

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

DCTN: U13028564

Lockup No:

Case No: 13CRW3249

COMPLAINT

District of Columbia ss:

Defendant's Name: Marvin Mathew Moore 438257 13135149  
 (First) (MI) (Last) (PDID) (CCNO)

Also Known As: Psycho  
 (First) (Middle) (Last)

Address: DELAFIELD PLACE, NW, WASHINGTON, DC

Marvin M. Moore, within the District of Columbia, while armed with a knife, and with the intent to kill another and to inflict serious bodily injury on another and with a conscious disregard of an extreme risk of death or serious bodily injury to another, caused the death of Timothy Benjamin by stabbing him with a knife on or about September 21, 2013, thereby causing injuries from which Timothy Benjamin died on or about September 21, 2013. (Second Degree Murder While Armed, in violation of 22 D.C. Code, Sections 2103, 4502 (2001 ed.))

Co-Defendants:

SUPERIOR COURT OF THE  
 DISTRICT OF COLUMBIA  
 CRIMINAL DIVISION  
 FILED  
 2013 SEP 25 PM 3 53

[Signature]  
 Affiant's Name

Subscribed and sworn to before me this 25 day of September, 2013  
[Signature]  
 (Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for MARVIN MATHEW MOORE

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge

Issued Sept. 25, 2013 [Signature]  
 Judge - Superior Court of the District of Columbia

Title 16:  Rule 105:  Judge: \_\_\_\_\_

Sex: Male	DOB: 10/28/1976	CCN: 13135149	PDID: 438257
Papering Officer: Jonathan Shell			Badge No.: D2-164

OFFICER MUST EXECUTE RETURN

Officer's Name:	Date / Time: September 25, 2013
AUSA Signature:	Fel. I <input type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

7700 585 375



**Superior Court of the District of Columbia**  
CRIMINAL DIVISION

**AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT**

USW NO.:

DEFENDANT'S NAME: Moore, Marvin Mathew				NICKNAME: Psycho		ALIASES:		CCN: 13-135149	PDID: 438-257
SEX: Male	RACE: Black	DOB: 10/28/76	HGT: 6'00"	WGT: 200	EYES: Brown	HAIR: Black	COMPL: MEDIUM	SCARS, MARKS, TATOOS	
DEFENDANT'S HOME ADDRESS: ██████████ Delafield Place, NW						TELEPHONE NUMBER: Unknown			
DEFENDANT'S BUSINESS ADDRESS:						TELEPHONE NUMBER:			
COMPLAINANT'S NAME: Benjamin, Timothy						TELEPHONE NUMBER:			
LOCATION OF OFFENSE: Rear of 5301 Georgia Avenue, NW						DATE OF OFFENSE: 09/21/2013		TIME OF OFFENSE: 0041 hrs	
<b>CAUTION AND MEDICAL CONDITIONS (CMC)</b> Select a valid CMC code below for wanted person when using the caution indicator.									
<input checked="" type="checkbox"/> X 00 = Armed and Dangerous					<input type="checkbox"/> 55 = Alcoholic				
<input checked="" type="checkbox"/> X 05 = Violent Tendencies					<input type="checkbox"/> 60 = Allergies				
<input type="checkbox"/> 10 = Martial Arts Expert					<input type="checkbox"/> 65 = Epilepsy				
<input type="checkbox"/> 15 = Explosive Expertise					<input type="checkbox"/> 70 = Suicidal				
<input type="checkbox"/> 20 = Known to abuse drugs					<input type="checkbox"/> 80 = Medication Required				
<input type="checkbox"/> 25 = Escape Risk					<input type="checkbox"/> 85 = Hemophiliac				
<input type="checkbox"/> 30 = Sexually Violent Predator					<input type="checkbox"/> 90 = Diabetic				
<input type="checkbox"/> 50 = Heart Condition					<input type="checkbox"/> 01 = Other				
<b>GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:</b>									
<p>1. SUMMARY: On Saturday, September 21, 2013, at approximately 0041 hours, MARVIN MOORE, a/k/a 'PSYCHO' [herein after referred to as DEFENDANT], and TIMOTHY BENJAMIN [hereinafter referred to as DECEDENT] were in an alley which runs parallel to the 5300 block of Georgia Avenue, NW. During the course of the investigation it was determined that the DEFENDANT and the DECEDENT were engaged in a verbal argument as they walked in the alley. During the course of the investigation it was determined that behind a building which carries an address of 5301 Georgia Avenue, NW, the argument turned physical during which the DEFENDANT stabbed the DECEDENT multiple times resulting in his death.</p> <p>2. INVESTIGATION: At 0041 hours, officers of the Metropolitan Police Department [MPD] were on patrol in the 5300 block of Georgia Avenue, NW and observed W-1 and the DECEDENT on a small covered porch next to 5301 Georgia Avenue, NW. The officers stopped to investigate and observed the DECEDENT to be unconscious. The officers radioed for assistance.</p> <p>3. The District of Columbia Fire &amp; Emergency Medicals Services [FEMS] responded to the scene and Medic #24 transported the DECEDENT to Washington Hospital Center's MedStar Unit where the DECEDENT was rushed into emergency surgery. Life-saving efforts were futile and the decedent was pronounced dead at 0225 by Dr. ASHLEY HUMPHRIES. The DECEDENT's remains were transported to the Office of the Chief Medical Examiner (OCME) where an autopsy was performed.</p> <p>4. On 09/21/2013, Dr. NIKKI MOURTZINOS performed an autopsy on the DECEDENT and determined the cause of death as multiple sharp force injuries and ruled the manner of death was a homicide.</p> <p>5. On 09/24/2013, W-1 reported that on the night of the stabbing and murder, the DEFENDANT and the DECEDENT were walking in an alley which runs parallel to the 5300 block of Georgia Avenue, NW and the two were engaged in a verbal argument about who W-1 was going home with that night. W-1 stated that IT told the DEFENDANT AND DECEDENT that W-1 was going home with the DEFENDANT. As they continued to walk, their voices became more raised. During the argument, W-1 heard the DECEDENT say words to the effect, "put your hands</p>									

Approved by [Signature] 9/25/13 NCC Approved



up," as if inviting the DEFENDANT to fight. W-1 heard scuffling and observed the DEFENDANT strike the DECEDENT multiple times in quick succession about the body and the DECEDENT raise his hands in a defensive posture and repeatedly state, "Get the fuck off me." W-1 reported while IT was in the alley the only other people in the alley were the DEFENDANT and the DECEDENT.

6. W-1 reported that IT heard the DECEDENT raise his voice which IT described as sounding "like a man scream." W-1 yelled at the DEFENDANT and the DECEDENT to stop fighting and the DEFENDANT stopped hitting the decedent. W-1 stated that IT never saw the DECEDENT assault the DEFENDANT, rather IT observed the DECEDENT with his hands in a defensive posture. IT reported that the DECEDENT appeared "wobbly" and that the DECEDENT tried walking south down the alley. W-1 reported that IT observed the DECEDENT bleeding.

7. W-1 reported that the DEFENDANT and IT moved the DECEDENT to a covered entrance on the side of 5301 Georgia Avenue, NW and laid him down. W-1 reported that IT placed ITS hand on the DECEDENT'S torso and felt two lacerations which were bleeding. [The autopsy did reveal two stab wounds to the torso.] W-1 reported that IT began applying pressure to the wounds and looked up at the DEFENDANT and observed him fold close a black handled knife and put the knife in his pants pocket.

8. W-1 reported that IT attempted to call 911 and as IT did so, W-1 asked the DEFENDANT words to the effect, "What did you do?" W-1 stated the DEFENDANT replied words to the effect, "I poked him." W-1 reported that the DEFENDANT wanted W-1 to leave with him but W-1 reported that IT wanted to stay and help the DECEDENT. W-1 reported that the DEFENDANT left the area.

9. On September 24, 2013, W-1 was played two 911 calls which were received by the Office of Unified Communications for the District of Columbia [OUC] from the DECEDENT'S cellular telephone on September 21, 2013 at 0036 hours and at 0038 hours. While listening to the 911 calls, W-1 identifies ITS voice, the voice of the DEFENDANT and the voice of the DECEDENT on the call. W-1 identified the DEFENDANT as voice that stated "I POKED HIM."

10. W-1 stated that IT knows the DEFENDANT by the name 'PSYCHO.' W-1 reported that earlier the DEFENDANT told IT that he had been out of jail for approximately a week. W-1 reported that once IT accompanied the DEFENDANT as the DEFENDANT walked home. W-1 reported that the DEFENDANT walked towards a house in the 400 block of Delafield Place, NW at which point the two separated and W-1 did not actually see the DEFENDANT enter a residence. W-1 described the DEFENDANT as a black male with a medium complexion and a light beard almost like a 5 o'clock shadow who is approximately 5'11" tall and has a strong physical build. W-1 further described the DEFENDANT as wearing a skully, an orange and white button up plaid shirt, jeans and black shoes the night of the murder of the DECEDENT.

11. During the course of the investigation, Homicide Detectives went to the house which W-1 had indicated the DEFENDANT had walked towards just prior to the two going their separate ways. Police learned that an INDIVIDUAL who visits that residence was recently released from jail. That person's photograph was placed in a nine-person photo array and shown to W-1. W-1 did not identify anyone and indicated that the person who stabbed the decedent was not depicted.

12. Further investigation revealed that MARVIN MOORE, a black male with a date of birth of 10/28/1976 and a PDID of 438-257 is known as 'PSYCHO'. Homicide Branch members learned that MARVIN MOORE resides at 434 Delafield Place, NW. Moreover, a check of the records revealed that the DEFENDANT had been released from jail on September 9, 2013.

13. A nine person photo array was prepared in which a photograph of MARVIN MOORE, PDID: 438-257, was included. The array was given to two Homicide Detectives who did not know the target [double blind]. The two Homicide Detectives presented the array to W-1. Upon seeing the array, W-1 identified the photograph depicting MARVIN MOORE, PDID: 438-257, as PSYCHO, the individual that stabbed the DECEDENT twice.

14. W-1 stated that during the day leading up to the stabbing, IT had shared a bottle of liquor with the DECEDENT and later had four beers. Prior to September 24, 2013, W-1 was interviewed twice by law enforcement. W-1 initially did not disclose that the fight occurred in the alley and the subject matter of the argument. Also, W-1 denied seeing the DEFENDANT with the folding knife. Moreover, W-1 did not initially disclose that the DEFENDANT admitted poking the decedent to IT. W-1 stated that earlier on September 20, 2013, the DEFENDANT jokingly brandished a knife at W-

Handwritten note: *9/25/13 PCIC Approver: red*


I, and W-1 responded by pulling a knife on the DEFENDANT.

15. During the September 21, 2013 interview, W-1 reported that IT was carrying a knife concealed in a bag during the assault of the DECEDENT. W-1 turned the knife over to MPD. On September 23, 2013, your affiant presented the knife to Dr. NIKKI MOURTZINOS who determined that the knife was not consistent with the instrument which injured the DECEDENT.

16. Another witness W-2 was interviewed. W-2 stated that between September 20, 2013 at 11:45 pm and September 21, 2013 at midnight, IT observed a person in the alley. W-2 provided a description of the individual which your affiant believes is consistent with W-1. W-2 stated that the person appeared to be very intoxicated and wandering through the alley.

RECOMMENDATIONS: Based on the facts set forth in the Affidavit, your affiant believes that probable cause exists, and respectfully requests that a judge of the District of Columbia Superior Court issue a warrant for MARVIN MOORE.

AFFIANT'S SIGNATURE:

x 

TO: WARRANT CLERK

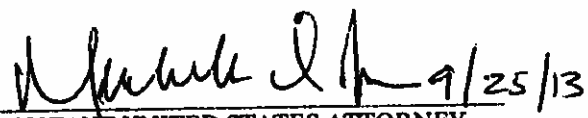
PLEASE ISSUE A WARRANT FOR:

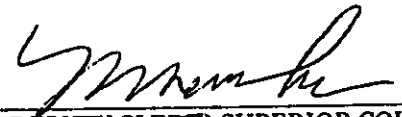
Marvin Moore

Charge With: **2<sup>nd</sup> Deg. Murder w/Armed**

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_

25<sup>th</sup> DAY OF Sept. 2013

  
ASSISTANT UNITED STATES ATTORNEY

  
(JUDGE) ~~DEPUTY CLERK~~ SUPERIOR COURT OF THE  
DISTRICT OF COLUMBIA

NCIC Approved  
Form CD(17)-1050