

Filed in the Combined Courts
Summit County

AFFIDAVIT IN SUPPORT OF WARRANTLESS ARREST

NOV 21 2016

By Kari D. Bryan, Clerk
DATE FILED: November 21, 2016
Summit County, Colorado

I, Sergeant Bryan Ridge, first being duly sworn upon oath depose and state that I am a peace officer of Colorado and I am employed by the Breckenridge Police Department, as a Police Officer.

This affidavit is made in support of the warrantless arrest of the defendant Daniel J. Pesch, Date of Birth 06-10-1983, on Nov 18, 2016, at 2:09 PM filed under case number 16-11239 with the Breckenridge Police Department for the crimes or offenses of:

<u>Statute</u>	<u>Charge</u>	<u>Class</u>
18-5-903.5(2)(b)	Criminal Possession of an Identification Document	F6
18-12-102(2) x2	Possession of Dangerous or Illegal Weapon	M1
42-4-1101(1)	10-19 Over Prima Facia Limit	TIA

On 11/18/16, at approximately 1:30PM, I, Sergeant Bryan Ridge with Sergeant Patrick Finley were conducting traffic enforcement on Highway 9 north of the Fairview Roundabout in Summit County, Colorado. We were positioned on the west side of the roadway facing south in a marked patrol vehicle. The purpose of the enforcement was to attempt to locate Daniel J. Pesch and conduct a traffic stop on him and his vehicle. A crime line tip reported that Pesch sells cocaine, meth, and pills. The traffic stop was an attempt to confirm or disprove the validity of the tip.

At approximately 1:30PM a vehicle matching the description of the one being owned by Pesch approached our location. The vehicle a black 1997 Toyota 4Runner with CO plates 140QXQ passed our location traveling 47mph in a posted 35 mph zone. The vehicle was driven by a white male with no other visible occupants. Sergeant Finley pulled in behind the vehicle and ran the plate on his MDC. The plate came back to Daniel J. Pesch. In the area of Highway 9 and Coyne Valley Road, Sgt. Finley activated his emergency overhead lights in order to conduct a traffic stop. The vehicle turned right onto Coyne Valley Road and pulled over on to the right should of the roadway.

I made contact with the driver of the vehicle identified by his Colorado driver's license as Daniel James Pesch. While Sgt. Finley requested Summit County Sheriff's K-9 deputy to respond to our location. I advised Pesch of the reason for the stop. Pesch stated he was "sorry" for the speed. I asked him for his license, registration and proof of valid insurance. Pesch was able to provide me with all documents except current proof of registration. I asked Pesch where he was traveling to and he explained he was heading to work at C.B. and Potts which is located in Breckenridge, Colorado.

At approximately 1:40PM, K-9 Deputy Nathan Opsahl arrived on scene. I made contact with Pesch and asked him to step out of his vehicle. He complied and came to the front of my marked patrol vehicle while Deputy Opsahl and his K-9 partner Danny began an open air sniff around the perimeter of Pesch's vehicle. At one point during the open air sniff, K-9 Danny alerted and jumped through the open driver's window of the vehicle continuing his sniff. At the conclusion of the sniff Deputy Opsahl advised that K-9 Danny had alerted on the exterior of the vehicle and during his interior sniff of the vehicle had again alerted on a box located in the rear passenger compartment.

After being provided this information I explained to Pesch that the K-9 had alerted on a box located inside his vehicle in the rear passenger compartment and asked if there are any drugs in the vehicle. Pesch stated there are no illegal drugs in his vehicle only prescription medications and vitamins that are located in his backpack. I advised him that given the results of the K-9 sniff, I would be entering his vehicle to complete a vehicle search. Pesch stated he understood.

Deputy Opsahl and I conducted a search of the vehicle's passenger compartments. During the search a Florida driver's license, one Michigan Driver's license and a Pennsylvania driver's license were located on the floor behind the front passenger seat. Pesch stated he did not know where the licenses came from or the people listed on the licenses.

In the front seat in Pesch's wallet a Florida driver's license belonging to Pesch was located. I asked Pesch about the license, he said it was an old license from when he lived in Florida.

Also in the front passenger seat area a retractable ASP baton was located on the floor board. I asked Pesch why he had the baton. He stated it is for when he plays air soft guns. I advised him the possession of the ASP baton is illegal. He stated he was not aware and again stated he only has it for when he participates in air soft.

After the completion of the vehicle search I advised Pesch that he was under arrest for the possession of the multiple driver's licenses and ASP baton. Sergeant Finley placed handcuffs on Pesch and Officer Johnson who had arrived on scene completed a search of his person for weapons. Pesch advised Officer Johnson he had a knife on his person. Officer Johnson removed the knife which is a spring assisted folding knife. Pesch was advised the spring assisted knife is an illegal weapon and would be confiscated.

Officer transported Pesch to the Breckenridge Police Department for further questioning and then to the Summit County jail for booking on the above stated charges.

/s/ [Signature]
AFFIANT

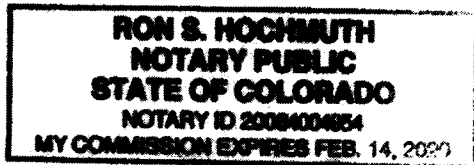
SUBSCRIBED AND SWORN TO ME THIS ____ DAY OF:.

/s/ [Signature] 02-14-2020

NOTARY PUBLIC

EXPIRATION DATE

~~DAN~~



[] REVIEWED AND PROBABLE CAUSE FOUND THIS ____ DAY OF ____, 2016 AT ____ HRS.

[] REVIEWED AND PROBABLE CAUSE NOT FOUND THIS ___ DAY OF ___, 2016 AT ___ HRS.

BY: Judge Rachel Olguin-Fresquez
JUDGE

