

EXHIBIT 1

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Jul. 21, 2010

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POLICE SHOOTING: Affidavit errors raise questions

21-year-old killed in raid did not have long arrest record

By LAWRENCE MOWER
LAS VEGAS REVIEW-JOURNAL

Las Vegas police say they thought Trevon Cole was a hard-core drug dealer with a long record of arrests in Texas and California when they broke down his apartment door and pointed a gun at his head last month.

They were wrong.

Cole, 21, was unarmed when he was killed by a single rifle round fired by Detective Bryan Yant, who a week before the raid swore under oath that Cole had a "lengthy criminal history of narcotics sales, trafficking and possession charges" in Houston and Los Angeles.

But Cole's record in his native California was limited to a conviction for misdemeanor unlawful taking of a vehicle. He probably never even visited Houston.

Investigators might have confused him with another Trevon Cole -- one with a different middle name who is seven years older, at least three inches shorter and 100 pounds lighter, records show. That Trevon Cole has several marijuana-related arrests in Houston, all misdemeanors.

The errors in the affidavit will raise questions about Yant's credibility next month when he tells a coroner's inquest jury why he shot Cole, an attorney representing the dead man's family said.

"It's not like it's some inaccurate e-mail he (Yant) wrote," Andre Lagomarsino said of the affidavit. "It's a sworn statement he's signing off on in front of a judge. He's swearing that everything is truthful and accurate."

Police said Cole made a "furtive movement" during the June 11 raid on Cole's apartment on Bonanza Road near Eastern Avenue. Police have not elaborated on the circumstances surrounding the shooting. Cole's fiancée said he had his hands in the air when Yant shot him once in the head.

Undercover detectives had bought marijuana from Cole four times over five weeks, a total of 1.8 ounces for \$840, according to the affidavit. Both Yant and the undercover detective positively identified Cole as the dealer, the document said.

But Yant, in the affidavit to Judge Diana Sullivan in support of a warrant to search Cole's apartment, gave the impression that police thought they were going after a serious drug dealer. He noted that "almost all" people who sell drugs maintain "sophisticated and elaborate" records and that police expected to find those records, with guns and other drug paraphernalia.

Police found no such records. Nor did they find any weapons. They did seize an unspecified amount of marijuana and \$702. Cole's fiancée, Sequioa Pearce, said the cash was rent money. She recently had pawned her jewelry for \$350, according to a copy of the EZ Pawn receipt.

Why Yant thought Cole was a longtime drug dealer with a record is unclear.

A spokeswoman for the Los Angeles County district attorney's office confirmed that her office has never filed anything against him. Officials in Harris County, Texas, did not respond to a records request in time for this story, but a Review-Journal search for court records there came up empty.

Lagomarsino said Cole had never been to Houston, anyway.

Las Vegas police Sgt. Dan Coe, who is also a licensed attorney, teaches officers how to prepare and execute warrants. He couldn't speak specifically about Yant's warrant because he didn't oversee it, but he said that verifying background information on criminals can be particularly difficult for officers because criminals often hide that information.

Officers use the best information they have at the time, Coe said, and incorrect information can find itself in front of a judge signing off on a warrant.

"There are mistakes in warrants. I've made mistakes in my own warrants," Coe said. "It's ultimately up to the court if it's an intentional, material misrepresentation -- in layman's terms, whether or not the officer lied."

Judges can, and do, review warrants after they've been served. They have the ability to overturn the warrant, which can banish any evidence police might have obtained while serving the warrant, Coe said.

Gary Peck, a longtime critic of police practices, said errors in Yant's affidavit do not mean the detective was intentionally dishonest. But he said they raise questions about police institutional and individual competency.

"Judges rely on the veracity and accuracy of what they're told by police officers when deciding whether to issue search warrants," Peck said. "If the police fail to deliver in these regards, then our system of constitutional checks on their power breaks down and there is good reason for the public to be concerned."

The misinformation might even have affected the mindset of the officers as they burst into the apartment that night, said David Klinger, a criminal justice professor at the University of Missouri-St. Louis and a former Los Angeles police officer.

"If I'm going after a guy who's been described to me as a big-time dope dealer ... that's a very different situation from one where it's some punk selling dime bags out of his car," he said.

Big-time drug dealers, even if they're just selling marijuana, are known to carry weapons to defend themselves and their drugs, he said. An officer serving a warrant on such a person will be more likely to expect the person to be a threat.

Lagomarsino said the family has not filed a lawsuit against the department. He said he awaits the outcome of the Clark County coroner's inquest, which is scheduled for Aug. 20.

Contact reporter Lawrence Mower at lmower@reviewjournal.com or 702-383-0440.

Find this article at:

<http://www.lvrj.com/news/affidavit-errors-raise-questions-98905769.html>



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POLICE SHOOTING: Affidavit errors raise questions 12 diggs

Posted by Richard J. Rawlings
 Saturday, 24 July 2010 17:16

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By LAWRENCE MOWER
 LAS VEGAS REVIEW-JOURNAL
 Jul. 21, 2010



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ON THE WEB
 Copy of search warrant

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Contact reporter Lawrence Mower at lmower@reviewjournal.com or 702-383-0440.

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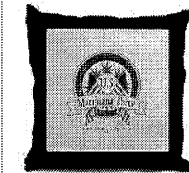
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Legalize Marijuana, How would you vote?

Yes
 No



The Bunker in Sunnyland

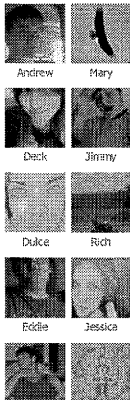
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
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Wall Post

- charitoldb added

Last Updated on Saturday, 24 July 2010 17:17

Discuss (2 posts)



RichRawlings


Re:POLICE SHOOTING: Affidavit errors raise questions

#174

Jul 24 2010 22:59:14

A 21 year old kid gets killed over less than 2 ounces of marijuana. Holding people on marijuana charges, and denying them bail. How are you fucks sleeping at night? Keep this shit up and I'll tell you how you will be sleeping, with one eye open!

The shit that is happening right now, is blowing my mind!!!



Suzi

Re:POLICE SHOOTING: Affidavit errors raise questions

#181

Aug 04 2010 08:31:38

Seriously??? 3 inches shorter??? 100 lbs lighter??? The 3 inches maybe... if you weren't seeing straight, but 100 lbs lighter??? That's the difference between night and day! May the powers that be rightfully strip this lackluster excuse for a human of his purported integrity.

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- PRESS RELEASE: CannabisHabitacion Colorado RichRawlings 22.8.2010 20:20
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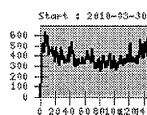
a new wall entry -
08/17/2010

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- Ellie_Reinhardt added a new wall entry - 08/17/2010
- StormyMonday added a new wall entry - 08/12/2010
- hostgator added a new wall entry - 07/28/2010
- Jayelle added a new wall entry - 07/22/2010

056259

Today	303
Yesterday	572
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All Days	56259



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EXHIBIT 4

-APPLICATION-

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Certification

Name: Steven A. Gibson

Date: September 2, 2010

Applicant's Tracking Number: 0002057

Registration #:

Service Request #: 1-481234623

Application Date: 09-02-2010 20:13:07

Correspondent

Organization Name: Righthaven LLC

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