

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

L-23

CRIMINAL DIVISION

DCTN: U 12013406

COMPLAINT

Lockup No:

Case No: 2012 CRW 1432

District of Columbia ss:

2012 MAY -9 P 4 02

Defendant's Name: Michael W. Davis 601024 12055798
(First) (MI) (Last) (PDID) (CCNO)

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

Address: Emerson Street NW, Washington DC

Michael W. Davis, within the District of Columbia, while armed with a blunt force object, purposely and with deliberate and premeditated malice, killed Gary Dederichs by striking him with a blunt force object on or about April 24, 2012, thereby causing injuries from which Gary Dederichs died on or about April 24, 2012. (First Degree Murder While Armed (Premeditated), in violation of 22 D.C. Code, Sections 2101, 4502 (2001 ed.))

Co-Defendants:

[Signature]

Affiant's Name

Subscribed and sworn to before me this 9 day of May, 2012

[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 Michael W. Davis

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 5/9/12 [Signature] Judge Superior Court of the District of Columbia

Title 16: [] Rule 105: [] Judge: []

Sex: Male DOB: 09/27/1992 CCN: 12055798 PDID: 601024

Papering Officer: Det. Anthony D. Greene Badge No.: D21515

OFFICER MUST EXECUTE RETURN

Officer's Name: [Signature] Date/Time: May 9, 2012 May 10, 2012 12:30 PM

AUSA Signature: Daniel Friedman Fel. I [] AFTC [] Fel. II []

1100479680

Superior Court of the District of Columbia
CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.: 2012CRW 432

DEFENDANT'S NAME: MICHAEL W. DAVIS				NICKNAME:		ALIASES:		CCN: 12-055798	PDID: 601024
SEX: Male	RACE: Black	DOB: 9/27/1992	HGT: 6-1	WGT: 200	EYES: Brown	HAIR: Black	COMPL: Medium	SCARS, MARKS, TATOOS	
DEFENDANT'S HOME ADDRESS: [REDACTED] Emerson Street, NW, Washington DC						TELEPHONE NUMBER: 202-[REDACTED]			
DEFENDANT'S BUSINESS ADDRESS: N/A						TELEPHONE NUMBER: N/A			

COMPLAINANT'S NAME: Gary Dederichs (Deceased)		TELEPHONE NUMBER: N/A
LOCATION OF OFFENSE: (Alongside of) 813 Emerson Street NW, Washington DC -Alley		DATE OF OFFENSE: 4/24/2012
		TIME OF OFFENSE: 1802 hours

CAUTION AND MEDICAL CONDITIONS (CMC)
Select a valid CMC code below for wanted person when using the caution indicator.

<input type="checkbox"/> 00 = Armed and Dangerous	<input type="checkbox"/> 55 = Alcoholic
<input checked="" type="checkbox"/> 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 checked="" 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 checked="" type="checkbox"/> 01 = Other

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Between April 24, 2012 and April 26, 2012, a series of five violent assaults were committed in the Petworth area of Northwest Washington DC. In each attack, the victim was struck from behind by a blunt object, resulting in severe head trauma and, in one instance, death. No items were taken in any of the incidents. In at least three of the attacks, the severe head trauma suffered by the victim is consistent with being caused by a claw-style weapon or hammer.

On Tuesday, April 24, 2012, at 1802 hours, units from the Fourth District responded to the 800 block of Emerson St., NW, to investigate the report of a body in the rear of the location. Upon their arrival, they located the decedent lying in the alley alongside of 813 Emerson St., Northwest Washington, DC. The decedent was unconscious and unresponsive. A large quantity of blood was observed on the ground around his head. DCFEMS responded to the scene and determined that life saving efforts were futile. Medical Legal Investigator Marybeth Petrasek responded to the scene and pronounced the decedent dead at 2100 hours. An examination of the decedent revealed massive trauma to the decedent's head. The decedent's remains were transported to the Office of the Chief Medical Examiner pending an autopsy to determine the exact cause of the head trauma. Found on the decedent's person was a wallet containing money.

On Wednesday, April 25, 2012, an autopsy was performed on the decedent's remains by Doctor Joseph Pestaner of the Office of the Chief Medical Examiner for the District of Columbia. At the conclusion of his examination, Doctor Pestaner noted that the decedent's death was caused by blunt force trauma to the head and ruled the decedent's death a HOMICIDE. According to Dr. Pestaner, the injuries observed during the autopsy are consistent with a claw style weapon, possibly similar to a hammer.

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As a result of the decedent's death an investigation was initiated by members of the MPDC Homicide Branch. As a result of this investigation witnesses were interviewed. One such witness was interviewed and will hereinafter be referred to as W-1. W-1 reported that within the week leading up to April 24, 2012 and on at least five different occasions, D-1, whom it referred to as "Michael Davis," repeatedly asked W-1 how D-1 could acquire a gun. On one occasion when D-1 asked about a gun, W-1 told D-1 it knows a person who had guns. D-1 asked W-1 to let him know when that person comes through the area.

W-1 reported that during the evening of Tuesday April 24, 2012, sometime after 5:00 p.m., it was in the area of the 800 block of Emerson Street NW. While in this area W-1 observed D-1 walking and carrying a white plastic bag (Safeway style) with an unknown object inside. D-1 asked W-1 had the person come through the area. According to W-1, it believed D-1 was referring to D-1's efforts to obtain a gun. W-1 replied that it had not seen the person who it knows to have guns. W-1 reported that shortly thereafter it observed D-1 enter into the north alley of the 800 block of Emerson Street NW, carrying the white plastic bag (Safeway style) with an unknown object inside. W-1 stated that approximately fifteen minutes later, it walked into the same alley that D-1 had entered. W-1 then observed the decedent who was lying unconscious and bleeding on the ground. According to W-1, it did not observe anyone else enter the alley after D-1. Also, W-1 stated that it did not hear any screams or yells after D-1 had entered the alley. W-1 did report that approximately fifteen minutes prior to seeing D-1 enter the alley it observed a vehicle enter the same alley.

W-1 reported that it has known D-1 for many years from the neighborhood and knows that D-1 has a history of PCP use and a history of mental illness. This affiant then produced a single color photograph for the purpose of confirmation. Upon viewing the photograph, W-1 confirmed the photograph to be of Michael Davis, PDID: 601-024, DOB: 9/27/1992, the individual who repeatedly asked it about obtaining a gun and who it observed enter in the alley just fifteen minutes prior to the discovery of the decedent.

Over the course of the investigation W-1 was interviewed on two occasions. During the first interview, W-1 never reported to law enforcement the aforementioned facts relating to D-1.

Investigation by MPD has confirmed that D-1 resides at 920 Emerson Street NW, Washington, D.C. The distance from D-1's residence to the alley where the decedent was located is approximately 0.1 mile.

A second witness was interviewed and will hereinafter be referred to as W-2. W-2 reported at approximately 10 minutes before 5:00 pm, it walked through the alley in the area of the 800 block of Emerson Street NW, where the decedent's body was located. W-2 reported that it did not see the decedent or anyone else in the alley during its travel through. W-2 reported that at approximately ten minutes before 6:00 pm, it saw an ambulance in the same alley and learned that the decedent's body had been discovered. Based on investigation, emergency personnel were dispatched to the alley at approximately 6:02 pm.

On Thursday, April 26, 2012, investigators received information from a witness, who hereinafter will be referred to as W-3, who reported that IT was in the alley alongside of 926 Emerson Street, Northwest during the evening hours of Wednesday, April 25, 2012, when IT observed a white plastic bag wedged between a retaining wall and a fence. Upon closer inspection IT observed a small black handled sledge hammer wrapped in a white Safeway bag. W-3 said that there was blood on the inside of the bag and the hammer appeared to have blood on it. W-3 reported that IT didn't notify law enforcement at the time of the discovery. Upon receiving this information, this affiant along with other police personnel to include a police canine (K-9) canvassed the area of W-3's observation with negative results. The location where W-3 observed the white plastic bag containing the small black handled sledge hammer wrapped in a white Safeway bag is three houses from the defendant's home.

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Additional, Related Investigations:

April 25, 2012, Assaults of V-1 and V-2:

On the early morning of Wednesday, April 25, 2012, at 0242 hours, approximately 9 hours after the discovery of the decedent, members of the Metropolitan Police Department's Fourth District responded to 4812 Georgia Avenue, Northwest, for a victim (V1) suffering from severe head trauma. A bag was found next to V-1 which contained personal property and other valuables belonging to V-1. V-1 was taken to an area hospital where IT underwent surgery for multiple facial fractures and a large fracture to the back of its head. According to medical personnel, V-1's injuries could have been caused by a hammer or a baseball bat. Due to the extent of V-1's injuries, V-1 was unable to provide details to police concerning the circumstances of V-1's assault. The distance from D-1's residence to the location of this assault is less than 500 feet.

On Wednesday, April 25, 2012, at approximately 2040 hours, approximately 18 hours later, members of the Fourth District responded to 5600 block of 9th Street, Northwest, for the report of an assault. Once on scene, officers located the victim (V2) who was suffering from a skull fracture to IT's head. V-2 reported that IT was struck in the back of the head by an unknown individual. Again, found on the scene, were personal property and valuables belonging to V-2. V-2 was transported to an area hospital where doctors stated that V-2 has bleeding on the brain and a depressed skull fracture to the right frontal area. The distance from D-1's residence to the location this assault is approximately 0.7 mile.

April 26, 2012, Assault of V-3:

Specifically, on April 26, 2012, at approximately 8:58 p.m., in the area of the 5000 block of 8th Street NW, Washington, DC, members of the Metropolitan Police Department Strike Force Unit were patrolling when they heard someone yelling for help. They then observed the victim of an assault (V-3) attempting to stand from a kneeling position on the sidewalk in the 800 block of Gallatin Street NW, Washington, DC. Officers approached V-3 and observed that V-3 was injured. V-3 told police that V-3 was struck in the head. Officers asked V-3 if she had been robbed. V-3 replied, I don't know, I think so. At the same time, an officer observed a black male subject, who was later identified as Michael Davis and hereinafter D-1, wearing dark clothing, holding a dark colored bag a short distance away in the alley, watching and peering out from behind a port-a-john located in the rear of 5030 8th Street NW. The officer immediately alerted a fellow officer to D-1's presence. Eye contact was made with D-1, at which time, D-1 fled on foot south bound in the alley toward 8th Street NW.

Officers gave chase through the alley to 8th Street NW, where D-1 was observed discarding a black back pack near the mouth of the alley. Officers continued pursuit of D-1 through the alleys of 8th Street and Illinois Avenue NW, over a chain linked fence, and finally into the rear alley of the 4800 block of Illinois Avenue NW where officers lost sight of the subject. During the pursuit, officers broadcasted a lookout description of D-1, describing him as a black male, 5'10 - 6'0 in height, short hair, and wearing a gray or white long-sleeved shirt and blue jeans.

While canvassing the area where police lost sight of D-1, an officer who had participated in the pursuit of D-1, hereinafter W-4, from a distance observed the side profile of a male subject wearing a t-shirt sitting on a front porch in the 4800 block of Illinois Avenue NW. The officer continued his canvass briefly, losing sight of the male. Within a minute, the officer's canvass brought him back to the area where he had seen the male wearing the t-shirt. This time the male subject wearing the t-shirt was walking in the front yard of the residence away from the location and crossing the street. Again, W-4 had a side profile view of the male subject.

A citizen alerted the police to the same male subject wearing a t-shirt that W-4 was only able to observe from a side profile. W-4 learned from the citizen that the male subject did not belong on the front porch of that residence. W-4 approached the male subject from behind. As W-4 closed his distance to the male subject, W-4 recognized him to be D-1, the same individual who was chased from the area of the 5000 block of 8th Street, NW. W-4 recognized the subject by his physical appearance, including his height, weight, build, haircut, and the back

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of his head. W-4 stopped D-1 and observed fresh cuts and fresh blood on his hands. The officer also observed sweat on the subject's forehead. Another officer reported that D-1's heart appeared to be racing. D-1 was subsequently identified as Michael Davis, DOB: 9/27/1992 with an address of [redacted] Emerson Street, NW, Washington, DC.

Another male subject was stopped during the investigation. W-4 was shown a rear view of the male subject and stated that this male subject was not the person who was pursued from the 5000 block of 8th Street, NW.

Police went to the residence in the 4800 block of Illinois Avenue, NW where the citizen observed D-1 leaving from the front porch. Police noticed that a wooden screen was leaning away from the front porch. Looking underneath the porch, police discovered a blue-and-white striped long sleeved thin hoodie that appeared to have blood on it.

Police learned through investigation that D-1 had no ties to the residence where the long sleeved shirt was discovered. In addition, according to occupants of the residence, the wooden screen that was leaning away from the porch should have been and normally is attached to the side of the base of the front porch. The occupants last saw the screen in its normal condition.

Finally, police learned that the blue-and-white striped long sleeved hoodie did not belong to any of the occupants of that residence.

Members of the MPD K-9 unit arrived and canvassed the scene. K-9 unit advised that K9-35 gave a positive hit on the shirt located underneath the front porch of 4841 Illinois Avenue NW and immediately led the handler in the direction to where the subject was stopped by officers in front of 4825 Illinois Avenue NW.

MPD Mobile Crime Technicians responded to the area of the 5000 block of 8th Street, NW where police observed D-1 discard the black back pack. Technicians recovered a black and gray colored back pack which contained a claw hammer with what appeared to be hair on the claw end of the hammer.

During the investigation, V-3 was interviewed by police on the scene and at a hospital. V-3 advised that she was walking east bound on Gallatin Street toward 7th Street when she observed a single person walking 5-10 feet behind V-3. V-3 described the person as a black male, early 20's, approximately 6 feet in height, having a short hair cut, muscular build, wearing a striped shirt with light colored horizontal stripes, and carrying a dark colored back pack. V-3 stated after observing the male, V-3 turned and continued walking forward. Immediately, V-3 was struck in the back of the head causing V-3 to fall to the ground. V-3 stated that the blow to her head did not feel like someone's hand. V-3 stated she felt as if she blacked out. V-3 stated she could only see white light and could only hear the music playing from her phone that she had been listening to before the assault. V-3 stated she struggled to get up and begged not to be hurt any further. V-3 stated when she realized she was alone she continued to struggle to get to her feet when she was found by the officers. V-3 stated her attacker never spoke to her or attempted to take any property from her during the assault. V-3 was transported to Howard University Hospital by DCFD Ambulance 14.

Medical personnel advised that V-3s injuries consist of a fracture to the back of the skull, cranial bleeding, broken tooth, and abrasions and bruising to the forehead, face and hands. Due to the extent of the injuries, V-3 was not released and was admitted for treatment.

April 26, 2012, Assault of V-4:

Continued investigation has revealed that, mere hours before V-3's assault, D-1 committed a similar assault in the 200 block of Ingraham Street NW, Washington, DC. According to investigation, on Friday, April 27, 2012, at 1620 hours, units from the Fourth District met with an additional victim (V-4) to investigate an assault report. Upon their arrival, the victim, herein referred to as V-4, stated that it was assaulted the day prior at approximately 1535 hours in the 200 block of Ingraham St NW. V-4 stated that while walking its dog in the 200 block of

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Ingraham Street NW it observed a young man walking in its direction carrying a dark back pack over his shoulder. The young man greeted V-4 with a smile and they exchanged pleasantries. V-4 then turned to see where V-4's dog was and was suddenly struck from behind, knocking V-4 to the ground. V-4 sustained injuries, including lacerations, to the left side of V-4's head, behind the ear, forehead and upper lip. V-4 stated that it believed it had been hit by something more than just a fist. V-4 advised that nothing was taken during the attack. V-4 added that it did not initially report the attack because it was embarrassed by the event and it wanted to think it over before making the report.

V-4 responded back to the scene with investigators where items of evidence were located and recovered. Observed on the scene were several drops of blood on the sidewalk, along with the rubberized handle of a unknown object that was broken off.

Based on the physical description provided by V-4 and additional investigative findings, Michael Davis, DOB: 9/27/1992 was developed as a suspect. On April 27, 2012, at approximately 2100 hours an identification procedure was conducted with V-4. A nine-picture sequential photo spread containing a photograph of Michael Davis, DOB: 9/27/1992 was conducted at the Homicide Branch. V-4 looked at the photos one at a time and identified Michael Davis (photo #6) as the person that assaulted him. V-4 stated "This looks like him. The face, the eyes and the hair, but of all the pictures this looks like the guy." V-4 was specifically questioned about whether it had seen any media coverage concerning these events, V-4 specifically responded that IT had not seen any image of the defendant Michael Davis, DOB: 9/27/1992 in any media form.

The distance from D-1's residence to the location of the April 26, 2012 assault with intent to kill while armed of V-4 is approximately 0.9 mile. Additionally, MPD has also confirmed that D- 1 has family who lives in the 200 block of Hamilton Street NW, which is immediately proximate to the location of V-4's assault.

Based on the facts set forth in this affidavit, your affiant respectfully request a DC Superior Court Judge issue an arrest warrant charging Michael Davis with the murder of the decedent, Gary Dederichs.

sf. AM 5-9-12

AFFIANT'S SIGNATURE:

[Signature]
x
Det. ANTHONY D. GREGG

TO: WARRANT CLERK

PLEASE ISSUE A WARRANT FOR:

Michael Davis

Charge With: **1st Degree Murder while Armed**

[Signature] 5/9/12
ASSISTANT UNITED STATES ATTORNEY

Form CD(17)-1050

NCIC Approved

SUBSCRIBED AND SWORN BEFORE ME THIS

9 DAY OF May 2012

[Signature]
(JUDGE) DEPUTY CLERK) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Revision Date: 11-29-06