

FELONY AND/

STATE OF INDIANA
COUNTY OF ALLEN } SS:

IN THE ALLEN SUPERIOR COURT

CAUSE NO. _____

FYPD Control #23F138201

Reviewed By LT. [Signature] 726

STATE OF INDIANA
VS.

}
}

[Redacted]

AFFIDAVIT FOR PROBABLE CAUSE

1. The undersigned swears and affirms, under the penalties for perjury, that he has good cause to believe that:

On or about the 19th, day of November, 2023

in the County of Allen and in the State of Indiana said Defendant did knowingly commit the crime of Criminal Recklessness with a Deadly Weapon, Level 6 Felony.

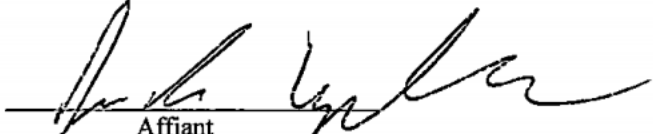
2. The Defendant, [Redacted]

3. The Affiant, J. Wenglikowski, is an officer of the Fort Wayne Police Department. The Affiant believes and has good cause to believe that the said Defendant committed the aforesaid offense. The Affiant bases his belief on the fact that on 11/19/2023 at approximately 12:05 hours officers responded to a possible shooting near the intersection of Maplecrest Road and Lake Ave (1200 Maplecrest Road). Upon arrival officers discovered the Victim, [Redacted] parked just north of the intersection on Maplecrest Road. [Redacted] complained of large welt and redness to the right temple area of his forehead. [Redacted]'s vehicle, a 2002 Ford Escape also had the front passenger window shattered. [Redacted] explained he was north bound on Maplecrest Road in the left lane of traffic behind two vehicles, a dark colored sedan and a dark colored van. [Redacted] advised the sedan was moving in an erratic manner, weaving in between vehicles prior to this incident. The sedan cut in front of the van causing the van to break and blow the horn. The two vehicles continued northbound in front of [Redacted] speeding up and changing lanes in front of each other until the sedan struck the van. The sedan then darted in front of the van and stopped forcing the van to stop also. The two vehicles were parked in the right lane of traffic. [Redacted] observed two males, a black male driver, and a white male passenger, exit the sedan and run towards the driver's side of the van. The driver of the sedan, later identified as suspect [Redacted], punched out the driver's side front window as the van's driver was still seated and door closed. As [Redacted] passed the incident in the left lane of traffic, he heard 3 to 4 gunshots fired and noticed his passenger window was shattered. He felt pain to the right side of his head. Officers at the scene later collected a spent bullet from the passenger compartment of [Redacted] vehicle.

CHRISTOPHER P. WASSERMAN
CLERK ALLEN CIRCUIT
AND SUPERIOR COURTS
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The Defendant was the driver of the van. He was interviewed after he signed the waiver of rights form. He explained he was armed with a Ruger .380 handgun and was involved in the road rage incident. He explained he was driving, and his wife [REDACTED] was the front seat passenger. After he was blocked by the dark sedan and approached by the two males, he felt threatened and removed the Ruger from his waistband. [REDACTED] approached the drivers' side of the Defendant's van and punched through the driver's side window, shattering window and striking the Defendant on the left side of his head. The Defendant stated he fired 3 rounds at [REDACTED] to protect himself and his wife. [REDACTED] was shot at least two times and taken to Parkview ER with non-life-threatening guns shots to his shoulder/arm area. Suspect [REDACTED] will be charged with misdemeanor battery as he was the aggressor. A Ruger .380 handgun bearing serial number 380118396 was collected from the Defendant's van during the investigation by Officer McGill. There was no bullet chambered at the time it was collected but there were two rounds found in the Ruger's removed magazine. Victim [REDACTED] refused medical treatment but stated he did have a severe headache and throbbing to the right side of head.

"I affirm, under the penalties for perjury, that the foregoing representation is true."



Affiant
11-19-2023

Date

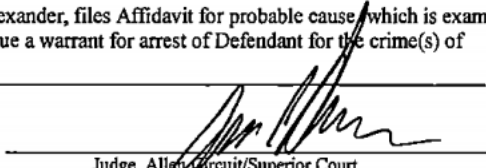
ORDER

Defendant appears in person. Review of probable cause held. The Court now finds probable cause does exist for arrest of Defendant. On motion of the State, cause continued for seventy-two (72) hours, excluding intervening Saturdays, Sundays, and legal holidays, for Formal Charges. Bail fixed in the sum of \$ _____.

ORDER

Hearing on issue of probable cause held. State of Indiana, by Prosecuting Attorney Michael McAlexander, files Affidavit for probable cause which is examined by the Court. Court finds probable cause does exist for arrest of Defendant, and orders Clerk to issue a warrant for arrest of Defendant for the crime(s) of

November 20, 2023



Judge, Allen Circuit/Superior Court