

<input type="checkbox"/> County Court <input checked="" type="checkbox"/> District Court  <b>Bent County, Colorado County Courthouse</b> <b>725 Bent Ave, Las Animas, CO 81054</b>	Filed in the Combined Court of Bent County DATE FILED: May 11, 2022 <b>MAY 12 2022</b>
<b>Plaintiff:</b> People of the State of Colorado  <b>Defendant:</b> <u>CHARLES GREGORY CHAMPNEY</u>	<p style="text-align: center;"><b>Court Use Only</b></p>
<b>Attorney or Party Without Attorney:</b> <b>Name:</b> <b>Address:</b> <b>Phone:</b> <b>FAX:</b> <b>Email:</b> <b>Atty Reg#:</b>	<b>Case Number:</b> <u>2022CR25</u> 2200825  <b>Division:</b> <b>Courtroom:</b>

**Request for Issuance of Arrest Warrant**

Comes now the affiant, SERGEANT WILLIAM WILLIAMS, an officer of the Bent County Sheriff's Office which is located within the 16<sup>th</sup> Judicial District of Colorado, and requests that this Court issue an Arrest Warrant for the Defendant pursuant to Rule 4.1, of the Colorado Rules of Criminal Procedure, and shows the Court as follows:

In support of a request for the issuance of a warrant for the arrest of CHARLES GREGORY CHAMPNEY DOB 05/26/1954, herein after referred to as "the Defendant", the affiant, SERGEANT WILLIAM WILLIAMS, being duly sworn under oath, deposes and says:

That affiant has knowledge of the following facts from which there is probable cause to believe that the offense hereinafter described was committed by the Defendant as charged in the attached instrument in the County of Bent, State of Colorado, to-wit:

See Exhibit "A"

*Will. Williams*

\_\_\_\_\_  
Affiant

Subscribed and sworn to before me this 12<sup>th</sup> day of May, 2022.

*R. M. Amore*

\_\_\_\_\_  
Judge

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**Exhibit "A" Affidavit**

Case No: 2200825

Affiant, being first duly sworn upon his oath, states that the crime(s) of

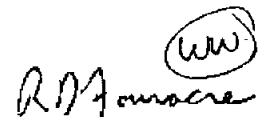
- 1<sup>ST</sup> DEGREE ARSON in violation of 18-4-102 C.R.S. (F3)
- 2<sup>ND</sup> DEGREE ARSON in violation of 18-4-103 C.R.S. (F3)
- 4<sup>TH</sup> DEGREE ARSON in violation of 18-4-105(2) C.R.S. (F3)
- FIRING WOODS & PRAIRIE in violation of 18-13-109 C.R.S. (M2)
- RECKLESS ENDANGERMENT in violation of 18-3-208 C.R.S. (M2)

has/have been committed.

Affiant states that he/she is presently employed as a Deputy by the Bent County Sheriffs Office, and was so employed on 04/12/2022

On Tuesday, April 12, 2022, at approximately 1512 hours, I, Sergeant William Williams, was contacted by Sheriff Six to assist with a very large fire in Bent County, Colorado. I left Pueblo, Colorado and headed to Bent County. I arrived in Bent County at approximately 1630 hours. I manned the Incident Command Center and was conducting hourly weather reports. During this time, I was in contact with the Colorado State Fire Investigator's Office. I informed Dawn Tollis, the Lead Fire Investigator for Colorado Division of Fire Prevention and Control, that I did not require the assistance of the State Investigator's Office. The information I was given, indicated this fire was a result of burning in the Las Animas Limb Pile, which is owned and operated by the City of Las Animas. The fire was taken over at the state level at approximately 2100 hours and the Bent County IC was terminated at approximately 2130 hours. During the course of mitigating this fire, the Fort Lyon facility had to be evacuated of 200+ residents and staff. A large number of these residents have medical conditions which complicated the evacuation and some of them were fearful for their health.

On Wednesday, April 13, 2022, at approximately 0930 hours, I went out to the scene to begin my investigation. I arrived at the Limb Pile and began my walk-through. As I was walking through the Limb Pile, I observed a large pile of debris in the middle of the Limb Pile perimeter and there were active flames. Las Animas City employee, Charles Gregory Champney, Code Enforcement, (DOB 05/26/1954), was burning



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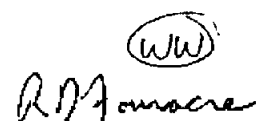
a pile of limbs and other wood debris. Greg was using a large bucket-loader to move the debris around and the fire was growing, in size and intensity. As this was part of an active investigation, I asked Mr.

Champney to put out the fire and to cease burning until I was completed with my investigation. Mr. Champney got upset with me and told me he would put it out when he was done. I told him, again, that I was conducting an investigation and that the Limb Pile would be shut down until further notice. I sat in my marked Bent County Sheriff's Office patrol vehicle and watched as Mr. Champney continued to burn the pile. At one point, Mr. Champney began to use the bucket-loader to haul loads of sand to the burning debris pile and cover up the fire.

I continued with my investigation and was following the burn patterns and indicators. All of the indicators I followed were areas of burn, staining and charring. The patterns and indicators I observed indicated the fire originated in the Limb Pile. I followed the patterns backward, away from the Limb Pile to the east and onto Alex Netherton's property. Given the size of the fire, and the fact that two structures were lost, I contacted Dawn Tollis and requested assistance from her office. Dawn stated she would be down to assist me on Monday, April 18, 2022 and she would contact the National Forest Service to see if their investigator would be available.

On Monday, April 18, 2022, I met with Dawn Tollis at approximately 1000 hours at the Bent County Sheriff's Office. I briefed Dawn on the situation, the details (as I knew them at the moment) and then we drove to the Limb Pile. I contacted Chance Dupree, witness and Las Animas Firefighter, and asked him to meet me at the Limb Pile. Chance met Dawn and me at the Limb Pile and walked us through the events as he encountered them during his response to both calls for fires in the Limb Pile. After walking the area and observing the fire indicators, we both came to the same conclusion that the area of origin was the Las Animas Limb Pile. After considering all possible sources of ignition, we were able to rule out natural causes, as there were no lightning strikes within 50 miles of Las Animas within 24 hours; there were no indications of electrical arcing from nearby power poles, and there were no other sources of ignition found.

On Wednesday, April 20, 2022, at approximately 0945 hours, I went back to the area of the Limb Pile and spoke with a contractor crew who was on-site on the day of the fire. I spoke with several workers, as well as the site supervisor, Adam Montoya (DOB 12/04/1970). Adam stated they are employed by KR Swerdferger and they were on site planting cattails in the area. The crew arrives on-site between 0630 and

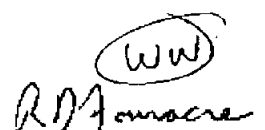
  
 Adam Montoya

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0700 hours and work begins at 0700 hours. Adam stated that, when they arrived on-site on Tuesday, April 12, at 0630 hours, there was a large pile of burning debris in the middle of the Las Animas Limb Pile and the winds were high and blowing from the southwest to the northeast. Adam stated there was no welding or grinding being done on their work site and nothing which would lead to a fire.

At approximately 1700 hours, I went to 13684 County Road HH, Las Animas, to speak with Jason Garcia (DOB 05/31/1973). Garcia was a resident at this address. The residence was destroyed completely by the fire. I asked Garcia if he would permit me to come back to the residence the following day (Thursday, April 21), when there would be more daylight, in order for me to complete my investigation. Garcia agreed and informed me that his insurance adjuster would be on-site the following day around 1100 hours. I asked Garcia a few questions and he voluntarily answered them all. I asked Garcia if there was anyone in or near the residence at the time of the fire. Garcia stated there was not. I asked Garcia what he did for a living and he stated that he was a rancher. I asked Garcia if he lost any animals and he stated that he lost five pigs, and numerous chickens. Garcia briefly walked me around the property to show me where all of the animal pens were located and described what each of the remains of structures was.

After speaking with Garcia, I drove two properties to the east, to 13900 County Road HH to look at the next property, which was also completely destroyed by the fire. As I was walking around the property, a Lincair service van pulled onto the property. The driver approached me and stated that his name was Brigham Walters (DOB 01/28/1988). Walters was the owner of this address. The residence was destroyed completely by the fire. I spoke with Walters and asked if he would permit me to come back to the residence the following day (Thursday, April 21), when there would be more daylight, in order for me to complete my investigation. I secured a written Consent to Search from Walters. I continued to walk the property and photograph the scene. Walters stated that he was not residing at the residence but he was in the process of renovating it to make it his primary residence. During my walk-through and photographing the scene, I observed what appeared to be rolled up insulation and construction supplies within the remains of the residence, which had all been completely consumed by the fire. Prior to leaving this location, Walters asked me, "How do I get compensation for everything that I have lost? Who's responsible"? I explained to Walters that I was still in the middle of my investigation and that it would take me some time to continue gathering the facts and that my report would be made available just as soon as it was completed.




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On Thursday, April 21, at approximately 1100 hours, I arrived back at 13684 County Road HH and met with Patrisha Garcia (DOB 06/10/1951), Arieastio Garcia (DOB 09/03/1947) and Jason. Patrisha is Jason's mother and Arieastio is Jason's father. The residence actually belongs to Patrisha and Arieastio, but Jason was purchasing the home and property from them and he was residing in the residence. I secured a written consent to search from Patrisha and I walked the property and photographed the scene. While I was walking the property and photographing the scene, I requested Lieutenant Nathan Robison to come out to the scene and fly his drone to provide me with aerial photographs of the over-all scene. I also requested Lieutenant Robison to fly the drone over the 13900 address and get aerial photos of that scene as well.

Over the next few days, I attempted to follow up on leads derived from my investigation. I spoke with the Bent County Emergency Operations Manager, Troy Abdula. I asked Troy who operates the Las Animas Limb Pile. Troy stated that, as far as he knew, Greg Champney was the only one who operated the Limb Pile and started and maintained the fires there, but that he was not certain of that.

Later, at my office, I was informed that Champney had contacted the Bent County Dispatch Center on Monday, April 11, 2022, at approximately 0503 hours and asked the dispatcher, Misty Hall (a sworn deputy and representative of the Bent County Sheriff), if he could start a fire and burn the Limb Pile. Misty informed Champney that we were currently under a Red Flag Warning and that he could NOT burn the Limb Pile. I was informed by the Las Animas Fire Department that the fire department had responded to a fire at the Las Animas Limb Pile earlier on the 12<sup>th</sup>, at approximately 1100 hours, for a fire that was out of control and had moved outside the boundaries of the Limb Pile. I was informed that the fire department instructed Champney, directly, after they got the fire under control, to cover the burning debris in the Limb Pile with dirt and to extinguish the fire. The fire department informed me that they responded to the Limb Pile a second time for a fire that was out of control and out of the boundaries of the Limb Pile again at approximately 1330 hours.

  
*R. M. Amore*

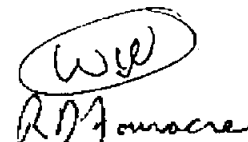
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During the course of my investigation, I requested itemized lists of properties lost by all parties involved. The list of potential parties involved who may have incurred losses (financial or real property) due to the fire are as follows:

- United States Army Corps of Engineers (USACE)
- Colorado Division of Wildlife (CoDPW)
- Burlington Northern/Santa Fe Railroad (BNSF)
- Lamar Light & Power
- Las Animas Light and Power
- Jason Garcia & family (et al)
- Brigham Walters & family (et al)
- Las Animas Fire Department and all responding mutual aid agencies
- Bent County Ambulance Service
- Colorado State Patrol
- Bent County Sheriff's Office

The following is a list of damages or losses incurred, if any, by the entities involved. This list shall not be considered all-inclusive and only represents the information provided to me throughout the course of my investigation.

- USACE  
Unknown at this time
- CoDPW  
Unknown at this time
- BNSF  
None claimed at this time
- Lamar Light & Power (\$105,106.58)  
Utility Equipment, labor, contract, fuel
- Las Animas Light & Power (\$59,485.99)  
Utility equipment, labor, fuel

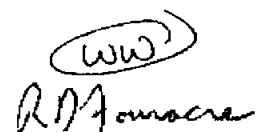


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- **Jason Garcia & Family (et al)** (\$225,008.00)  
 Residence & ALL contents  
 All out-buildings  
 Livestock  
 Vehicles  
 Boat  
 Farm Equipment
- **Brigham Walters & Family (et al)** (Estimate not complete)  
 Residence and ALL contents  
 Renovation supplies
- **Las Animas Fire Department (and other mutual-aid agencies)**  
 None claimed at this time
- **Bent County Ambulance Service**  
 Unknown at this time
- **Colorado State Patrol**  
 None claimed at this time
- **Bent County Sheriff's Office**  
 None claimed at this time

The total CURRENT estimated loss is \$389,600.57

On Tuesday, May 09, 2022, I reviewed all evidence and statements provided to me, during the course of my investigation. After speaking with witnesses, listening to the phone audio, physically investigating the scene and employing the Scientific Method to my investigation, I have been able to rule out all natural sources of ignition (such as lightning, power lines, trailer chains, overheated brakes or bearings and cigarettes), and have determined this fire to be incendiary in nature. There was no indication of fraud, malicious intent or thrill-seeking. At this time, I have determined that the fire was a direct result of the careless and unattended burning of limbs and debris on a high-wind, Red-Flag day at the Las Animas Limb Pile. It is further determined that the responsible party of the Las Animas Limb Pile is the City of Las



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Animas, with the person exercising control over the operation of the Las Animas Limb Pile to be Las Animas City Employee, Charles Gregory Champney. The Origin and Cause are as follows:

Origin: Las Animas Limb Pile

Nature: Incendiary

Cause: Intentional burning of various limbs and wood debris on a high-wind, Red-Flag day with low humidity and high temperatures, as well as the fire being left unattended.

The Defendant CHARLES GREGORY CHAMPNEY is described as follows:

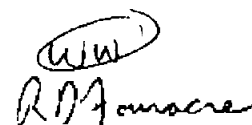
Date of Birth: 05/26/1954  
Race: CAUCASIAN  
Hair: BROWN  
Eyes: BROWN  
Height: 5'09"  
Weight: 142  
Sex: MALE

Social Security Number: [REDACTED]  
Driver's License Number: [REDACTED]  
Last Known Street Address: 1324 6<sup>th</sup> Street  
City: Las Animas  
State: Colorado  
Zip: 81054  
Other Identifiers:

**Victim** information is as follows:

Name: PATRISHA GARCIA  
Date of Birth: 06/10/1951  
Race: UNKNOWN  
Hair: GRAY  
Eyes:  
Height:

Weight:  
Sex: FEMALE  
Social Security Number:  
Driver's License Number:  
Last Known Street Address: 31509 CR 11  
City: Las Animas  
State: Colorado  
Zip: 81054  
Other Identifiers:





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**Victim** Information is as Follows:

Name: ARIEASTIO GARCIA  
 Date of Birth: 09/03/1947  
 Race: UNKNOWN  
 Hair: GRAY  
 Eyes:  
 Height:

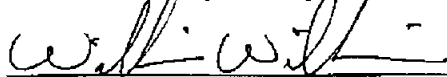
Weight:  
 Sex: MALE  
 Social Security Number:  
 Driver's License Number:  
 Last Known Street Address: 31509 CR 11  
 City: Las Animas  
 State: Colorado  
 Zip: 81054  
 Other Identifiers:

**Victim** Information is as Follows:

Name: JASON GARCIA  
 Date of Birth: 05/31/1973  
 Race: UNKNOWN  
 Hair: GRAY  
 Eyes:  
 Height:

Weight:  
 Sex: MALE  
 Social Security Number:  
 Driver's License Number:  
 Last Known Street Address: 13684CR HH  
 City: Las Animas  
 State: Colorado  
 Zip: 81054  
 Other Identifiers:

Further affiant sayeth naught.



Affiant

Subscribed and sworn to before me this 12th day of May, 2022.



Judge