

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, CO 80202	DATE FILED: October 25, 2021 1:04 PM FILING ID: 2D7B72DCC06C9 CASE NUMBER: 2021CR1803
THE PEOPLE OF THE STATE OF COLORADO PLANTIFF, VS. ADRIAN ROCHA-CHAIREZ	<p style="text-align: center;">COURT USE ONLY</p>
PHILIP J. WEISER, Attorney General SARAH E. McCUTCHEON, Reg. # 33242 Senior Assistant Attorney General* FRED JOHNSON, Reg. # 42479 M. BRECK ROESCH, Reg. # 48037 NICHOLAS TREVINO, Reg. # 51127 Special Assistant Attorneys General* 1300 Broadway, 9 th Floor Denver, CO, 80203 (720) 508-6700 sarah.mccutcheon@coag.gov fjohnson@bouldercounty.org broesch@bouldercounty.org ntrevino@bouldercounty.org *Counsel of Record	Grand Jury Case No: 20CR0001 Div: Courtroom: 259
COLORADO STATE GRAND JURY INDICTMENT: 2020-2021 SESSION	

Of the 2020-2021 term of the Denver District Court in the year 2021, the 2020-2021 Colorado State Grand Jurors, chosen, selected, and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT 1 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT—
 PARTICIPATION IN AN ENTERPRISE—PATTERN OF RACKETEERING,
 C.R.S. § 18-17-104(3) [F2] **37284**

COUNT 2 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT—
PARTICIPATION IN AN ENTERPRISE—CONSPIRACY, C.R.S. § 18-17-
104(4) [F2] **37285**

COUNT 3 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 4 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 5 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 6 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 7 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 8 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 9 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 10 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 11 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 12 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 13 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 14 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 15 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 16 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 17 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 18 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 19 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 20 THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(H) [F5] **08A14**

COUNT 21 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 22 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 23 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

COUNT 24 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**

COUNT 25 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**

- COUNT 26 THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] **08A15**
- COUNT 27 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**
- COUNT 28 THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(G) [F5] **08A14**
- COUNT 29 SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] **06031**
- COUNT 30 THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(G) [F5] **08A14**
- COUNT 31 ATTEMPTED SECOND DEGREE BURGLARY - BUILDING,
C.R.S. 18-4-203(1) [F5] **06031A**

COUNT ONE
VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT—
PARTICIPATION IN AN ENTERPRISE—PATTERN OF RACKETEERING, C.R.S. § 18-17-
104(3) [F2] 37284

Between and including November 17, 2019 and June 10, 2020, in the State of Colorado, **Adrian Rocha-Chairez**, while employed by or associated with an enterprise as defined by § 18-17-103(2), C.R.S., as amended, namely: a group of individuals associated in fact, although not a legal entity, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity; in violation of sections 18-17-104(3) and 18-17-105, C.R.S.

COUNT TWO
VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT—
PARTICIPATION IN AN ENTERPRISE—CONSPIRACY, C.R.S. § 18-17-104(4) [F2] 37285

Between and including November 17, 2019 and June 10, 2020, in the State of Colorado, , **Adrian Rocha-Chairez** did unlawfully, feloniously, and knowingly conspire or endeavor to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity; in violation of section 18-17-104(4) and 18-17-104(3), C.R.S.

The offenses alleged in Count One and Count One Two were committed in the following manner:

THE ENTERPRISE

The Enterprise alleged in Counts One and Two was a group of individuals, associated in fact although not a legal entity. The individuals in this group include, but are not limited to the following: Maurice Leday, Austin Butler, Kevin Acosta-Larkin, Jason Quijada, Warren Nehring, Gregory Melina, Danny Montelongo, Gerald Garcia, Nehemiah Garcia, Kane Valdez, Chemaine Armijo, Jared Brooks, Gabriel Flood, Adrian Rocha-Chairez, Salvador Mena-Barreno, and other persons known, including but not limited to those indicted, or as yet unknown.

The above-named individuals were involved from time to time in racketeering activity described herein that was related to the conduct of the Enterprise. The conduct of the Enterprise was to illegally burglarize bicycle stores across the Front Range in order to steal high-end mountain bikes. These burglaries were typically accomplished between the hours of midnight and 6:00 a.m. After organizing a particular burglary via Facebook messenger, approximately two to four suspects in gloves and masks gained access to a particular business by using a rock to break a window or by breaching the business with a vehicle. The box truck or vans used in the commission of these burglaries were typically stolen a few hours prior. Upon entry, the suspects targeted high-end mountain bicycles, included carbon fiber bicycles. They did not steal more valuable road bicycles, cash, safes or other merchandise from the stores. The bicycles were then taken to a specific location, and given to a fence who then arranged for the bicycles to be transported for sale out of state, and possibly out of the country. The proceeds were then distributed amongst those involved,

who then used the proceeds to rent hotel rooms and purchase alcohol. On occasion, bicycles were not moved to the fence and were instead offered for sale by the thieves themselves.

Members of the Enterprise had specified roles and responsibilities. Maurice Leday coordinated over the phone with the fence, Rocha-Chairez, prior to committing a particular burglary. At times, Rocha-Chairez also dictated the number of bicycles needed for ultimate sale. Leday then recruited burglary participants in the days leading up to each burglary. Often, these participants were friends and acquaintances of his. This was usually done by using Facebook messenger. Leday accepted or denied participants in the burglaries, and also coordinated the collection of equipment needed, *e.g.* bolt cutters, screwdrivers, hammers, crowbars, gloves, or masks. Once a burglary crew was assembled, one or more of the participants would steal a vehicle, which was then used to surveil the chosen bike shop and commit the burglary. Once the burglary occurred, Maurice Leday met with the fence Rocha-Chairez to deliver the stolen bicycles—sometimes immediately following the burglary. Rocha-Chairez then would coordinate with Mena-Barreno for further sale of the stolen goods. Rocha-Chairez and Leday would again meet to exchange payment for the stolen bicycles. This money is then distributed amongst those who participated or provided assistance, *e.g.* a vehicle for transportation or temporary storage of stolen bicycles. The stolen vehicles used during the commission of the burglary were abandoned. The fences transported the stolen bicycles out of state and possibly to Mexico in a box truck that he owns in order to sell them.

The distribution chain amongst these individuals has operated repeatedly and supplied several other lower level thieves within the Enterprise. The Enterprise served as a source of income for the participants. The Enterprise has been operating since September, 2019.

PATTERN OF RACKETEERING ACTIVITY

Maurice Leday, Kevin Acosta-Larkin, Austin Butler, Adrian Rocha-Chairez, Salvador Mena-Barreno, and others known and unknown to the Grand Jury, directly and in concert, engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses, related to the conduct of the enterprise, with at least one of which took place in the State of Colorado after July 1, 1981 and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity and include:

Second Degree Burglary, § 18-4-203
Theft, § 18-4-401

RACKETEERING ACTIVITY

The acts of racketeering activity that the above-named persons committed, attempted to commit, conspired to commit, or solicited, coerced, or intimidated another person to commit, consist of the following predicate acts, all identified as counts listed below, including any lesser included offenses: Count Three through Count Thirty One are alleged as predicate acts for Counts One and Two. In addition, the offenses alleged in Counts One and Two were committed

in the manner described immediately below and described in the factual summaries in support of the following counts, incorporated by reference.

COUNT THREE

(Series 9, Foundation Cycles)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about December 4, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Foundation Cycles, located at 2140 S. Delaware Street, City and County of Denver, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT FOUR

(Series 9, Foundation Cycles)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about December 4, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Foundation Cycles with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Foundation Cycles permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Three through Count Four were committed in the following manner.

On December 4, 2019, suspect forced entry into Foundation Cycles, located at 2140 S. Delaware Street, City and County of Denver, by breaking a window and causing \$2,400 worth of damage to the window. Thereafter, suspects removed fifteen bicycles from the business valued at \$84,300. A witness observed an unknown white box truck in the area at the time of the burglary, as well as suspect wearing a black coat and black pants acting as a “look out.”

Investigators reviewed Facebook Messenger messages and other communications both prior to and following these burglaries. Statements by Maurice Leday, Danny Montelongo, Kane Valdez, Adrian Rocha-Chairez, Gerald Garica and with other associates all indicate that Maurice Leday and Danny Montelongo were responsible for the burglary at Foundation Cycles. (*See Exhibit 10, Slides 19-29; Grand Jury Testimony July 15, 2011, pages 118-127, 162.*)

COUNT FIVE
(Series 10, Giant Cycling World)
SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about December 9, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Giant Cycling World, located at 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT SIX
(Series 10, Giant Cycling World)
THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about December 9, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Giant Cycling World with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Giant Cycling World permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Five through Count Six were committed in the following manner.

On or about December 9, 2019 suspects stole a white 2011 Ford F350 box truck, Arizona license plate AEO2811, VIN 1FDXE4FS8ADA75048, valued at \$20,000 and belonging to U-Haul, from a U-Haul parking lot located at 4849 S. Santa Fe Drive, City of Littleton, Arapahoe County. Thereafter, suspects forced entry into the Giant Cycling World, located at 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County, by breaking a window with rocks. The damage to the window and interior merchandise incurred during the forcible entry was estimated at \$3,060. Surveillance video also captured two suspects inside the store: one black male wearing all black, gray gloves, and black face mask, and one light skinned male wearing black and gray clothing, gray gloves, and face mask featuring a skull. The suspects then removed thirteen bicycles from the business valued at \$24,248. Surveillance video captured the suspects loading the bicycles into a U-Haul truck. The license plate of that vehicle was not visible on the video; however, the logo on the side of the truck was consistent with the vehicle stolen from the U-Haul parking lot. Significantly, the distance between the U-Haul parking lot referenced above and Giant Cycling World is 3.4 miles.

On December 10, 2019, the Adams County Sheriff's Office recovered the stolen U-Haul truck at 8150 Ivy Street, Adams County. The vehicle was running and unoccupied at that time. Officers noted significant damage to the steering column and ignition, valued at \$1,390.49. The recovery location was in the proximity of 8790 Brighton Road, Adams County, which is a location where Leday was known to have met with Adrian Rocha-Chairez for the purpose of retrieving

stolen bicycles. This location is also in the vicinity of Adrian Rocha-Chairez's known residence, located at 6500 E. 88th Avenue, Adams County.

Notably, Leday and Rocha-Chairez exchanged multiple phone calls immediately following the burglary of Giant Cycling World. Investigators reviewed Facebook Messenger messages and other communications both prior to and following these burglaries. Statements by Maurice Leday, Gerald Garica and other associates indicate that Maurice Leday was responsible for the burglary at Giant Cycling World. (*See Exhibit 11, Slides 1-11; Grand Jury Testimony July 15, 2021, pages 127-138.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (*See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.*)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (*See Exhibit 16, page 4; Grand Jury Transcript, September 30, 2021, pages 15-17.*)

COUNT SEVEN

(Series 11, Boulder Cycle Sport)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about December 18, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Boulder Cycle Sport, located at 4850 Broadway, City and County of Boulder, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT EIGHT

(Series 11, Boulder Cycle Sport)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about December 18, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned

money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Boulder Cycle Sport with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Boulder Cycle Sport permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Seven through Count Eight were committed in the following manner.

On December 18, 2019, suspects forced entry into Boulder Cycle Sport, located at 4850 Broadway, City and County of Boulder, by breaking a window with rocks, causing \$1,600 worth of damage. Suspects then entered the business and removed seventeen bicycles valued at \$84,550. A witness observed two masked and gloved suspects, wearing hooded sweatshirts, passing bicycles from inside the business to suspects outside the business. The investigation revealed there was also a U-Haul truck and a second vehicle parked near the business at the time of the burglary.

Phone records revealed that Leday and Adrian Rocha-Chairez, and Rocha-Chairez and Salvador Mena-Barreno exchanged several phone calls prior to and following the burglary. Investigators reviewed Facebook Messenger messages and other communications both prior to and following these burglaries. Statements by Maurice Leday, Gerald Garica and other associates indicate that Maurice Leday was responsible for the burglary at Boulder Cycle Sport. Cell phone tower records also indicate that Rocha-Chairez traveled near 8790 Brighton Road, Adams County in the hours following the burglary for the purpose of retrieving stolen bicycles for subsequent sale and transport by Mena-Barreno. (*See Exhibit 11, Slides 12-18; Grand Jury Testimony July 15, 2021, pages 138-147.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (*See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.*)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (*See Exhibit 16, page 4; Grand Jury Transcript, September 30, 2021, pages 15-17.*)

COUNT NINE
(Series 12, Specialized Bicycle Experience)
SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

Between and including December 23 and December 24, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Specialized Bicycle Experience, located at 5600 Airport Road, City and County of Boulder, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TEN
(Series 12, Specialized Bicycle Experience)
THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

Between and including December 23 and December 24, 2019, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Specialized Bicycle Experience with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Specialized Bicycle Experience permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Nine through Count Ten were committed in the following manner.

Between and including December 23 and 24, 2019, suspects forced entry into Specialized Bicycle Experience, located at 5600 Airport Boulevard, City and County of Boulder, by breaking a window with rocks, causing \$2,000 worth of damage. Thereafter, the suspects removed nine bicycles from the business valued at \$73,000. Surveillance video revealed a U-Haul box truck with an unknown license plate in the area of the business at the suspected time of the burglary.

Phone records revealed that Leday and Rocha-Chairez, exchanged several phone calls prior to and following the burglary. Investigators also reviewed Facebook Messenger messages and other communications both prior to and following these burglaries. Statements by Maurice Leday, Gerald Garica and other associates indicate that Maurice Leday and Gerald Garcia were responsible for the burglary at Specialized Bicycle Experience. Video and photographs received from Facebook depict Leday and Garcia with large amounts of cash between and including December 24 through December 30, 2019. Facebook communications also indicate that Leday and Garcia rented a hotel room on or about December 24, 2019, where they are depicted in photos with large amounts of cash and expensive bottles of alcohol. (*See Exhibit 12, Slides 1-16; Grand Jury Testimony July 15, 2021, pages 147-161.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between

August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 4; Grand Jury Transcript, September 30, 2021, pages 15-17.)

COUNT ELEVEN

(Series 13, Boulder Cycle Sport)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about January 19, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Boulder Cycle Sport, located at 4850 Broadway, City and County of Boulder, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWELVE

(Series 13, Boulder Cycle Sport)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about January 19, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Boulder Cycle Sport with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Boulder Cycle Sport permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Eleven through Count Twelve were committed in the following manner.

On or about January 19, 2020, suspects forced entry into Boulder Cycle Sport, located at 4850 Broadway, City and County of Boulder, by breaking a window with a rock, causing \$900 worth of property damage to that business. Thereafter suspects removed eight bicycles valued at \$50,000. A witness observed a U-Haul without an unidentified license plate truck in the area of the business at the time of the burglary. Officers also observed a U-Haul truck leaving the City of

Boulder shortly after the burglary and committing traffic violations; however, no pursuit of the suspect vehicle was initiated at that time. This same business was burglarized in a similar manner on or about December 18, 2019 (described above).

Phone records revealed that Leday and Rocha-Chairez, and Rocha-Chairez and Mena-Barreno, exchanged several phone calls and/or text messages prior to and following the burglary. Investigators also reviewed Facebook Messenger messages and other communications both prior to and following these burglaries. Statements by Maurice Leday, Gerald Garica, Derrick Aranda and other associates indicate that Maurice Leday and Gerald Garcia were responsible for this burglary at Boulder Cycle Sport. Call detail records indicate that following the burglary Leday communicated with Rocha-Chairez, and thereafter Rocha-Chairez's location moved to the vicinity of 8790 Brighton Road, Adams County for the purpose of retrieving stolen bicycles for subsequent sale and transport by Mena-Barreno. In addition, following his communications with Leday after the burglary, Rocha-Chairez also communicated with Mena-Barreno.

Video and photographs received from Facebook depict Leday and Garcia with large amounts of cash on January 19, 2020. Facebook communications also indicate that Leday and Garcia rented a hotel room after the burglary. (*See Exhibit 14, Slides 14-23; Grand Jury Testimony, September 23, 2021, pages 21-36.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (*See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.*)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (*See Exhibit 16, page 5; Grand Jury Transcript, September 30, 2021, pages 17-18.*)

COUNT THIRTEEN

(Series 15, Evergreen Bicycle Outfitters)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about February 20, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of 29017 Hotel Way, #C101,

City of Evergreen, Jefferson County with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT FOURTEEN

(Series 15, Evergreen Bicycle Outfitters)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about February 20, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Evergreen Bicycle Outfitters with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Evergreen Bicycle Outfitters permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Thirteen through Count Fourteen were committed in the following manner.

On or about February 20, 2020, suspects forced entry to Evergreen Bicycle Outfitters, located at 29017 Hotel Way, C#101, City of Evergreen, Jefferson County, by breaking a window causing approximately \$9,727.50 worth of property damage. Thereafter, suspects entered the business and removed eleven bicycles valued \$67,550, and bicycle glasses and other cycling accessories valued at \$4,723.64 (\$72,273.64 total). A witness identified a white panel van at the scene at the time of the burglary, but the vehicle was not subsequently identified.

Investigators reviewed Facebook Messenger messages and other communications both prior to and following the burglary of Evergreen Bicycle Outfitters. Statements by Maurice Leday, Adrian Rocha-Chairez, Nehemiah Garcia, and other associates indicate that Leday and Nehemiah Garcia were responsible for this burglary. Phone records revealed that Rocha-Chairez and Mena-Barreno exchanged several phone calls and/or text messages prior to and following the burglary, and Rocha-Chairez's location moved to the vicinity of 8790 Brighton Road, Adams County for the purpose of retrieving stolen bicycles for subsequent sale and transport by Mena-Barreno. (*See Exhibit 14, Slides 45-50; Grand Jury Testimony, September 23, 2021, pages 48-66.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income

other that selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 6; Grand Jury Transcript, September 30, 2021, pages 18-20.)

COUNT FIFTEEN

(Series 16, Evergreen Bicycle Outfitters)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about February 26, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of 29017 Hotel Way, #C101, City of Evergreen, Jefferson County with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT SIXTEEN

(Series 16, Evergreen Bicycle Outfitters)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about February 26, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Evergreen Bicycle Outfitters with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Evergreen Bicycle Outfitters permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Fifteen through Count Sixteen were committed in the following manner.

On or about February 26, 2020, suspects forced entry to Evergreen Bicycle Outfitters, located at 2901 Hotel Way, #C101, City of Evergreen, Jefferson County, through a window. Notably, this same business had previously been burglarized on February 20, 2020, as described above. The suspects entered the business by removing the plywood that had been previously placed over the window broken the earlier burglary. Thereafter, the suspects removed sixteen bicycles valued at \$67,376.27. A witness observed two large white vans, used by three to four suspects, in the area at the time of the burglary.

Phone records revealed that Leday and Rocha-Chairez, and Rocha-Chairez and Mena-Barreno, exchanged several phone calls and/or text messages prior to and following the burglary. Leday contacted Rocha-Chairez immediately after the burglary, and Rocha-Chairez's located moved from his residence to the location at 8790 Brighton Road, Adams County. Rocha-Chairez made multiple calls to Mena-Barreno at that time. Leday and Rocha-Chairez continued to

communicate in the days following the burglary. On or about February 28, 2020, a photo of Leday sent from Leday to Gerald Garcia depicts Leday with a large sum of cash.

Investigators reviewed Facebook Messenger messages and other communications both prior to and following the burglary of Evergreen Bicycle Outfitters. These communications indicate that Leday recruited Kevin Acosta-Larkin to participate in this burglary. Phone records also reveal that the physical location of Kevin Acosta-Larkin's phone was in the area of Evergreen Bicycle Outfitters immediately after the burglary, and then its location moved across the greater Denver metropolitan area in the direction of the 8790 Brighton Road location. (See Exhibit 14, Slides 51-64; Grand Jury Testimony, September 23, 2021, pages 67-74.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 6; Grand Jury Transcript, September 30, 2021, pages 18-20.)

COUNT SEVENTEEN

(Series 17, Giant Cycling World)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about March 24, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Giant Cycling World, 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County, located at with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT EIGHTEEN

(Series 17, Giant Cycling World)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about March 24, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or

exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Giant Cycling World with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Giant Cycling World permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Seventeen through Count Eighteen were committed in the following manner.

On or about March 24, 2020, suspects forced entry into Giant Cycling World, located at 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County by breaking a window with bolt cutters. Thereafter, suspects removed fifteen bicycles from the business valued at \$31,193.50. Surveillance video from the store depicted three suspects involved in the burglary, as well as the presence of an unidentified U-Haul truck and a white van with the Colorado license plate CUO 866. The white van was abandoned at the scene of the burglary. Significantly, this same location had been previously burglarized in December 2019 in a similar manner as described above.

Subsequent investigation revealed that the van, a white 2013 Chevrolet 210 passenger van, Colorado license plate, VIN 1FBNE3BL0DDA84484, valued at \$11,000, belonged to Denver Public Schools and registered to Colorado High School Charter Osage. Further, the van had been last seen at 1175 Osage Street, City and County of Denver, and was stolen at an unknown time. At the time of recovery, officers noted that the van had a damaged and/or “punched” ignition.

Phone records revealed that Leday and Rocha-Chairez exchanged several phone calls and/or text messages prior to and following the burglary. Investigators also reviewed Facebook Messenger messages and other communications both prior to and following the burglary of Giant Cycling World. These communications indicate that Leday recruited Kevin Acosta-Larkin to participate in this burglary. Phone records also indicate that Leday’s phone was in the area of theft of the van from the Osage Street location less than one hour prior the burglary of Giant Cycling World on March 24, 2020. After the burglary, Leday’s phone location moved to the area 8790 Brighton Road, Adams County. Notably, this location detail is based on a phone call from Leday to Rocha-Chairez. Similarly, on the early morning of March 24, 2020, the location of Rocha-Chairez’s phone moved from the area of his residence to the vicinity of 8790 Brighton Road. Facebook records also indicate that following the burglary, Leday rented a hotel room, consistent with the pattern described above.

Facebook messages also demonstrate that following the burglary, Leday and Acosta-Larkin coordinated to sell a bicycle consistent with a make and model of bicycle stolen from Giant Cycling World on March 24, 2020. The communications indicate that Leday and Acosta-Larkin sold the bicycle and divided the proceeds. (*See Exhibit 14, Slides 64-79; Grand Jury Testimony, September 23, 2020, pages 74-100.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as

Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 7; Grand Jury Transcript, September 30, 2021, pages 20-22.)

COUNT NINETEEN

**(Series 18, REI, Cars Remember When, Fay Myers, Havana Auto Parts, Sun Enterprises)
SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031**

On or about April 15, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of REI, located at 1416 N. Platte Street, City and County of Denver, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWENTY

**(Series 18, REI, Cars Remember When, Fay Myers, Havana Auto Parts, Sun Enterprises)
THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(H) [F5] 08A14**

On or about April 15, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of REI with the value of five thousand dollars or more but less than twenty thousand dollars, and intended to deprive Giant Cycling World permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Nineteen through Count Twenty were committed in the following manner.

Between and including April 14 to April 15, 2020, suspects stole a white 2005 Ford Econoline E350 passenger van, Colorado license plate 407 NOS, VIN 1F8NE31L95HA45985, valued at \$10,000 and belonging to Mile High Youth Corp. from 953 Decatur Street, City and County of Denver. Mile High Youth Corp. was unaware of the theft until notified by law enforcement following recovery of the vehicle on April 16, 2020 at the scene of a burglary

discussed below. Mile High Youth Corp. estimated that the vehicle had been stolen on or about April 15, 2020.

On or about April 15, 2020, at approximately 3:15 a.m., surveillance video captured the Mile High Youth Corp. van (license plate 407 NOS) in the parking lot of Florence Crittenton High School, 55 Zuni Street, City and County of Denver. The surveillance video further depicts two suspects removing a back seat from the van. One of the suspects visible on the video is wearing a blue hooded sweatshirt with "Champion" written on the front, jeans, gloves, a mask, and red shoes. At one point on the video, the suspect removes his mask. A close-up of the suspect with his mask off resembles Maurice Leday. Further, social media photos and videos show Leday wearing a blue Champion hooded sweatshirt and red shoes consistent with the suspect observed with the Mile High Youth Corp. (license plate 407 NOS) passenger van.

On April 15, 2020 at 4:53 a.m., suspects forced entry into the REI, located at 1416 Platte Street, City and County of Denver, by using a crowbar and sledgehammer to break a door. Thereafter, suspects removed two bicycles valued at \$8,794 from the business. The sledgehammer was recovered from the scene. One suspect at the REI wore the same clothing as the suspect in the Florence Crittenton parking lot surveillance video described above. In addition, on or about April 15, 2020, the Mile High Youth Corp. passenger van (license plate 407 NOS) was photographed by a photo red light camera at the intersection of Arapahoe Road and Yosemite Street, in the City of Greenwood Village. The photograph of the driver of the van at that time resembled Leday, including that the driver is wearing a long sleeve blue shirt consistent with the blue Champion hooded sweatshirt described above.

On April 16, 2020 at 1:42 a.m., suspects forced entry into Cars Remember When, located at 4505 S. Santa Fe Drive, unincorporated Arapahoe County, by crashing a van through the gate and a garage door of the business. Surveillance video from that business captured the van used to force entry, and the van observed on the video is the Mile High Youth Corp. passenger van (license plate 407 NOS). The same surveillance captured two suspects in dark clothing and bandanas covering their faces. The forcible entry into the business caused \$33,500 worth of damage to the gates, garage door, and vehicles parked on the showroom floor. The suspects fled the business in the Mile High Youth Corp. passenger van (407 NOS) without taking any property from the store. One black glove and the front bumper of the Mile High Youth Corp. passenger van (license plate 407 NOS) with the license plate still affixed were left inside the store at the time the suspects fled.

On or about April 16, 2020, at 3:57 a.m., suspects cut a padlock and entered into an enclosed/fenced outdoor storage area of Fay Meyers Motorcycle World, located at 9700 E. Arapahoe Road, City of Greenwood Village, Arapahoe County, causing approximately \$600 worth of damage to the gate. Surveillance video captured the suspects arriving in a 2011 Ford Ranger truck, Colorado license plate 506 XBY, VIN 1FTKR1AD6BPA17451, valued at \$10,000 and registered to Havana Auto Parts. In the video, logos for "auto parts" and a phone number are visible on the truck. The suspects next attempted to steal a 4-wheeler ATV, a 2017 Yamaha 700 cc valued at \$7,999, and a trailer, a 2020 4 pl trailer valued at \$3,999, but were unsuccessful. While leaving Fay Myers Motorcycle World, the suspects backed the Havana Auto Parts truck into a side-by-side utility vehicle belonging to Fay Myers, causing approximately \$1,035 worth of damage.

Following the Fay Myers burglary, investigators visited the Havana Auto Parts store, located at 9640 E. Arapahoe Road, City of Greenwood Village, Arapahoe County. Importantly, this auto parts store is located approximately one block from Fay Myers Motorcycle World. There officers discovered that the business was missing a 2011 Ford Ranger truck (Colorado license plate 506 XBY). In addition, the office observed the Mile High Youth Corp. passenger van (Colorado license plate 407 NOS) abandoned, and still running. Officers noted damage to the vehicle, including a “punched” ignition, broken windshield, and damaged side. From inside the van, officers also recovered a sign for a “Guerilla Gravity” bicycle consistent with a bicycle stolen from REI on April 15, 2020.

On or about April 16, 2020, at 4:48 a.m., suspects forced entry to Sun Enterprises, located at 8876 Pearl Street, City of Thornton, Adams County. Suspects removed three vehicles from that business: (1) a 2016 Honda CRF250R dirt bike, VIN JH2ME1033GK300124, valued at \$5,995; (2) a 2019 Honda Talon 1000x side by side utility vehicle, VIN 1HFVE0517K4002578, valued at \$19,999; and a 2020 Echo EUTV-10-13 trailer, VIN 5PSBA101XL105535B4, valued at \$2,500. A witness familiar with Havana Auto Parts observed their truck (Colorado license plate 506 XBY) in the area of 45th Avenue and Lincoln Street, City and County of Denver. The truck was subsequently recovered with fresh damage consistent with the previous collision at Fay Myers Motorcycle World.

Phone records revealed that Leday and Rocha-Chairez exchanged several phone calls and/or text messages between April 14 and April 22, 2020. Leday’s phone records also place him in the vicinity of 8790 Brighton Road on April 15, 2020 after exchanging phone calls with Rocha-Chairez. Investigators also reviewed Facebook Messenger messages and other communications both prior to and following the burglaries at REI, Cars Remember When, Fay Myers Motorcycle World, and Sun Enterprises. Leday’s Facebook Messenger messages on April 14 and April 15, 2020 indicate that he was seeking a flathead screwdriver. This tool is consistent with damage to ignitions observed in the Mile High Youth Corp. passenger van, (license plate 407 NOS) upon recovery. Leday’s phone records also place his phone in the physical vicinity of 953 Decatur Street on April 15, 2020 at 12:31 a.m., *i.e.* the location of the theft of the Mile High Youth Corp. passenger van (license plate 407 NOS).

Facebook Messenger messages between Leday, Acosta-Larkin, Kane Valdez and other associates indicate that Leday and Acosta-Larkin were together on April 15 and April 16, 2020 and were responsible for the burglaries, thefts, and motor vehicle thefts at REI, Cars Remember When, Fay Myers Motorcycle World, Havana Auto Parts, and Sun Enterprises. Additional messages between Leday, Acosta-Larkin and other associates between April 16 and April 19, 2020 reference a “dirt bike,” a “side by side,” and a trailer. These communications include references to attempts by Leday and/or Acosta-Larkin to sell the vehicles, and are consistent with the earlier burglary at Sun Enterprises. Further, videos and photos shared via social media between and including April 17 and April 18, 2020 depict Leday and Gerald Garcia riding in a side by side utility vehicle consistent with a vehicle taken from Sun Enterprises. Messages from Leday at this time indicate that he is attempting to sell the UTV for \$1,500.

Between and including April 21 and April 22, 2020, a white 2011 Ford Econoline E250 van, Colorado license plate CVR 271, VIN 1FTNE2EW8DA69823, valued at \$10,000, was stolen from a parking lot at 1801 N. Federal Boulevard, City and County of Denver. This passenger van also belonged to Mile High Youth Corp. Facebook Messenger messages and other communications between Leday, Acosta-Larkin, Gerald Garcia, and Kane Valdez, indicate that Leday, Gerald Garcia, and Kane Valdez were responsible for the theft of this second van from Mile High Youth Corp. (See Exhibit 14, Slides 79-105; Grand Jury Testimony, September 23, 2021, pages 100-28.)

On or about May 1, 2020, officers recovered the Mile High Youth Corp. passenger van (Colorado license plate CVR 271) near Bylers Place and Jay Street, City of Lakewood, Jefferson County. At the time of recovery, officers noted two bicycles in the rear of the van. (See Exhibit 14, Slide 130; Grand Jury Testimony, September 23, 2021, pages 162-163.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 8; Grand Jury Transcript, September 30, 2021, pages 22-23.)

COUNT TWENTY ONE

(Series 19, The Bikery)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about April 25, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of The Bikery, located at 2994 Brewery Lane, City of Littleton, Arapahoe County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWENTY TWO

(Series 19, The Bikery)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

On or about April 25, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of The Bikery with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive The Bikery permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Twenty One through Count Twenty Two were committed in the following manner.

Between and including April 24 and April 25, 2020, a suspect stole a white 2008 Ford Econoline E-450 box truck, Arizona license plate AD64894, VIN 1FDXE45S08DB16008, valued at \$45,000 and registered to U-Haul Moving and Storage, from 2000 W. Colfax Avenue, City and County of Denver. Surveillance video from the business captured the vehicle leaving its lot. A suspect on the same video is seen for approximately twenty minutes prior to the stolen truck exiting the lot and entering multiple vehicles.

On or about April 25, 2020, a suspect forced entry into The Bikery, located at 2994 Brewery Lane, City of Littleton, Arapahoe County, by cutting locks at the doors of the shop. Thereafter, the suspect removed thirteen bicycles valued at \$49,499.87. Surveillance video captured one suspect and a truck consistent with the U-Haul truck described above at the scene. A screen capture from that video shows the suspect with a facial likeness resembling Leday. In addition, the suspect has a neck tattoo partially visible which is consistent with Leday. The suspect is also wearing a distinctive pair of dark colored gloves displaying "Franklin."

The shop's alarm system alerted and law enforcement responded to the store. A responding officer observed the suspect to be a black male in a red hooded sweatshirt prior to the suspect fleeing in the U-Haul truck. Law enforcement officers pursued the truck after the burglary. Eight bicycles consistent with those stolen from The Bikery fell from the vehicle during pursuit. Prior to the termination of the pursuit, officers observed a partial license plate of "AB64" on the fleeing truck, consistent with the stolen U-Haul truck described above (Arizona license plate AD64894).

Approximately forty minutes after The Bikery burglary, the stolen U-Haul truck (Arizona license plate AD64894) was recovered following a multi-vehicle accident in the 1000 block of Inca Street, City and County of Denver. Witnesses described the driver of the truck fleeing the scene as wearing a red hooded sweatshirt. Officers also located four bicycles in the rear of the truck consistent with those stolen from The Bikery. In addition, a cell phone was recovered from outside the driver's door of the truck. Officers later identified the cell phone as belonging to Leday. Officers processed the vehicle for latent fingerprints and recovered a fingerprint from the driver's side door that was identified as belonging to Leday.

Investigators also reviewed Facebook Messenger messages and other communications after The Bikery burglary between Kevin Acosta-Larkin, Gerald Garcia and other associates. Those communications reference Leday being involved in a “chase” with police. Phone records also revealed that Leday communicated with Rocha-Chairez prior to the burglary. (See Exhibit 14, Slides 108-114; Grand Jury Testimony, September 23, 2021, pages 128-140.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno’s bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (See Exhibit 16, page 9-10; Grand Jury Transcript, September 30, 2021, pages 23-27.)

COUNT TWENTY THREE

(Series 20, Redstone Cyclery)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

Between and including April 25 and April 26, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Redstone Cyclery, located at 355 Main Street, City of Lyons, Boulder County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWENTY FOUR

(Series 20, Redstone Cyclery)

THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

Between and including April 25 and April 26, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Redstone Cyclery, Daniel Martinez, and Kris Harrison, with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive

Redstone Cyclery, Daniel Martinez, and Kris Harrison permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Twenty Three through Count Twenty Four were committed in the following manner.

Between and including April 24 and April 25, 2020, a white 2006 Ford Econoline E350 passenger van, Colorado license plate 797 MPV, VIN 1FBNE31L26HA15356, valued at \$10,000 and belonging to Mile High Youth Corp., was stolen from 1801 N. Federal Boulevard, City and County of Denver. Significantly, this is the second Mile High Youth Corp. passenger van stolen from this location, and the third Mile High Youth Corp. van stolen overall, as described above.

On April 26, 2020, a white Ford passenger van with markings consistent with Mile High Youth Corp. was engaged in an eluding incident with Denver Police Department Officer T. Kaufmann. The eluding incident began in the area of N. Broadway St. and 14th Avenue, in the City and County of Denver. On that date at approximately 3:27 a.m., Officer Kaufmann observed the van run a red light at that intersection. Officer Kaufmann activated his emergency lights and sirens on his marked patrol vehicle in an attempt to contact the van. In response, the van fled, traveling in the westbound in eastbound lanes of travel. Officer Kaufmann terminated the pursuit for safety reasons and did not contact the vehicle.

Between and including April 25 and April 26, 2020, suspects forced entry in Redstone Cyclery, located at 355 Main Street, City of Lyons, Boulder County, by throwing a rock through a window causing approximately \$2,000 worth of property damage. Thereafter, the suspects removed five bicycles valued at \$29,800 total from the shop. Three of the bicycles stolen belonged to the shop and were valued \$15,800. One of the bicycles stolen belonged to customer Daniel Martinez and was valued at \$7,000. The final bicycle stolen belonged to customer Kris Harrison and was valued at \$7,000.

On or about April 27, 2020, law enforcement recovered the Mile High Youth Corp. passenger van (license plate 797 MPV) at 1827 North Grant Street, City and County of Denver. A review of surveillance video from the surrounding area indicated that the vehicle was parked in that location on or about April 26, 2020. Officer Kaufmann responded to the location and confirmed that it was the same vehicle involved in the eluding incident described above. Further, surveillance video obtained from the surrounding area at the time the vehicle was parked captured two individuals walking away from van at the time it was parked. Based on the appearance and clothing of the suspects as compared to previously obtained photographs and videos, the suspects were identified as Leday and Acosta-Larkin. Notably, Leday is wearing dark "Franklin" gloves consistent with the prior burglary at The Bikery described above. In addition, Leday appears to be carrying a large sum of cash. Upon recovery, the ignition of the van had been damaged and/or "punched" and the rear seat was missing. Officers processed the van for any items of evidentiary value, and recovered a cigarette butt, and a black glove. Subsequent forensic testing of the cigarette butt revealed a mixed DNA profile with a "moderate stringency match" consistent with the DNA profile of Kevin Acosta-Larkin.

Investigators reviewed Facebook Messenger messages and other communications before and after the Redstone Cyclery burglary between Maurice Leday, Kevin Acosta-Larkin, Gerald Garcia and other associates. These communications indicate that Leday and Acosta-Larkin planned and committed the Redstone Cyclery burglary. Phone records also show multiple communications between Rocha-Chairez and Acosta-Larkin, and Rocha-Chairez and a phone belonging Kane Valdez both before and after this Redstone Cyclery burglary. Importantly, Leday had previously abandoned his phone, as described above. Phone records also show the physical location of Acosta-Larkin's phone moving from his known residence in Denver to North Boulder, near Highway 36, *i.e.* a main throughfare between Boulder and Lyons, and later returning to Denver, during the relevant time frame. Phone records also show the physical location of Rocha-Chairez's phone moving from this known residence to the location at 8790 Brighton Road during the relevant time frame. Rocha-Chairez also exchanged communications with Salvador Mena-Barreno during this time frame. (*See* Exhibit 14, Slides 115-131; Grand Jury Testimony September 23, 2021, pages 140-164.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (*See* Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (*See* Exhibit 16, page 9-10; Grand Jury Transcript, September 30, 2021, pages 23-27.)

COUNT TWENTY FIVE
(Series 21, Totally Wired)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

Between and including April 30 to May 1, 2020, in the State of Colorado unlawfully, **Adrian Rocha-Chairez** feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Totally Wired, located at 543 Zerex Street, Town of Fraser, Grand County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWENTY SIX
(Series 21, Totally Wired)
THEFT - \$20,000 - \$100,000, C.R.S. 18-4-401(1),(2)(H) [F4] 08A15

Between and including April 30 to May 1, 2020, in the State of Colorado unlawfully, **Adrian Rocha-Chairez** feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles of Totally Wired, with the value of twenty thousand dollars or more but less than one hundred thousand dollars, and intended to deprive Totally Wired permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Twenty Five through Count Twenty Six were committed in the following manner.

Between and including April 30 and May 1, 2020, suspects forcibly entered Totally Wired, located at 543 Zerex Street, Town of Fraser, Grand County, by breaking a deadbolt and prying a door open. Thereafter, suspects removed seven bicycles from the business valued at \$40,000. One of the bicycles stolen was an orange and black Scott brand mountain bicycle.

During the same time frame, suspects stole two 196cc dirt bikes from the sidewalk outside of the Murdoch's store, located at 541 Zerex Street, Town of Fraser, Grand County. That store is located within the same block as Totally Wired. The suspects stole the dirt bikes by cutting a cable lock that secured them to a post on the sidewalk outside the store. The dirt bikes were valued at \$550 and \$650 each. Surveillance video from the Murdoch's store on May 1, 2020 captured the suspect van and suspects involved in the Totally Wired burglary and Murdoch's theft. The video captures a dark blue or black van parking briefly at both stores, and two suspects engaged in the theft of the dirt bikes from Murdoch's. The suspect that exits the driver's side of the van is wearing light colored shoes, dark pant, a white face mask, gloves, and blue hooded sweatshirt consistent with the Champion sweatshirt worn by Leday around the time of the REI burglary described above.

On or about May 1, 2020, Town of Fraser police officers also located several passenger van seats consistent with late 2000s model Ford Econoline passenger vans near the Totally Wired and Murdoch's stores in the Town of Fraser. This behavior is consistent with Leday and Acosta-Larkin removing the seats of passenger vans prior to the burglary of the REI store described above.

Investigators reviewed Facebook Messenger messages and other communications before and after the Totally Wired burglary between Maurice Leday, Kevin Acosta-Larkin, Jared Brooks, Rocha-Chairez and other associates. These communications indicate that Leday and Acosta-Larkin committed the Totally Wired burglary and theft from Murdoch's, and Jared Brooks assisted with delivery of the stolen items to Rocha-Chairez. Phone records show that between and including April 30 to May 1, 2020, the physical location of Acosta-Larkin's phone moved from his residence to the area of Winterpark, *i.e.* in the vicinity of the Town of Fraser. In addition, investigators obtained geofence data for area of the Totally Wired and Murdoch's stores for a limited period of time during the early morning hours of May 1, 2020, and confirmed that Acosta-Larkin's cell phone was identified as being in the designated area during that time. Also, following

the burglary, the location of Rocha-Chairez's phone moved to the 8790 Brighton Road location, and he exchanged calls with Mena-Barreno. Thereafter, phone records, Facebook Messenger messages, and other communications indicate that Leday received payment from Rocha-Chairez on or about May 5, 2020, and Rocha-Chairez and Mena-Barreno also communicated around this time. (See Exhibit 17, Slides 1-17; Grand Jury Testimony, October 7, 2021, pages 1-20.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

COUNT TWENTY SEVEN

(Series 22, Giant Cycling World)

SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about May 7, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Giant Cycling World, located at 7301 S. Santa Fe Drive, Arapahoe County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT TWENTY EIGHT

(Series 22, Giant Cycling World)

THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(G) [F5] 08A14

On or about May 7, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles and other merchandise of Giant Cycling World with the value of five thousand dollars or more but less than twenty thousand dollars, and intended to deprive Giant Cycling World permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

The offenses committed in Count Twenty Seven through Count Twenty Eight were committed in the following manner.

On May 7, 2020, suspects forced entry into the Giant Cycling World store, located at 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County by removing plywood that had been used to secure windows broken during prior burglaries. Notably, this location had been previously burglarized on or about December 19, 2019 and March 24, 2020 by the same group, as described above. Surveillance video from the business showed the suspects arriving at the location in a white Ford Econoline passenger van with an unidentified license plate. The suspects then removed bench seats from the van and abandoned them in the parking lot. As a result of the prior burglaries, many of the bicycles in the store were better secured; however, the suspects were able to remove bicycles valued at \$8,700.

Investigators reviewed Facebook Messenger messages and other communications before and after Giant Cycling World burglary between Maurice Leday, Kevin Acosta-Larkin, Gregory Melina, Adrian Rocha-Chairez, Salvador Mena-Barreno, and other associates. These communications indicate that Leday and Acosta-Larkin committed this burglary. The store surveillance video also showed two suspects enter the store who had consistent appearances and clothing with known photographs and social media images of Leday and Acosta-Larkin. Phone records also placed the physical location of Acosta-Larkin's phone in the vicinity of the burglary in the early morning hours of May 7, 2020. Phone records showed Rocha-Chairez's phone's location as moving from his residence to the 8790 Brighton Road location, and then to the vicinity of Mena-Barreno's known residence in the hours after the burglary. (See Exhibit 17, Slides 17-31; Grand Jury Testimony October 7, 2021, pages 20-31.)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.)

COUNT TWENTY NINE

(Series 24, U-Haul Store, Giant Cycling World, Guerilla Gear Bicycles) SECOND DEGREE BURGLARY - BUILDING, C.R.S. 18-4-203(1) [F4] 06031

On or about May 21, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly broke an entrance into, entered, or remained unlawfully after a lawful or unlawful entry in the building or occupied structure of Giant Cycling World, located at 7301 S. Santa Fe Drive, Arapahoe County, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S.

COUNT THIRTY

(Series 24, U-Haul Store, Giant Cycling World, Guerilla Gear Bicycles)

THEFT - \$5,000 - \$20,000, C.R.S. 18-4-401(1),(2)(G) [F5] 08A14

On or about May 21, 2020, in the State of Colorado **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly, without authorization or by threat or deception, obtained, retained, or exercised control over; or knowing or believing it to have been stolen, received, loaned money by pawn or pledge on, or disposed of, a thing of value, namely: bicycles and other merchandise of Giant Cycling World with the value of five thousand dollars or more but less than twenty thousand dollars, and intended to deprive Giant Cycling World permanently of their use or benefit; in violation of section 18-4-401(1)(a), (2)(h), C.R.S.

COUNT THIRTY-ONE

(Series 24, U-Haul Store, Giant Cycling World, Guerilla Gear Bicycles)

ATTEMPTED SECOND DEGREE BURGLARY - BUILDING,

C.R.S. 18-4-203(1) [F5] 06031A

On or about May 26, 2020, in the State of Colorado, **Adrian Rocha-Chairez**, by engaging in conduct constituting a substantial step toward the commission of Second Degree Burglary, **Adrian Rocha-Chairez** unlawfully, feloniously, and knowingly attempted to break an entrance into, enter, or remain unlawfully after a lawful or unlawful entry in the building or occupied structure of Guerrilla Gear Bicycles, located at 2301 N. Bryant Street, City and County of Denver, with the intent to commit therein the crime of Theft; in violation of section 18-4-203(1), C.R.S. and 18-2-101, C.R.S.

The offenses committed in Count Twenty-Nine through Count Thirty-One were committed in the following manner.

On or about May 21, 2020, suspects forced entry into the U-Haul Store located at 2000 W. Colfax, City and County of Denver, by breaking a window. Thereafter, the suspects removed a set of vehicle keys from behind the counter that belonged to a U-Haul truck in the adjacent parking lot. The suspects then entered and drove away the U-Haul truck from that parking lot, a white 2020 Chevrolet Silverado pickup truck, Arizona license plate AJ97260, VIN 3GCNWAEF3LG229862, valued at \$30,000.00. Surveillance video from inside the U-Haul store captured two suspects entering the store, consistent in appearance and clothing with prior images of Leday and Acosta-Larkin.

On or about May 21, 2020, suspects arrived at the Giant Cycling World, located at 7301 S. Santa Fe Drive, City of Littleton, Arapahoe County, in a white Chevrolet pickup truck with U-Haul logos. While a surveillance video from the business captured the arrival of the vehicle, no license plate was visible. The suspects then used bolt cutters to enter to break the front glass door to the store, causing approximately \$3,000 worth of damage. Importantly, this location had previously been burglarized on December 19, 2019, March 24, 2020, and May 7, 2020, as described above. The suspects then removed three bicycles from the store, valued at \$7,165. The clothing of the suspects inside of the Giant Cycling World was consistent with clothing of the

suspects inside of the U-Haul Store on Colfax as seen on surveillance video from the businesses, and the two burglaries occurred a little over an hour apart. Around the time of this Giant Cycling World burglary, a witness at The Bikery bicycle shop, located at 2994 Brewery Lane, City of Littleton (the site of a prior burglary as described above), reported that a white pick up truck with an orange strip pulled into the shop's parking lot, turned around, and left. The description of this vehicle is consistent with the truck stolen from the U-Haul store earlier that morning.

On or about May 26, 2020, suspects attempted to forced entry into the Guerilla Gear Bicycles shop, located at 2301 N. Bryant Street, City and County of Denver, by ramming a vehicle into a garage style door and causing \$2,500 worth of property damage. Ultimately, no items, bicycles or other merchandise were removed from the store. Surveillance video from the area captured a suspect vehicle consistent in appearance with the U-Haul pick up truck stolen on May 21, 2020. Officers recovered the U-Haul pickup truck (Arizona license plate AJ97260) on or about June 1, 2020 in the 2700 block of W. Ellsworth (Archer Alley), in the City and County of Denver. At the time of recovery, officers noted broken glass in the back of the truck bed, as well as within the passenger compartment.

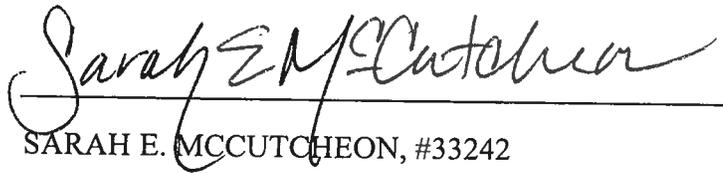
Investigators reviewed Facebook Messenger messages and other communications before and after the U-Haul Store, Giant Cycling World, and Guerilla Gear burglaries between Kevin Acosta-Larkin, Adrian Rocha-Chairez, Salvador Mena-Barreno, and other associates. Phone records show that after the burglaries on May 21, 2020, Rocha-Chairez's phone moved from his residence to the vicinity of Acosta-Larkin's residence, and then moved to the vicinity of Mena-Barreno's residence. (*See Exhibit 17, Slides 38-59; Grand Jury Testimony, October 7, 2021, pages 37-57.*)

Investigators determined that Salvador Mena-Barreno had a white 2009 Ford Econoline box truck (Colorado license plate AAC N78) registered in his name. Investigators further noted that this box truck had made multiple crossings at the United States/Mexico border between August 2019 and August 2020. The driver of the vehicle during these crossings was identified as Luis Saenz. Border records revealed that during this same time period, Saenz had crossed the border a total of 158 times in a vehicle, and 9 times on foot. During an interview with law enforcement in December 2020, Mena-Barreno stated that for employment he buys items locally and sells them at a flea market in El Paso, Texas. He further claimed that he frequently bought bicycles from online sources such as Craigslist, OfferUP and local flea markets, but denied buying bicycles from the same individuals regularly. Mena-Barreno described traveling to Texas once or twice a month to sell items, and once a week pre-Covid. Mena-Barreno also denied that his truck crosses the border south into Mexico. Mena-Barreno denied having significant sources of income other than selling items at the flea markets in Texas. (*See Exhibit 9, Slides 1-11; Grand Jury Testimony March 11, 2021, pages 10-13, 21-23.*)

Mena-Barreno's bank records show large cash deposits made in El Paso, Texas, and cash withdrawals made in the Denver metro area coinciding with this burglary series. (*See Exhibit 16, page 11-13; Grand Jury Transcript, September 30, 2021, pages 28-39.*)

PHILIP J. WEISER

Attorney General



SARAH E. MCCUTCHEON, #33242

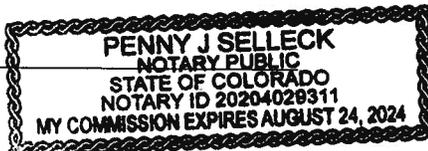
Senior Assistant Attorney General

Subscribed to before me in the City and County of Denver, State of Colorado, this

01st day of October, 2021.


Notary Public

My commission expires: _____



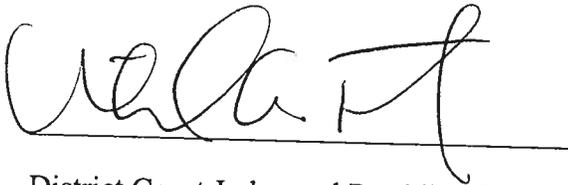
The 2020-2021 Colorado Statewide Grand Jury presents the Indictment contained within, with the Foreperson's signature affixed to each True Bill, and the same is hereby ORDERED FILED this ____ day of October, 2021.

Pursuant to § 13-73-107, C.R.S., the Court designates Boulder County, Colorado as the county of venue for the purposes of trial.

Warrants to issue:

ADRIAN ROCHA-CHAIREZ, BOND SET AT 500,000.00 ^{cash} C/S/P

*Secure all property, submission of GPC, no contact with G.A.
and any out ~~state~~ state also submit authorization,
no possession weapons*



District Court Judge and Presiding Judge for the Statewide Grand Jury

Second Judicial District,

State of Colorado

10/20/2021