

STATE OF COLORADO
EIGHTEENTH JUDICIAL DISTRICT
COUNTY OF A

Court Case No. _____

STATEMENT IN SUPPORT OF WARRANTLESS ARREST

NELSON, Alexis

08/27/1995

DATE FILED: June 1, 2023 9:11 AM

Suspect (Last, First Middle)

D.O.B.

23-104343
Agency Case No.

Aurora Police Department

(303) 739-6000

05/30/2023

9:20 p.m.

Arresting Agency

Phone

Date of Arrest

Time of Arrest

Charge(s): 1:	<u>Child Abuse</u>	<u>18-6-401</u>	<u>F2</u>	<u>None</u>
	Charge	Statute No./Ordinance No.	Class	Bond
Charge(s): 2:	<u>Tampering with a deceased human body</u>	<u>18-8-610.5</u>	<u>F3</u>	
	Charge	Statute No./Ordinance No.	Class	Bond
Charge(s): 3:	<u>Tampering with physical evidence</u>	<u>18-8-610</u>	<u>F6</u>	
	Charge	Statute No./Ordinance No.	Class	Bond
Charge(s): 4:	<u>Attempt to Influence Public Servant – Fraud False Statement</u>	<u>18-8-306</u>	<u>F4</u>	
	Charge	Statute No./Ordinance No.	Class	Bond

Detective J. Swartz, a Police Officer with the **Aurora Police Department**, states that there exists probable cause for the warrantless arrest of the above named suspect for the charges stated above. The Officer further states that the facts below are based on personal knowledge and/or interviews with witness(s) and fellow peace Officers and/or review of official law enforcement reports.

1. The crimes(s) alleged occurred between May 3rd and May 31st, 2023, in the City of **Aurora**, County of **Arapahoe**, State of Colorado.
2. The suspect was arrested at **1056 S Elkhart Way #305**, at **9:20 p.m.**, on the 30th day of May, 2023.
3. The facts in support of the probable cause for the warrantless arrest of the above named suspect are as follows:

On 05/30/23, at around 1300 hrs, Aurora Police Officer Sheffler was dispatched to a welfare check at 1056 South Elkhart Way Apartment 305 (Aurora, Arapahoe County, CO). The reporting party (Whitley-Shaw, Ashiya; 11/26/75) requested a welfare check on her granddaughter [REDACTED]; 11/15/17; 5 YOA). Ashiya stated that [REDACTED] lives at that address with her mother (Nelson, Alexis; 08/27/95; positively IDed via Georgia DL). Ashiya stated that she lives out of state and became concerned about [REDACTED] after learning that Alexis may have given up [REDACTED] for adoption.

Officer Duran made contact with Alexis at the residence and inquired about [REDACTED] current location. Alexis stated that she had given up custody of [REDACTED] through what she referred to as a “closed adoption”. Alexis stated that she had done so through “Adoptions with Love” and provided a phone number for this agency. Officer Duran then contacted Adoptions with Love and spoke to Cohen, Amy who is the director of the program. Officer Duran provided Alexis’ name to Amy. Amy then looked through their records and confirmed to Officer Duran that they have no records of Alexis on file and therefore did not have any involvement in any adoption.

Shortly after this conversation, I (Your Affiant, Detective J. Swartz) was contacted by Officer Sheffler and informed of the above information. I then conducted a search of the Colorado Courts System for

Alexus and [REDACTED] and found there was no records on file of any adoption. I then contacted the Arapahoe County Department of Human Services (DHS) and confirmed that they did not have any records of Alexis or [REDACTED], nor any adoption.

Detective C. Roberts and I then responded to the scene and made contact with Alexis. After informing her that Adoptions with Love had no record of any adoptions, she changed her story and stated that she had contacted Adoptions with Love and they then provided her with a list of other adoption agencies. Through this list, she came into contact with a woman that she identified as "Janet Dunn". Alexis stated that Janet facilitated the adoption of [REDACTED] to an unidentified couple. Alexis was unable to provide the name of the agency that Janet worked for, nor was she able to provide any contact information for her or paperwork related to the adoption. Alexis stated that she had either deleted or threw away all documents related to the adoption as she did not want her family to locate [REDACTED]. She stated that she believed she had emails from Janet in her deleted inbox and volunteered to provide me access to her phone. After I searched through her mail, I was unable to find any such emails related to the adoption. Alexis also allowed me and Detective C. Roberts to search through the pictures of her phone. It became immediately apparent that that there were no pictures of [REDACTED] in her phone. I then seized the phone.

Through extensive conversations with Alexis, she was unable to provide any information that would assist in locating [REDACTED] adoptive parents. Instead she provided vague answers to questions, such as stating that she met Janet in "west Denver" on 05/04/23 but could not remember exactly where she met.

A canvass of the building was conducted by officers. During this canvass, a building maintenance worker (Bersagel, Nick; 02/18/97) stated he had been in the apartment on 05/05/23. Nick stated that he had entered for a routine bi-annual inspection. When he entered, they found that the door to [REDACTED] room was connected to the bathroom door on the opposite side of the hall, preventing it from opening. He heard sounds inside that appeared to be from a television. When he cut the string, he found the door the room was locked. Alexis then began yelling at him via a baby monitor to leave so he exited the residence.

Alexis provided consent to search the residence for any evidence that would help in locating [REDACTED]. While looking through the house, [REDACTED] room was completely empty and the carpet was extremely dirty with various stains of unknown origin. There was a notable lack of any children's items in the apartment.

On the evening of 05/30/23, I obtained a search warrant for Alexis' phone. Detective C. Roberts and I then began a manual review of the data. While looking through the Google search history, Detective C. Roberts found two Google searches on 05/02/23: "Can you overdose from melatonin?" and "Can you overdose from Xanax?". Detective C. Roberts also found videos, of [REDACTED], in the camera roll. In the videos, she appeared to be saying goodbye to family.

On 05/30/23 and 05/31/23, I spoke to various members of Alexis' family on the phone. I first talked to [REDACTED] father (Hobbs, Terrell; 12/09/85). He stated that the last time he saw [REDACTED] was about two and a half years ago, when Alexis and [REDACTED] came to visit him. After that trip, for about six months, Alexis would sporadically call him via Facetime and let him see [REDACTED]. About two years ago, Alexis stopped answering phone calls and cut off all contact with Terrell. He has not had any contact with Alexis, or his daughter, since then.

I next talked to Nelson, Mercedes (07/29/96) who is Alexis' younger sister. Mercedes stated that she normally has contact with Alexis via text message but that it is normal to go weeks without talking to

her. She stated that she generally has to initiate contact with Alexis and that it is rare for Alexis to call her. She stated that the last time she saw [REDACTED] was on 05/03/23, when she received an unprompted FaceTime call from Alexis and [REDACTED]. She stated that the call was very short and only lasted about 30 seconds. She stated that she began to get concerned about [REDACTED] after Alexis had made a comment to their mother about “rehoming”. Mercedes then texted Alexis, earlier this week, asking about this. Alexis responded by stating that she had done a “closed adoption” but refused to provide any information regarding the adoption.

I then spoke to Nelson, Mikus (03/08/73) who is Alexis’ father. He stated that his contact with Alexis is infrequent as he will try to call her often but she rarely answers. He stated that he also has to initiate contact with Alexis and that it is rare for her to call him. He stated that he had also received a Facetime call from Alexis and [REDACTED] on 05/03/23. He stated that the call was very short and that Alexis appeared to be directing [REDACTED] what to say (“tell grandad hi...tell him you love him...tell him bye”).

Lastly, I spoke to Ashiya. Ashiya stated that she texts Alexis a few times each week. She said that she tries to Facetime Alexis a few times each month, but that Alexis rarely answers. She said that last year, they spoke more frequently but that [REDACTED] was rarely in the videos which she found odd. On 05/25/23, she asked Alexis if she needed help setting up a savings account for [REDACTED]. Alexis replied that she was already getting help from a couple. Alexis then set her a text stating “My rent has gone up again so rehoming and I’ve been looking at fostering”. When Ashiya tried to clarify if she was referring to [REDACTED], or a pet (she does not currently have any pets), Alexis did not reply. I asked her if Alexis had ever mentioned adoption before. Ashiya told me how she found out [REDACTED] was born. She stated that they did not even know Alexis was pregnant. On the day [REDACTED] was born, she received a picture from Alexis with a text that stated:

Meet [REDACTED] shes 35 weeks, 5.2lb born yesterday morning at 11:48 am at 19 ½ inches in length. You would have known about her grand entrance sooner but my original plan was to have her adopted by a family more suitable to provide for her without struggling. Though I still belive open adoption is the best move for her to never need for anything, and myself so I may finish school, have a career with benefits, and my family nearby before staring a family, shes here and un-give-up-able. So meet your first grandbaby!

She said that the last time she saw [REDACTED] was on 05/03/23, when she received a video message from [REDACTED] and Alexis. She sent me the video which shows Alexis and [REDACTED] Alexis directs [REDACTED] to say “hi and goodbye” to Ashiya.

I then contacted Adoptions with Love and spoke to Amy. Amy stated that they keep records of families they provide resources to, even if they don’t provide an adoption. She looked through their records going back to 2020 and had no record of being contacted by Alexis. She stated that they do not facilitate adoptions for children that are [REDACTED] age. She provided the names of two agencies that they are familiar with in Colorado (Adoptions with Love is based in Massachusetts): Adoption Options and Colorado Christian Services. Amy stated that she did not know a Janet Dunn.

I then contacted both Colorado Christian Services and Adoption Options. Both agencies confirmed that they would not facilitate an adoption of a five year old and would only refer a child that age to DHS. Both agencies had no record of Alexis or [REDACTED], nor did they know anyone by the name of Janet Dunn. I also confirmed that a legal adoption in Colorado is not possible without the consent of the father, and that all adoptions (closed or open) are recorded in the State courts.

On 05/31/23, at around 1330 hrs, Detective A. Roberts obtained a search warrant for 1056 S Elkhart Way #305. At around 1800 hrs, I responded back to the residence along with other members of the CAC unit and Crime Scene Investigation (CSI) unit in order to conduct a search of the residence. Based on the information gathered so far during this investigation, the goal of the search was to locate any evidence that would lead to the discovery of [REDACTED], alive or deceased.

Shortly after beginning the search warrant service, Detective Jenkins opened the door to a utility closet located on the exterior patio of the apartment. Upon opening the door to the closet, he immediately noticed what he recognized to be the distinct odor of decomposing flesh. The closet was filled with various children's items that appeared to belong to [REDACTED]. After removing boxes from the closet, he found a large shopping bag that contained a plastic bag inside. It was at this point that I came outside and also noticed the strong odor of decomposition. As Detective Jenkins opened the bag, the odor became overpowering. Inside the bag, I observed what appeared to be charred human remains.

The search of the residence was then paused and the Arapahoe County Coroner's Officer was notified. At around 1900 hrs, investigators from the Coroner's Office arrived on scene and began their investigation. After taking photographs of the remains, they opened up the bag and began looking through the remains. Inside the bag appeared to bones as well as what looked to be a rib cage. The size of the remains appeared to be consistent with that of [REDACTED].

Based on the charred appearance of the remains, detectives then conducted a search of the fireplace located in the living room adjacent to the balcony. The fireplace appears to have been used recently based on the presence of various burnt matter on the floor of the fireplace. While searching through this matter, detective's found bone fragments as well as a bone that appeared to be either a rib or shoulder blade.

On the morning of 06/01/23, the Coroner's Office conducted an autopsy on the remains and confirmed that they are human. Further DNA confirmation will follow.

Summary

On 05/02/23, Alexis conducted a google search asking, "Can you overdose on Xanax". The next day, Alexis reached out to various family members via Facetime and directed [REDACTED] to say goodbye. That would be the last time anyone would see [REDACTED] alive. On 05/30/23, Alexis was contacted by patrol officers attempting to check the welfare of [REDACTED]. During her initial interview, she made statements that she had adopted [REDACTED] to Adoptions with Love. This statement was verified to be false and was made with the intent to influence the investigation into the death of her daughter. Alexis continued to make false statement to detectives regarding this adoption, again with the intent of obscuring the investigation.

On 05/31/23, during a search warrant service of Alexis' residence, the charred remains of her daughter were found hidden in a closet next to [REDACTED] toys. Based on the state of the remains, as well as fragments found in the fireplace, it is apparent that Alexis attempted to destroy [REDACTED] remains by burning them.

It is clear that Alexis placed [REDACTED] in a situation that resulted in her death. She then attempted to hinder the resulting investigation by lying about an adoption and burning the remains.

☐ Reports and additional pages stapled to this statement are incorporated into statement.

Executed on the 1st st day of May, 2023, at 1000 a.m.

I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge and belief.

Original: Court File

Copy 1: Arrestee copy

Copy 2: Detention Facility copy

Copy 3: District Attorney copy

J Swartz

Arresting Officer's Signature

Sgt Sullivan

Arresting Agency Supervisor's Signature

**EIGHTEENTH JUDICIAL DISTRICT
COUNTY OF ARAPAHOE**

DETERMINATION OF PROBABLE CAUSE TO DETAIN

(COMPLETED BY ARRESTING AUTHORITY)

Arrestee	<u>NELSON, Alexis</u>	DOB	<u>08/27/1995</u>
Address	<u>1056 S Elkhart Way #305</u>	SS#(DET#)	_____
City	<u>Aurora</u>	Date of Arrest	<u>05/30/2023</u>
State/ZIP	<u>CO 80012</u>	Time of Arrest	<u>2120</u> p.m.
Arresting Agency	<u>AURORA POLICE DEPARTMENT</u>	PHONE	- (303) 739-6000

Arrested for	Charge	CRS
Charge 1:	<u>Child Abuse</u>	<u>18-6-401</u>
Charge 2:	<u>Tampering with a deceased human body</u>	<u>18-8-610.5</u>

The above person is ordered to report to court as directed by the appropriate law enforcement authorities per the following information:

Date _____ Time _____
Court Location _____

(Completed by Judge)

Probable Cause Determination

On this date, the court has reviewed the relevant information pertaining to the arrest of the above individual and has determined:

exist ☐ Probable cause to believe that this person has committed a crime does
and there is reason to detain said person pending posting of bond or
further court proceedings.

NOT ☐ Probable cause to believe that this person has committed a crime has
been shown and the person is ordered released pending further court
proceedings and must appear before the court
as directed above.

☐ In accordance with Section 18-1-1001(5) C.R.S., this person will
not be allowed to be released from custody, even if the bond has
been posited, until the person has received the mandatory protection
order required from a judge or magistrate on the record.

BY THE COURT:

_____ Judge	_____ Division
_____ Date	_____ Time

Original: Court File Copy 1: Arrestee Copy 2: Detention Copy 3: Dist. Attorney