



Affiant

APPENDIX "A"

1. Your affiant has been duly employed as a law enforcement officer for 26 years, and is currently employed with the Center Police Department, cross commissioned as a Saguache Deputy Sheriff, and was so employed at all times relevant to this affidavit. Your affiant compiled the information in this affidavit during the course of a criminal investigation. All locations in this affidavit are within Saguache County, Colorado unless specifically noted otherwise.
2. Affiant states the following, which establishes probable cause: Center Police Case #20-c00158, Aid to Other Agency

On Tuesday, May 26, 2020 at approximately 1530 hours, I was contacted by Sheriff Dan Warwick of the Saguache County Sheriff's Office. Sheriff Warwick was requesting an outside investigation into the activities of a Saguache County Deputy. The Deputy, Wayne Clark, was involved in the selling of a firearm in which the other party, identified as [REDACTED] had given Clark \$600 for a Springfield .45 XD. Clark agreed to sell the weapon but after receiving the money, backed out of the deal. Clark retained possession of the firearm and only returned \$100 to [REDACTED]. It was suspected that Deputy Clark may be engaged in some type of criminal activity. I agreed to assist Sheriff Warwick.

On Thursday, May 28, 2020, at 0800 hours, I made contact with [REDACTED] near his residence at [REDACTED], to obtain his statement. [REDACTED] stated that Clark was trying to gather money for a restaurant deal that his daughter (Clark's) was trying to start at the end of February or the beginning of March. Clark has many firearms and [REDACTED] was wanting to purchase a weapon. Clark showed [REDACTED] a .45 caliber Springfield XD. [REDACTED] and Clark agreed to a sum of \$600 for the sale of the gun. [REDACTED] initially had the \$400. Both parties agreed that Clark would hold the weapon until it could be paid in full.

On May 10, 2020, Clark drove [REDACTED] to Pueblo to pick up [REDACTED] Mother who had been hospitalized with a heart attack. [REDACTED] paid the remainder of the money owed on the gun. [REDACTED] was going to pick up the gun in a couple day after his mother was settled back into the residence. About a day and a half later (approximately May 12), Clark sent a text to [REDACTED] stating "we have to have a chat, I need to give you your money back". Clark advised [REDACTED] by phone call that [REDACTED] was under investigation and Clark could not sell the weapon. [REDACTED] was not upset about the deal but wanted to get the investigation squashed because he had not done anything wrong.

[REDACTED] made contact with Clark afterward via text on or about the 13th of May. He asked if he needed to get with Dan (Sheriff Warwick) to get the investigation going. [REDACTED] was still wanting the gun and believed if the investigation was concluded, he could still get the gun. Clark replied by text that [REDACTED] name got put down on paper. "It was always rumors before but now putting stuff down". Clark did not specify what the investigation was or why a report was being completed. Clark did advise [REDACTED] by text that he had not "turned it over yet" indicating the report had not been sent through the report writing process.

Around May 14th, [REDACTED] began texting Clark about getting his money back. Clark stated that he would not be able to get the money until the 17th of May. [REDACTED] understood that Clark would not have all the money and waited until the 17th to contact Clark again. Clark initially stated that he only had \$200 but changed that to \$100. Clark had told [REDACTED] that he would drop the money off but later changed the arrangement. [REDACTED] went to Clark's residence on May 18, where Clark had pinned \$100 his residence's door. This was because Clark was teaching some weapon's classes in Alamosa.

When [REDACTED] contacted Clark again over the money, Clark replied in a text to [REDACTED], "chatting with a few of your friends". There was no further explanation which led [REDACTED] to believe that the friends were related to someone snitching. This assumption was based upon a report being completed on an investigation and the friends may be the reporting party. [REDACTED] has tried calling Clark a couple of times but has not had contact with Clark since the 18th and [REDACTED] believes he is being bullied over the money owed.

[REDACTED] stated that he has known Clark for two years. [REDACTED] considers them as friends or close acquaintances. This is substantiated by Clark driving [REDACTED] to Pueblo to help with [REDACTED] mother, [REDACTED] has house-sitted for Clark on a several occasions and the two text daily. [REDACTED] stated that it was weird that Clark would not speak to him any longer.

WSW



MOTION

Robert Willett, District Attorney, within and for the Twelfth Judicial District, State of Colorado, hereby moves that a warrant issue for the arrest of the defendant above named.

By:



Robert Willett, District Attorney  
Attorney Reg. #45757

RSW

DISTRICT COURT  COUNTY COURT  
Saguache COUNTY, COLORADO  
Court Address: POB 197 - 4th & Christy Saguache, CO 81141  
719-655-2522

PEOPLE OF THE STATE OF COLORADO  
 v. Defendant:  In the Interest of: Juvenile:  
  
WAYNE CLARK

▲ COURT USE ONLY ▲  
Case Number:  
ML No. 20M80  
SID No.  
Division:

WARRANT

THE PEOPLE OF THE STATE OF COLORADO, TO ANY AUTHORIZED LAW ENFORCEMENT OFFICER WITHIN THE SAID STATE;

GREETINGS:

IT IS HEREBY ORDERED that a Warrant be issued for the arrest and detention of WAYNE CLARK, who is accused of an offense or violation based upon the following document filed with this court:

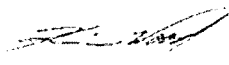
- Affidavit for Arrest  Complaint for Arrest  Probation Violation Complaint
- Indictment  Other: \_\_\_\_\_

This document was filed by Chief Dale E. Meek, Center PD and was filed on \_\_\_\_\_

WE THEREFORE COMMAND YOU forthwith to arrest and bring this person without unnecessary delay before said Judge, or in case of said Judge's absence, before any other Judge, to be dealt with according to law.

GIVEN UNDER MY HAND AND SEAL this  
Bail set at \$ per schedule \_\_\_\_\_

BY THE COURT:



Height: 6'3"      FBI No.:  
Weight: 250      SID No.:  
Hair Color: BLK      P.O.B.:  
Eye Color: GRN      MIS:  
DOB: 05/22/1967  
Race: w  
Sex: M  
Distinguishing Features: Receding Hair  
Last Known Address: 30 Denver Ave, Saguache, C) 81149  
Social Security No.: XXX-XX- 3404

