAY IN THE VICTIMS NISSAN MAXIMA. JERRY FOLLOWED IN THE BLACK VOLKSWAGEN BUG. THIS INCIDENT WAS IMMEDIATELY REPORTED TO 911 BY THE VICTIM. DUE TO THE CLOSE PROXIMITY TO THE I17 FREEWAY, THE DEPARTMENT OF PUBLIC SAFETY, STATE TROOPERS WERE NOTIFIED OF THE INCIDENT. AT 0140 HOURS, PHOENIX DISPATCH WAS ADVISED DPS STATE TROOPER WATTS 7345 LOCATED THE SUSPECT VEHICLE AND ULTIMATELY ENDED UP IN A FOOT PURSUIT JUSTIN BAILED OUT OF THE VEHICLE AFTER HE WAS INVOLVED IN A SINGLE VEHICLE COLLISION WITH A TREE AT 9800 N 25TH AVE NEAR ROSE MOFFERD PARK. STATE TROOPER WATTS AND RESPONDING PHOENIX OFFICERS DETAINED JUSTIN AT THE SCENE WHERE THEY TOOK HIM INTO CUSTODY WITHOUT INCIDENT.THE VICTIM SUFFERED A SIGNIFICANT LACERATION TO HIS HEAD, WHICH REQUIRED PHOENIX FIRE TO RESPOND TO THE SCENE AND PROVIDE MEDICAL AID PRIOR TO HIM CONDUCTING A 1 ON 1 IDENTIFICATION. AFTER THE VICTIMS INJURIES WERE TREATED THE VICTIM WAS TRANSPORTED TO THE LOCATION WHERE

ADDENDUM (cont'd)

THE SUSPECT WAS DETAINED TO CONDUCT A 1 ON 1 IDENTIFICATION. AT 0209 HOURS THE VICTIM POSITIVELY IDENTIFIED JUSTIN DAVIS AS THE SUSPECT WHO COMMITTED THE AGGRAVATED ASSAULT, ARMED ROBBERY AND KIDNAPPING AGAINST HIM.SUSPECT JERRY WHO WAS DRIVING THE BLACK VOLKSWAGEN BUG HAS NOT BEEN LOCATED OR PROPERLY IDENTIFIED AT THIS TIME.DURING THE SEARCH OF THE SCENE WERE JUSTIN CRASHED THE VICTIMS VEHICLE INTO A TREE AND ATTEMPTED TO FLEE ON FOOT FROM POLICE A SILVER SEMIAUTOMATIC .25 CALIBER HANDGUN WITH A BLACK PISTOL GRIP WAS RECOVERED NEAR JUSTINS ARREST LOCATION.JUSTIN WAS TRANSPORTED TO PHOENIX POLICE HEADQUARTERS TO BE INTERVIEWED. DURING JUSTIN POSTMIRANDA INTERVIEW HE ADMITTED HE WAS WITH THE VICTIM IN THE CAR, BUT CLAIMED THE BLACK MALE JERRY WAS ACTUALLY THE ONE WHO COMMITTED THE ARMED ROBBERY. JERRY STATED HE TOOK THE VICTIMS CAR BECAUSE HE WAS SCARED. WHEN ASKED WHY HE FLED FROM LAW ENFORCEMENT AFTER WRECKING THE VICTIMS VEHICLE JUSTIN STATED HE DIDNT KNOW IT WAS THE POLICE CHASING HIM. JUSTIN DIDNT HAVE AN EXPLANATION FOR THE SILVER .25 CALIBER HANDGUN LOCATED NEAR HIS ARREST LOCATION. THIS WAS THE WEAPON THE VICTIM DESCRIBED JUSTIN HAVING DURING THE ARMED ROBBERY IN HIS VEHICLE.JUSTIN ADMITTED HIS CELL PHONE WAS LEFT IN THE VICTIMS CAR ON THE REAR FLOOR BOARD WHEN HE BAILED OUT AFTER THE SINGLE VEHICLE COLLISION INTO THE TREE.