

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL DISTRICT
CAMPBELL COUNTY, WYOMING

FILED FOR RECORD

STATE OF WYOMING,
Plaintiff,

vs.

DALE WARNER,
DOB: xx-xx-2004,
SSN: [REDACTED]
Defendant.

Criminal Docket No.

NOV 15 2018

CLERK OF CIRCUIT COURT
THE SIXTH JUDICIAL DISTRICT
CAMPBELL COUNTY

CR-2018-1762.009

FELONY INFORMATION

COMES NOW the State of Wyoming, by and through Nathan J. Henkes, Chief Deputy County and Prosecuting Attorney in and for Campbell County, and hereby informs the Court and gives the Court to understand that the above-named Defendant, on or about November 13, 2018, in Campbell County, Wyoming:

COUNT I

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]
[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT II

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]
[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT III

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]
[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT IV

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT V

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VI

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VII

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VIII

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT IX

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED]

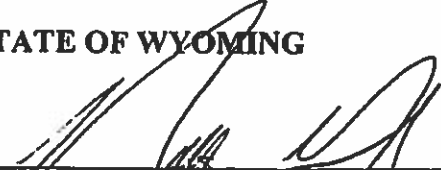
[REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

WHEREFORE, the undersigned prays that a warrant issue for the arrest of the above-named defendant.

STATE OF WYOMING

BY:


NATHAN J. HENKES - WSB # 7-4947
Chief Deputy County and Prosecuting Attorney
in and for Campbell County, Wyoming
500 South Gillette Avenue, Suite B200
Gillette, Wyoming 82716
307-682-4310 / 307-687-6441 (fax)

STATE OF WYOMING }
COUNTY OF CAMPBELL } ss.

I do solemnly swear that I have read the above and foregoing Felony Information, by me subscribed, that I know the contents thereof, and that the facts therein stated are true to the best of my knowledge and belief.


NATHAN J. HENKES

STATE OF WYOMING }
COUNTY OF CAMPBELL } ss.

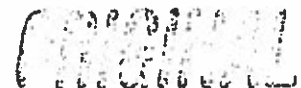
The foregoing Felony Information was subscribed and sworn to before me, a Notarial Officer, by Nathan J. Henkes on 14 day of November 2018.

Witness my hand and seal.



My Commission expires: 09.16.2020


NOTARIAL OFFICER



Return

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL DISTRICT
CAMPBELL COUNTY, WYOMING

FILED FOR RECORD

STATE OF WYOMING,

Plaintiff,

vs.

DALE WARNER,

DOB: xx-xx-2004,

SSN: [REDACTED]

Defendant.

Criminal Docket No.

NOV 15 2018

CLERK OF CIRCUIT COURT
THE SIXTH JUDICIAL DISTRICT
CAMPBELL COUNTY

CR-2018-1762.009

WARRANT

TO THE SHERIFF OF SAID COUNTY, GREETINGS:

WHEREAS, Affidavit having been made before me, on oath, that the above-named Defendant, on or about November 13, 2018, in Campbell County, Wyoming:

COUNT I

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT II

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT III

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT IV

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED] **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT V

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED], **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VI

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED], **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VII

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED], **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

COUNT VIII

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED], **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;


COUNT IX

Did purposely and with premeditated malice attempt to kill another human being, to-wit: [REDACTED], **Attempted First Degree Murder**, in violation of Wyoming Statutes §§ 6-2-101(a) and (b), 6-1-301(a)(i), 6-1-304, and 6-10-102, a felony, punishable by life imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both;

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

NOW, THEREFORE, in the name of the State of Wyoming, you are hereby commanded forthwith to apprehend and arrest the above-named Defendant and bring the Defendant before the Court to be dealt with according to law.

DATED this 15th day of November 2018.



CIRCUIT COURT JUDGE

[Faint, illegible stamp]

RECEIVED
NOV 14 2018

FILED FOR RECORD
NOV 15 2018
CLERK OF CIRCUIT COURT OF THE
SIXTH JUDICIAL DISTRICT CAMPBELL COUNTY

BY: [Signature] DEPUTY
[Signature] SHERIFF

I hereby certify that I received the above warrant, together with a copy of the information filed in the above matter, that I served the same in Campbell County on 11/15/2018 @ CC Courthouse, by delivering copies of both to Dale Warner.

STATE OF WYOMING }
COUNTY OF CAMPBELL }
ss.

RETURN

IN THE CIRCUIT COURT
OF 6TH JUDICIAL DISTRICT, WYOMING

STATE OF WYOMING, **FILED FOR RECORD**

Plaintiff,

vs

Warner, Dale,
Defendant

NOV 15 2018

Docket No

IR # 18-25661

CLERK OF CIRCUIT COURT
THE SIXTH JUDICIAL DISTRICT

AFFIDAVIT OF PROBABLE CAUSE

THE UNDERSIGNED OF LAWFUL AGE, BEING FIRST DULY SWORN,
UPON OATH, STATES, AND ALLEGES AS FOLLOWS:

1. I, **Jeremiah Wagner**, am a Law Enforcement Officer employed by the **Gillette Police Department**.
2. On **11-13-18** at approximately **1050 hours**, I arrested **Dale Warner** for **Nine Counts of Attempted First-Degree Homicide**, in violation of Wyoming Statutes §§ 6-2-101(a) and 6-1-301(a)(i).
3. The offense(s) occurred at **1000 West Lakeway Road, Sage Valley Junior High School**, which is located in the City of Gillette, County of Campbell, and State of Wyoming.
4. The following misdemeanor/traffic citations were served:
 - Misdemeanor charges should be included with the criminal information on the felony warrant issued by the Campbell County Attorney's Office.
 - No applicable misdemeanor charges.
5. The following describes the probable cause I used to affect the arrest of **Dale Warner**:

Officer Fitzner Advised me of substantially the following:

On 11/13/2018 at approximately 0822 hours, Officer Fitzner was contacted by Principal Terry Quinn at Sage Valley Junior High School. Principle Quinn called Officer Fitzner to inform him he had just taken a loaded gun and "bullets" off a student and needed Officer Fitzner at the school immediately. This student was later identified as Dale Warner. D.W. is a 14 year-old male eighth grade student. Officer Fitzner responded to the school and met with D.W. inside the office. Mr. Quinn walked into the office with a Broncos duffle bag and a green backpack advising there was a second handgun in the one of the bags. Officer Fitzner asked D.W. which

bag contained the gun and he advised the Broncos bag did. Officer Fitzner asked if he could search his bags and he consented.

Officer Fitzner started pulling out clothing from the Broncos duffle bag. Inside, underneath some clothing, Officer Fitzner located a silver Smith and Wesson XD 9mm handgun. Officer Fitzner ejected the magazine from the gun and noticed 9mm hollow point rounds filling the magazine. There was not a round in the chamber of the handgun. After searching the rest of D.W.'s belongings, Officer Fitzner started to speak with him. Officer Fitzner first read D.W. his Miranda rights and asked if he understood these rights. D.W. advised he did understand his rights.

D.W. stated substantially the following: When D.W. was younger, he was removed from his biological parents and placed in foster care. D.W. was physical abused around six years old by foster parents who beat him. These parents would pull his hair and hit him with belts for no reason. Around the age of ten to elevens years, D.W. was allowed to live with his mother and was adopted by Scott Warner, as he never saw his biological father. D.W. would occasionally speak to his father on the phone, but did not see him in person and believed he lived in South Dakota. D.W.'s mother left Scott, and started living at 112 Sequoia, while D.W. and Scott lived at 63 Pineview Drive. D.W. lived with his mother on and off, but usually stayed with Scott.

D.W. and Scott occasionally fired the two handguns at targets when they would target shoot. D.W. felt he was a pretty good shot, and had last shot the guns sometime between August and 11/13/2018 when he was target practicing with Scott.

The week prior to 11/12/2018, D.W. was living with his mother. D.W. heard from his siblings on 11/09/2018 that his biological dad had died from a heart attack. D.W. was very upset and on the night of 11/10/2018, D.W. attempted to commit suicide by swallowing a full bottle of Ibuprofen medication. D.W. eventually puked, causing the pills to come back up. D.W. next thought about slitting his throat, but decided not to.

On 11/11/2018, D.W. went back to Scott's house and slept for most of the day until the morning of 11/13/2018. D.W. woke up approximately one hour before the school bus picked him up. D.W. laid in bed and decided he wanted to shoot up the school to honor his biological father. D.W. explained he had previously been told a story about his biological dad, where his dad had brought guns to school as a teen in an attempt to shoot up the school. D.W.'s dad was caught before the shooting, went to jail, and started living a life of using drugs and alcohol. D.W. went on to explain his father also raped his sister while they were very young. He was not upset at his father for these things, but hoped he could go to jail just like his father and had already started using marijuana and methamphetamine to follow in his father's steps.

While D.W. thought about how to shoot up the school, he decided he wanted to "shoot up" his third hour class where Mrs. Crista Shelby has continued to "attack" D.W. and his friend during the reading class. D.W. explained his friend was named Ashton Powell and the two never did anything wrong to have the teacher focus her attention on them. Due to Mrs. Shelby being so mean to D.W., he decided he wanted to shoot her and the entire class while they were busy reading. D.W. wanted to shoot the students in his third hour class as they constantly made jokes about him and he did not like any of them. He believed these jokes were meant to, "poke fun" at him. Officer Fitzner followed up with the school, and was advised that other than D.W., and A.P., who D.W. advised he was not going to shoot, there were six other students (G.T., R.S., K.H., D.H., H.H., and A.C.) in D.W.'s third hour reading class.

D.W. got ready for school and sent his siblings towards the bus stop. D.W. entered Scott's truck where he grabbed two handguns from the truck. D.W. placed the first in his waistband and the second in the Bronco's duffle bag he had. D.W. got onto the bus and travelled to school. While enroute to the school, D.W. said a prayer and prayed, "Let this be in my favor and don't let my family get sued." D.W. wanted God to provide the chance for him to shoot all the students he could.

After arriving at school, D.W. spoke to his friend A.P. in the commons area and told him he needed to get down when he told him to during third hour class, as he was going to be shooting the class and Mrs. Shelby. A.P. placed the Bronco's duffle bag in his school locker, and left the handgun in the front of his pants. D.W. went to first hour class and made more plans in his head. D.W. was going to first shoot up his third hour class. After shooting Mrs. Shelby and all the other students, except for A.P., D.W. would make his way to the gun in his locker and take it out. At this point, he hoped Principal Terry Quinn and Counselor Adam Miller would be close enough where he could shoot them. If they were not close, he wanted to make his way to the office where he could shoot them. After exhausting his ammunition, D.W. wanted to commit suicide or go to jail to follow in his father's footsteps.

While D.W. was in his first hour class, he started researching online about "what happens to school shooters" and how he could go to jail. D.W. explained he wanted to see if he could get similar consequences as his father. D.W. did not have any concern about what he was going to do, and did not have sympathy for any of the families who would have lost their children.

D.W. continuously asked about going to jail and asked what it would be like since he wanted to go. D.W. informed me he was involved in a boxing club and asked what an officer would do if he started punching officers. He quickly followed up by asking if officers would "shoot" him.

Officer Fitzner next listened as Mr. Quinn gave a detailed account of what actions he took that morning. Mr. Quinn stated substantially the following: Mr. Quinn was contacted by a student named D.J.. D.J. told Mr. Quinn a student named D.W. had stopped him in the hallway. D.W. told D.J. he had a gun and asked if D.J. wanted to see it. D.J. told him, "No" but D.W. pulled up his shirt to reveal a handgun. Mr. Quinn grabbed Mr. Miller who walked to D.W.'s first hour class. Mr. Quinn told D.W. to hold still and not reach for any items or he was going to remove him from his chair. Mr. Quinn had the teacher and two other students leave the class. Mr. Quinn asked D.W. if he had a gun and D.W. replied, "Yes." Mr. Quinn asked if D.W. had bullets. D.W. replied, "Yes." Mr. Quinn asked where the gun was and removed it from the front waistband of D.W. There was no magazine in the gun, and was handed the magazine and extra bullets from D.W. D.W. was sent to the office with Mr. Miller while Mr. Quinn called police and started towards D.W.'s locker where D.W. had reported having a second gun. Mr. Quinn opened the locker and grabbed a back-pack and duffle bag which he brought to the office and provided to Officer Fitzner.

During the investigation, I interviewed Ashton Powell (A.P.) A.P. advised me of substantially the following. A.P. arrived at Sage Valley Junior High at approximately 0720 to 0730 hours. When A.P. entered the school, Dale Warner (D.W.) waved him over to him. A.P. was in the commons area with D.W. and two other males, identified as Jonas Grover (J.G.) and Timothy Wilson (T.W.). It was common that the four of them would be together in the mornings before school.

D.W. had Denver Broncos duffel bag with him. While in the commons area of Sage Valley, D.W. told A.P., J.G., and T.W. that he had brought guns to school, and showed them the guns in the Denver Bronco's duffel bag. A.P. observed two handguns that A.P. believed to be Glock brand handguns. A.P. recognized the make of the handguns from his own experience. One of the handguns was black, and the other was silver. D.W. told A.P. that both guns were loaded. A.P. could see that a magazine was in the silver handgun, but did not notice if the black handgun had a magazine inserted.

D.W. told A.P. that his biological father had died that weekend.

D.W. told A.P. that he was going to "shoot up the school". D.W. explained that he planned to shoot in the third hour class. A.P. told me that he and D.W. are in third hour together in Ms. Shelby's class. D.W. had told A.P. that he planned on shooting A.C. first. A.C. is a female student in Ms. Shelby's third hour class. A.P. told me the D.W. did not like A.C. very much, and had chosen her for his first target. A.P. did not explain further why D.W. disliked A.C.. D.W. told A.P. that he was going to shoot Ms. Shelby second. No explicit reason for targeting Ms. Shelby was provided by A.P. D.W. told A.P. that after shooting Ms. Shelby, he would start shooting anyone who "pissed him off". D.W. told A.P. that if he told anyone about his plan, D.W. would shoot A.P.

A.P. described D.W. telling him to come with him. A.P., D.W., J.G., and T.W. all went to D.W.'s locker. While at the locker, D.W. expressed that his sweatshirt was too tight, and changed into a looser sweatshirt that would conceal one of the guns easier. D.W. removed the silver handgun from the duffel Bag, and placed it in what A.P. thought was his pocket. D.W. then grabbed a zip lock bag full of bullets and placed them in his pocket. D.W. placed the duffel bag with the second black handgun in his locker.

While D.W. was changing at the locker, and taking the handgun from the duffel bag, A.P. had a conversation with J.G. in which A.P. told J.G. that D.W. would go to jail if he did what he said he wanted to do. D.W. responded that he wanted to go to jail, and that he would use the opportunity to get "buff and tuff".

A.P., D.W., J.G., and T.W. went to a bathroom. All four entered the bathroom, while A.P. and J.G. used urinals. D.W. entered a stall. A.P. saw a bullet fall on the ground while D.W. was in the stall. D.W. told A.P. to pick up the bullet, but he refused, not wanting to be a part of this. A.P. assumed D.W. was loading the weapon when he dropped a round, but did not see exactly why it was dropped.

After the four left the bathroom, A.P. and D.W. separated and went to A.P.'s locker on the third floor. They stopped at A.P.'s locker and retrieved school supplies. D.W. went to his class room, and A.P. went to his separate classroom.

A.P. did not tell anyone about what had occurred, or what was planned. When asked why, A.P. said he was scared that D.W. would see him talking.

Detective Hannigan advised me of the following:

On 11/13/2018, Detective Hannigan was sent to Sage Valley Middle School to interview persons related to a male student who brought a couple of pistols to school. Detective Hannigan was assigned to interview D.J., Jonas Grover, hereafter referred to as J.G., and Timothy Wilson hereafter referred to as T.W.

Detective Hannigan first spoke to D.J. as all the involved students were isolated in separate rooms. During my conversation with D.J., Detective Hannigan learned substantially the following:

D.J. arrived at school at approximately 0720hrs on 11/13/18. After eating breakfast, he proceeded to his first hour class. Shortly after class started, D.J. asked if he could go to his locker to retrieve a pencil. The teacher gave permission and D.J. went to his locker located on the third floor.

While D.J. was at his locker, he was approached by Dale Warner, hereafter referred to as D.W., and was told by D.W. that he (D.W.) was going to get into trouble during third hour. Not understanding what he just heard, D.J. asked D.W. to repeat the statement. D.W. did so and asked D.J. if he wanted to see the gun. D.J. said yes. D.W. then lifted up his hoodie and revealed a pistol tucked into his waist band.

This startled D.J. who was told by D.W. not to say anything. D.J. agreed and returned to class. D.J. sat in class for a couple of minutes and processed what he was told. D.J. then decided that he needed to tell someone and asked the teacher if he could speak to a principal. After assuring the teacher that it was an emergency, D.J. went to the main office and relayed the information he had been told.

After Detective Hannigan's interview with D.J., Detective Hannigan spoke to T.W. During Detective Hannigan's interview with T.W., he learned substantially the following:

TW arrived at school and saw friends J.G., D.W. and Ashton Powell, hereafter referred to as A.P., sitting at a table in the commons area. A.P. was sitting next to D.W. as T.W. approached. The first thing T.W. remembers hearing D.W. telling him that he T.W. can't tell anyone. When asked for a reason, D.W. related that his biological father had overdosed this last weekend and that D.W. has all his guns and bullets.

D.W. opened up a duffle bag and revealed what T.W. believed to be bullets and trash. T.W. claimed he did not see a pistol in the bag, but was told by D.W. there were guns there. T.W. did not question if there were guns in the bag because he was afraid to question D.W.

At approximately 0731hrs T.W. went to his locker and put his stuff away. T.W. then returned to the second floor and met with D.W., J.G. and A.P. at D.W.'s locker. D.W. suggested they go into the bathroom and pretend to wash their hands. T.W. declined to go as he believed it was a stupid move. T.W. believed that D.W. was going to show A.P. and J.G. the guns he had in the bag. T.W. went to class. T.W. did not tell anyone what he saw as he did not believe D.W. was going to do anything.

Detective Hannigan then interviewed J.G. During his interview with J.G., he learned substantially the following:

JG arrived at school as normal and was sitting at a table in the commons. JG was approached by D.W. and A.P. who sat with him. D.W. had a duffle bag and disclosed that he had guns and ammunition in the bag. D.W. also said that he was planning to shoot anyone that made him mad. D.W. showed A.P., T.W. and him the contents of the bag with included bullets and two pistols. After a conversation at the table, the all three went to their lockers and then eventually to the boy's restroom.

D.W., A.P. and J.G. were in the restroom when D.W. entered a stall with the bag containing the pistols and ammunition. While there, D.W. entered a stall and started loading the pistols. J.G. believed this as DW

dropped a couple of bullets on the floor. D.W. then exited the stall and showed A.P. and J.G. the pistol concealed in his waist band.

J.G. made his way to his first hour class. While in class, J.G. was nervous and told a couple of class mates what he thought was going to happen today.

Detective Mahylis advised me of the following:

On 11/13/18 at approximately 0914 hours, Detective Mahylis responded to 1000 W Lakeway Road (Sage Valley Junior Highschool) to assist officers already on scene. Once inside the school, he made contact with Corporal Johnson. Corporal Johnson was coordinating with Detectives to conducted interviews with students who may have information reference a possible school shooting. Corporal Johnson requested Detective Mahylis take photographs of two pistols, one taken off the suspect (D. W.'s) person and one removed from his duffle bag.

Detective Mahylis was directed to the office of Principal Quinn for the first pistol. Once in the office, Detective Mahylis asked Principal Quinn if the pistol was loaded. Principal Quinn advised it was not loaded or at least he believed it was not loaded based on what the suspect (D.W.) told him. Detective Mahylis racked the slide back on the pistol to confirm the gun was unloaded and a round was ejected from the chamber. Detective Mahylis marked the round by placing a piece of tape around it. Detective Mahylis photographed all items taken off D.W. which included: A Smith and Wesson Shield .40 S&W handgun, a magazine containing four rounds of .40 S&W ammunition for the Smith and Wesson Shield, two .40 S&W rounds of ammunition found in D.W.'s pocket and a small plastic bag containing seven rounds of .38 Special ammunition and sixteen rounds of 9mm Luger ammunition. The small plastic bag was also found in the pocket of D.W. Detective Mahylis made his way to Principal Deaton's office to collect the second pistol that had been recovered. SRO Fitzner advised the gun was found inside of a blue and black duffle bag belonging to D.W. The gun had been set aside. Detective Mahylis photographed all the items found inside of the duffle bag which included: A Springfield Armory XD Mod II 9mm handgun, a magazine containing thirteen rounds of 9mm hollow point ammunition for the Springfield Armory handgun and a Springfield Armory XD gear holster.

All the items were collected and secured. SRO Fitzner received information from D.W. he had been looking up school shootings on his computer in his first hour class. Detective Mahylis responded to D.W.'S Comp Education class to photograph the computer and the search history.

Detective Mahylis made contact with D.W.'s first hour Comp Education teacher Jessica Dobyms.

During the interview Dobyms stated substantially the following: Detective Mahylis asked Dobyms to explain what took place prior to Principal Quinn contacting D.W. D.W. came into her class and sat down at his normal seat. Dobyms explained Comp Education was a class for students to catch up on work from other classes. Dobyms looked up D.W.'s classes and found he needed to do some work in his math class due to a low score. Dobyms asked D.W. if he could work on his math assignments on the computer. After the pledge of allegiance was over, D.W. got on a computer. Dobyms pointed out the computer D.W. was on. Dobyms confirmed no other students had been on that computer that morning other than D.W. Shortly after getting on the computer, D.W. asked to go to the bathroom. Dobyms allowed him to go. Dobyms could not confirm if D.W. actually went to the bathroom. D.W. returned a short time later and got back on the computer. A few minutes passed and D.W. grabbed a book and binder. DW asked to go to his locker to put away the binder and

book. Dobyms allowed D.W. to go to his locker. Dobyms again stated she could not be sure he actually went to his locker, but D.W. did return without the binder and book. Shortly after D.W. returned, Principal Quinn came into the classroom and contacted D.W.

Detective Mahylis had Dobyms bring me to the computer D.W. was sitting at. The computer monitor was turned back on and D.W. was still logged into the computer. Detective Mahylis photographed the computer and DW'S account information. Dobyms explained the kids had to login in order to access the computer system form their homework. Detective Mahylis pulled up the computer history for D.W.'s recent searches on goggle and discovered two key searches. The history was photographed prior to clicking on any of the links. The first link was an article from the Washington Post and the title was "How Mass School Shootings affect the Education of the Students who Survive." The second was a goggle search on how to go to jail. Detective Mahylis clicked on the links in order to photograph each page and then re-photographed the history to show the change in the recent history search. Detective Mahylis also photographed the goggle drive which was currently open belonging to D.W. After photographing the computer, Detective Mahylis photographed the room to show the exact location D.W. was sitting at.

Based on the statements of D.W., A.P., J.G, and T.W., it is evident that D.W. planned the murder of his entire third hour reading class except his friend A.P., which would include A.C., G.T., R.S., K.H., D.H., and H.H. D.W. had also planned to kill his teacher Crista Shelby; Principal Terry Quinn; and Counselor Adam Miller. This included setting a time, place and course of action for the plan. D.W. took substantial steps to accomplish his planned action, including acquiring two firearms, ammunition, and positioning the firearms in accordance with his planned action.

J.A. Wagner
Detective Jeremiah Wagner
Complainant

STATE OF WYOMING)
) SS
COUNTY OF CAMPBELL)

The foregoing Affidavit of Probable Cause was signed and sworn to before me by
Detective Wagner on 11-14-18

Witness my hand and official seal.



Joye Allen
Notary Public
My commission expires: 3/16/2021

I do hereby find there is probable cause to support these charges.

Circuit Court Judge/Commissioner

Date/Time

