

STATE OF SOUTH DAKOTA )  
:SS  
COUNTY OF MINNEHAHA )

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA

vs.

Yuoh, Gbo Wesfort  
DOB [REDACTED]

Defendant

AFFIDAVIT IN SUPPORT  
OF ARREST WARRANT

C121  
27-8108

I, Patrick Mertes, being first duly sworn on oath, deposes and states that he is a Detective of the Sioux Falls Police Department and states that he is one of the officers in charge of the investigation of the above-styled matter. That your Affiant makes this Affidavit in support of the State's Attorney's request for a warrant for the arrest of the above-named Defendant(s), and in compliance with SDCL 23A-2-2, and states as follows:

1. On August 19<sup>th</sup>, 2022 at approximately 2048 hours Officers with the Sioux Falls Police Department were dispatched to [REDACTED] South Duluth Avenue, Sioux Falls, Minnehaha County, South Dakota for a check the wellbeing. A Sioux Falls Police Report was created under PD22-18184.
2. Upon arrival Officers made contact with Billion, Stephen DOB [REDACTED] Billion stated he had not been able to contact his son Victim Billion, Paul Henry DOB [REDACTED] for several days. Billion stated he came over today to check on his son. Billion stated that as he arrived he observed the front door to his son's apartment was slightly ajar.
3. Billion stated he knocked on the door and received no answer. Billion stated that he began to walk up the stairs into his son's apartment. Billion stated he observed his son in the kitchen sitting on the ground deceased. Billion stated he immediately left the residence and contacted 911.
4. Your Affiant arrived on scene and completed a walkthrough. Your Affiant observed that the outside doorbell had been knocked off the door frame and the light bulb for the exterior light had been unscrewed and laid on the patio chair. [REDACTED] South Duluth is a two story house separated into two apartments. As Your Affiant entered the stairs to go up to the living area for Billion an open PBR beer can was laying by the door. Your Affiant observed stains on the wall that appeared to be from someone throwing liquid on it. Your Affiant observed the Victim sitting on his buttocks on the floor in the kitchen. Your Affiant observed what appeared to be gunshot wounds to the torso and facial trauma. Your Affiant observed that the Victim was in an advanced state of decomposition and appeared to have been deceased for several days.

5. Your Affiant also observed four shell casing in a hallway leading towards where the Victim was located. Your Affiant observed that there was one casing closest to the Victim then by the stair well railing three more casings (approximately 8 feet from the Victim). Of the four shell casings located at scene, the manufacture stamps were R-P, Hornady, Cor-Bon(x2). Located underneath the Victims legs was a shovel. The shovel was reported to have been kept along the North side of the house.
6. Three cellphones were located in the residence that belonged to the Victim. While reviewing the data contained in the cellphones it appears the last out going contact from the Victim was sent on August 16<sup>th</sup>, 2022 at 2252 hours. Your Affiant observed a missed phone call to the Victim at 0839 hours on August 17<sup>th</sup>, 2022. From the data on the phone it appears the Victim stopped using his cellphones after the 2252 message.
7. Officers located security video at [REDACTED] West 21<sup>st</sup> Street, Sioux Falls, Minnehaha County, South Dakota. This address faces the back yard of the Victims residence with cameras that cover part of the Victims back yard and 21<sup>st</sup> Street to the East. Your Affiant observed on August 16<sup>th</sup>, 2022 at approximately 2309 hours three subjects can be seen walking on the road West bound on 21<sup>st</sup> Street towards Duluth Avenue. At 2317 hours the motion light in the back of [REDACTED] South Duluth activate for a short duration. At 2322 hours Your Affiant observed the motion light come on again and then a few seconds later three subjects running from the back yard of the [REDACTED] S. Duluth Avenue. Your Affiant observed that suspect #1 was wearing a white face mask, light colored T-shirt, pants with a light colored stripe down the side and dark colored shoes with light colored trim. Suspect #2 hooded sweatshirt with hood up, pants with a stripe to the knee. Suspect #3 hooded sweatshirt with hood up, dark colored pants and what appears to be dark colored shoes and much taller than the other two. The subjects run to the West for approximately 75 feet before stopping standing in a group and then walking back towards the East. Your Affiant observed that they appeared to be very occupied with the [REDACTED] property as they are crouched down and staring at the residence. The three walk to the corner of 21<sup>st</sup> and Duluth then the camera stops recording.
8. The shell casings were sent to the South Dakota Forensic Lab for processing. On August 20<sup>th</sup>, 2022 Your Affiant was advised that the South Dakota State Forensic Lab had located a DNA profile on the Hornady shell casing located at the scene. The profile was ran through CODIS with no results.
9. Detectives spoke with a neighbor two houses to the South of [REDACTED] South Duluth Avenue who reported on August 16<sup>th</sup>, 2022 between what they thought was 2200 and 2300 hours they heard four gun shots. They reported hearing one shot a pause then three more shots.
10. On August 22<sup>nd</sup>, 2022 Your Affiant attended the Autopsy for the Victim. Your Affiant was given three projectiles that had been recovered from the Victims body during the autopsy which were later sent to the South Dakota Forensic Lab. Your Affiant was advised the manner of death was Homicide.

11. On August 22<sup>nd</sup>, 2022 at 0106 hours a shooting was reported at [REDACTED] West 12<sup>th</sup> Street, Sioux Falls Minnehaha County, South Dakota. Your Affiant submitted the shell casings from this shooting and was later advised by the South Dakota State Forensic Lab that the casings were fired by the same Glock firearm that was used to shoot the Victim Billion.
12. On August 26<sup>th</sup>, 2022 Detective Marino spoke with employees of Shell Gas Station [REDACTED] South Minnesota Avenue. Detective Marino was told the Victim has been overheard inviting random people that he just met over to his residence. Your Affiant later discovered through bank records that the Victim had been at the gas station on 08/16/2022 at 2234 hours.
13. On August 27<sup>th</sup>, 2022 Detective Marino located a video security system at [REDACTED] South Dakota Avenue. Upon reviewing the video. Detective Marino observed on August 16<sup>th</sup>, 2022 at 2307 hours three subjects walking on the South side of 21<sup>st</sup> Street walking Westbound towards [REDACTED] S Duluth Avenue. Detective Marino observed on August 16<sup>th</sup>, 2022 at 2333 hours the same three subjects walking Eastbound on the South side of 21<sup>st</sup> Street. Detective Marino observed that one of the three appeared to be carrying an item. Detective Marino did not observe any of the three carrying anything when they were walking Westbound.
14. On August 29<sup>th</sup> 2022 Your Affiant located a video security system mounted to [REDACTED] West 21<sup>st</sup> Street. Your Affiant was given two clips from August 16<sup>th</sup>, 2022. The first video starts at 2307 hours. Your Affiant observed three males walking Westbound on the South side of 21<sup>st</sup> Street. Your Affiant observed the first male was wearing a white T-shirt, red running pants with a white stripe down the leg, and a white face mask hanging around his neck. As the male walks off screen he pulls the mask up over his face. Your Affiant observed the second male was wearing a grey hooded sweatshirt (hood pulled up), black pants and black shoes. Your Affiant observed the person had a dark colored object in their back waist band. Your Affiant observed the third male had on a grey hood sweatshirt (hood pulled up, grey sweatpants with a black stripe going down the leg that stops at approximately the knee where it makes a 45-degree angle. Your Affiant observed that these three are the same three observed running from [REDACTED] South Duluth Avenue. Your Affiant reviewed historic weather data for 08/16/2022 at 2356 hours the temperature was 64 with 87% humidity and 3 mph winds.
15. Your Affiant observed in the second video which started at 2335 hours Your Affiant observed the same three subject described in paragraph 9 now walking Eastbound on the South side of 21<sup>st</sup> Street. Your Affiant observed the subject in the red pants still had on the white facemask and was carrying an object similar to a bag in his right hand. The subject in gray sweatshirt and black pants appears to be eating something from a bag he is carrying in his right hand.
16. Several cameras were checked one block East of [REDACTED] W 21<sup>st</sup> Street which showed no activity at the time the three subjects would have been in that area if they continued walking East. Your Affiant located no video cameras that indicate the subjects continued past [REDACTED] S Center Ave which is located across the street to the East of [REDACTED] W 21<sup>st</sup> Street.

17. A search of the Sioux Falls Police Department records revealed a call for service at [REDACTED] South Center Avenue, Sioux Falls, Minnehaha County, South Dakota CFS22-161331 on 08/09/2022. Your Affiant reviewed body camera video where Officers made contact with numerous subjects on the property of [REDACTED] South Center. Your Affiant observed that a male was wearing grey sweatpants with a black stripe that stopped at the knee with a 45 degree angle. Your Affiant observed that the male's physical stature is very similar to the male observed on numerous security videos going to and coming from the Homicide scene. Your Affiant showed the body camera video to the Sioux Falls Police Street Crimes Unit, which identified the male in the grey sweatpants as the defendant. Yuoh indicated his "little brothers" lived at [REDACTED] South Center Avenue.
18. Detective Marino spoke with employees at Shell gas station [REDACTED] South Minnesota Avenue. They stated they close at 2300 hours every day. Your Affiant reviewed the City of Sioux Falls Traffic Cameras, Your Affiant observed three subjects crossing Minnesota Avenue consistent with other security video. Your Affiant knows that the three subjects mentioned previously were at the following locations:
- a. Westbound from [REDACTED] West 21<sup>st</sup> Street at 2307 hours
  - b. Westbound from West 21<sup>st</sup> Street and Dakota Ave 2307 hours
  - c. Westbound 21<sup>st</sup> Street and Spring Ave 2309 hours
  - d. Running Westbound on 21<sup>st</sup> Street from [REDACTED] S Duluth Ave 2322 hours
  - e. Standing at the corner of 21<sup>st</sup> Street and Duluth Ave 2322 hours
  - f. Eastbound 21<sup>st</sup> Street and Dakota Ave 2333 hours
  - g. Eastbound [REDACTED] W 21<sup>st</sup> Street 2334 hours
19. On September 7<sup>th</sup>, 2022 Your Affiant received a report from the South Dakota State Forensic Lab. The report advised that all three projectiles had been fired from the same firearm. Your Affiant was advised the firearm is a Glock 17,19,26 (Generation 1 through Generation 4) made between 1981 and 2017. A second report determined all four shell casings located at the scene had been fired by the same Glock handgun.
20. Your Affiant served a search warrant on an Instagram and Snapchat accounts used by the defendant.
21. Your Affiant discovered via Snapchat location the ios device was showing it was in the area of [REDACTED] West 41<sup>st</sup> Street, Apartment [REDACTED] Sioux Falls, Minnehaha County, South Dakota (defendant's parents) at 08/16/2022 2044 hours. The next geolocation marked on the device puts it one block North of [REDACTED] S. Center Avenue on 08/16/2022 at 2111 hours. Your Affiant observed the device stayed in the area for several hours.
22. Your Affiant located Instagram messages sent on 08/24/2022 where defendant is asked if he has a firearm for sale. The defendant offers to sell a Glock 26 for \$600. Your Affiant located a message sent on 09/03/2022 1351 hours from the defendant that stated "Shiii I gotxhu just get this one off me". In reference to

getting rid of the Glock 19. During the course of the text conversations it appears the deal fell through.

23. Your Affiant discovered an Instagram post made by the defendant on 07/27/2022. The post was a picture of the defendant wearing the same sweat pants seen worn by Suspect #2 and that were worn during the defendants contact with SFPD on 08/09/2022. Your Affiant was able to identify the other person in the picture as [REDACTED] [REDACTED]. Your Affiant reviewed associates of Jimmerson in Police records and discovered he has a brother Jimmerson, Carnell Lavar Jr. DOB [REDACTED]
24. Your Affiant reviewed the defendants Instagram and found the profile for Instagram and Snapchat that belong to Jimmerson, Carnell. Your Affiant reviewed the messages and media and discovered numerous pictures with the defendant and the Jimmerson brothers. Your Affiant located both in the search warrant return for the defendant and in open media several photos where Carnell Jimmerson has a firearm tucked in his pants pocket. Your Affiant believes these two are very close friends.
25. Your Affiant looked at pictures of the two together and discovered the following Jimmerson, Carnell 6'00 140 lbs and defendant 5'7" 140 lbs. Your Affiant observed in a picture posted to the defendants Instagram on 10/02/2022 that there is a considerable height difference between the defendant and Jimmerson, Carnell
26. Your Affiant reviewed the previously mentioned security videos and observed that the one of the three subjects appears to be considerably taller than the other two. Your Affiant observed when the subject in a grey hoody is walking in front of the person Your Affiant believes to be the defendant that the difference in height appears to be very similar to the photo of the defendant and Jimmerson.
27. Your Affiant reviewed the media included in the Snapchat search warrant return for the defendant. Your Affiant located videos taken on 08/30/2022 in the video Your Affiant can see the defendant holding a Glock pistol. On 09/05/2022 in the video Your Affiant can see the defendant rapping while driving a car waving around a Glock pistol. On 09/17/2022 Your Affiant can hear the defendant in the background of a video he is taking yelling to someone he is with to "hey yo shot his ass if you got your blick bro". On 09/18/2022 the defendant is taking a video where he is rapping and stated "they know we them shooters". On 10/01/2022 the defendant is standing in a picture and the magazine for a handgun can be seen sticking out the front of his pants.
28. Your Affiant served a search warrant on Instagram and Snapchat account belonging to Jimmerson. On 11/07/2022, Your Affiant received the results of the search warrant. Your Affiant located a video taken by Jimmerson on 08/20/2022. Your Affiant observed the defendant sitting in the back seat of the vehicle with a small framed Glock (consistent with a model 26) sitting in his lap. Your Affiant located several videos that were sent from Jimmerson to Snapchat account xayindisbitch on 08/21/2022. Your Affiant observed a male later identified as [REDACTED] DOB [REDACTED] holding a Bushmaster Rifle. Your Affiant observed the



rifle had several additions made to it, to include AimPoint Optics, OD green rail covers, forend grip, streamlight flashlight, flash suppressor, OD green pmag with textured grip stickers.

29. Your Affiant reviewed Sioux Falls Police Records and discovered a report on 06/13/2022 under PD 22-12600. The owner of a Bushmaster rifle reported it stolen out of his truck that was parked at [REDACTED] South 9<sup>th</sup> Avenue, Sioux Falls, Minnehaha County, South Dakota. Your Affiant discovered a photo in the report of the Bushmaster rifle. Your Affiant observed the rifle to have the exact same accessories observed in the Snapchat photograph. Your Affiant also observed on the magazine the name [REDACTED] written in marker. [REDACTED] is the name of the owner of the rifle. Your Affiant discovered the Victim reported 3 other handguns to have been stolen at the same time. Listed stolen was a Glock 19 and Glock 26. The owner of the Glocks advised that both had XS Big Dot Sights and Wolff Spring, the Glock 19 had an aftermarket rear slide plate with a white scorpion on it.
30. Your Affiant continued to review the media contained in Jimmersons Snapchat return. Your Affiant discovered two videos taken on 07/10/2022 at 0321 hours. In the first video Your Affiant can see a male with a white shirt on, light colored wrist band, dark baseball hat and grey sweatpants with two Glock pistols sitting in his lap in the front passenger seat of a vehicle. In the second video taken at 0357 hours, Your Affiant can see the defendant standing outside of a vehicle. Your Affiant observed the defendant was wearing a dark colored baseball hat, white shirt, light colored wrist band, and grey sweatpants with a black stripe that goes to the knee. Your Affiant discovered videos taken on 08/19/2022 at 2102 hours. Your Affiant observed Jimmerson waving a handgun that appears to be a Glock. Your Affiant observed an unknown male sitting in the vehicle with Jimmerson holding a Glock 26 with XS Big Dot Sights. On the video taken at 2112 Hours, Your Affiant observed Jimmerson to have two Glock pistols in his lap. Your Affiant believed the pistol on the left to be a Glock 26. Your Affiant observed the pistol on the right is a Glock with a white scorpion rear slide plate.
31. Your Affiant spoke with the owner of the Glock 26 who resides in another state. The owner was able to locate the test fire casings for the Glock 26 and turned them over to authorities in Florida who then sent them to Your Affiant. On November 21<sup>st</sup>, 2022 Your Affiant submitted the test fire casings for comparison to the South Dakota State Forensic Lab. On November 28<sup>th</sup>, 2022 Your Affiant was advised that the test fire casings were fired in the same firearm to the casings located at the Billion Homicide.
32. Your Affiant served search warrants to the defendants Google and Apple accounts. Your Affiant located photos that were sent to the defendant on 06/17/2022. In the photos Your Affiant observed the defendant posing with what appears to be a Glock handgun. Your Affiant observed unique pillars in the background of the photo. Your Affiant reviewed Google Earth and discovered the same unique pillars were located in McKennan Park. Your Affiant knows McKennan Park is approximately .5 miles away from where the firearms were reported stolen. Your Affiant observed a photo that appeared to have been taken at roughly the same time as the other photos. Your Affiant observed the photo is

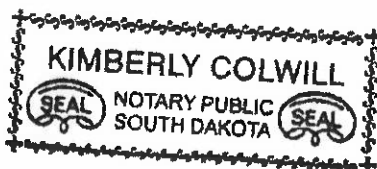
of numerous handguns being held in a circle to include a Glock 26 with XS Big Dot Sights.

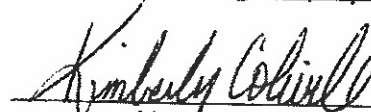
33. Your Affiant observed on a video taken 06/20/2022 the defendant holding several Glocks to include a Glock with a white scorpion on the rear plate. Your Affiant observed a video taken on 06/25/2022 that shows the defendant waving around two Glocks one of which appears to be a model 26 and has XS Big Dot Sights.
34. Your Affiant observed a video taken on 06/28/2022 where the defendant is walking as Jimmerson follows behind him. Your Affiant can see a firearm in Jimmersons right side waist band. Your Affiant located pictures taken on 07/30/2022. Your Affiant can see a handgun in the defendants grey hooded sweatshirt pocket. Your Affiant can see the butt of the handgun where the magazine well is. Your Affiant observed that the handle of the firearm is consistent with a small frame Glock (like a Glock 26).
35. Your Affiant reevaluated the previously mentioned times the defendant is holding Glock firearms. Your Affiant observed the video on 08/30/2022 the Glock 19 on the right has XS Big Dot Sights. On 09/05/2022 the Glock 19 has XS Big Dot Sights.
36. The above events took place Sioux Falls, Minnehaha County, South Dakota.



Patrick Mertes

Subscribed and sworn before me this 1st day of December, 2022.



  
Notary Public  
GP 07/01/2025

