

GARTIN, STEVE, DOUGLAS
Defendant (Last, First, Middle)

3-20-49
D.O.B.

97-1709/97-3326
Agency Case No.

JEFFERSON COUNTY SHERIFF'S DEPARTMENT
Arresting Agency

2-26-97
Date of Arrest

CHARGE(S):	1. <u>VIOLATION OF RESTRAINING ORDER</u> (Charge)	<u>18-6-803</u> (Statute No.)	<u>M2</u> (Class)
	2. <u>VIOLATION OF RESTRAINING ORDER</u> (Charge)	<u>18-6-803</u> (Statute No.)	<u>M2</u> (Class)
	3. _____ (Charge)	_____ (Statute No.)	_____ (Class)
	4. _____ (Charge)	_____ (Statute No.)	_____ (Class)

AFFIDAVIT IN SUPPORT OF WARRANTLESS ARREST

Your affiant is of lawful age and a sworn peace officer of the Jefferson County Sheriff's Department, Golden, Colorado in the County of Jefferson.

Your affiant states that the following facts are true and based upon his/her personal knowledge, as a result of his/her conversations with the person(s) named herein and reviewing their written or oral statements. On February 26, 1997 at 2:46 p.m. (time), your affiant arrested Steve Douglas Gartin, whose date of birth is 3-20-49, for the crime(s) of Violation of a Restraining Order, which occurred at 5587 South Urban Street, in the County of Jefferson, State Colorado. The facts which developed the probable cause of this arrest are as follows:

On January 30, 1997, Jefferson County Sheriff's Department Deputy Grant Whitus responded to 5587 South Urban Street, County of Jefferson, State of Colorado, the residence of Markus B. Merritt, dob/1-16-63. Markus Merritt showed Deputy Whitus a copy of a restraining order that was issued on July 2, 1996, by the Honorable Judge Hoppin, Jefferson County Court Judge. The order was a permanent restraining order (Case Number 96C07386). The restraining order indicates that Steve Douglas Gartin, dob/03-20-49, was to have no contact with Markus B. Merritt. Markus Merritt told Deputy Whitus that on January 30, 1997, at 7:00 p.m., Steve D. Gartin called Markus B. Merritt's residence. Steve D. Gartin left a message on Markus B. Merritt's answering machine. The message was "This is Steven Gartin. Markus Merritt I know you, I know what you are and what you do. We'll have plenty of fun." Markus Merritt advised the voice on the answering machine was that of Steve Douglas Gartin.

Markus Merritt then played a telephone recorder tape to Deputy Whitus, which contained the above mentioned message.

ADDITIONAL

MAR 18 1997

Investigator Don Estep

Affiant's Name (print)

Affiant's Signature

Subscribed and sworn to before me this _____ day of _____, 199 _____.

Notary Public

Expiration Date

Deputy Whitus contacted Investigator Don Estep of the Jefferson County Sheriff's Department and requested Investigator Estep's assistance in locating Steve Douglas Gartin.

On February 25, 1997, at approximately 8:00 p.m., Jefferson County Sheriff's Department Deputy Rick Searle responded to 5587 South Urban Street. Deputy Searle met with Tamara A. Gartin, dob/11-23-59, Dolores Zehnder, dob/12-22-29, and Markus B. Merritt. All three of these individuals provided Deputy Searle with copies of Permanent Restraining Orders preventing Steve Douglas Gartin from contacting them. All of the restraining orders were signed by the Honorable County Court Judge Charles Hoppin, and assigned court case numbers 96C07386, 96C07387, and 96C07388.

Tamara Gartin and Markus Merritt told Deputy Searle that Steve Gartin made five telephone calls to their residence on February 25, 1997. The first call which occurred at approximately 3:40 p.m. was answered by Dolores Zehnder. Steve Gartin asked to speak to his children and was told by Dolores Zehnder that his children were not at home and she terminated the call.

The second call occurred at approximately 6:10 p.m. which was answered by Markus Merritt, who told Steve Gartin to call back at the scheduled time according to the divorce decree stipulations, and he terminated the call.

The third call occurred at approximately 6:12 p.m. and Steve Gartin asked to speak to Mike Zehnder. Markus Merritt answered this call and again told Steve Gartin to call back at the scheduled time and terminated the call.

The fourth call occurred at approximately 6:14 p.m. and Steve Gartin asked for Timothy Zehnder. Markus Merritt does not engage in conversation and terminates the phone call.

The fifth call occurred at approximately 6:15 p.m. where Steve Gartin asks to speak to Tamara Merritt. Tamara Merritt has no conversation and terminates the call.

ADDITIONAL

MAR 18 1997

Investigator Don Estep

Affiant's Name (print)

Affiant's Signature

Subscribed and sworn to before me this _____ day of _____, 199 _____.

Notary Public

Expiration Date

Tamara Merritt told Deputy Searle that she and Markus Merritt and Dolores Zehnder know Steve Gartin's voice and Tamara Gartin, Markus Merritt, and Dolores Zehnder told Deputy Searle that they recognized the voice on the telephone as that of Steve Gartin.

At about 8:10 p.m., while Deputy Searle was speaking to Tamara Gartin, Steve Gartin telephoned the residence. Markus Merritt answered the phone and then gave the phone to Deputy Searle and Deputy Searle spoke to Steve Gartin.

During this telephone conversation, Steve Gartin verbally identified himself to Deputy Searle. Deputy Searle asked Steve Gartin about the phone calls made to the residence earlier in the day. Steve Gartin told Deputy Searle that he did make telephone calls to the residence, and that there is no restraining order which prohibits this, as the only jurisdiction he answers to is the "Sovereign of Kingdom of God."

After concluding the telephone conversation with Steve Gartin, Deputy Searle accomplished a *57 trap. Upon contacting U.S. West Security, Deputy Searle was advised that the phone number trapped was 271-0609. This phone number listed to Guy Larsen at 1400 Golden Circle #108.

Deputy Searle contacted Investigator Estep and relayed this information to him.

On February 26, 1997, at approximately 1:14 p.m. Jefferson County Sheriff's Department Deputies contacted Guy Larsen, dob/6-13-55 by telephone. Guy Larsen came out of his residence and told deputies that Steve Gartin was inside the residence but refused to come out. Deputies made entry into the residence and took Steve Gartin into custody without incident.

ADDITIONAL

MAH 10 1997

Investigator Don Estep

Affiant's Name (print)

Subscribed and sworn to before me this 26 day of February, 199 7.

[Signature]
Affiant's Signature

[Signature]
Notary Public

7-6-98
Expiration Date