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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

STATE OF UTAH,

Plaintiff,

vs.

ALEX DANIEL RUIZ MARTINEZ,

Defendant.

MARTINEZ, MATEO HERIBERTO
DOB: 09/02/2003

V., A.
DOB: 07/13/2009

**FOURTH
AMENDED INFORMATION**

Case No. 241909710

Co-Defendant DAO #24.014524

Co-Defendant DAO #24.014525

The undersigned Deputy District Attorney, upon a written declaration states on information and belief that the defendant, ALEX DANIEL RUIZ MARTINEZ, committed the crime(s) of:

COUNT 1

MURDER, (GANG) 76-5-203, a First Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did intentionally or knowingly cause the death of another; intending to cause serious bodily injury to another, commit an act clearly dangerous to human life that caused the death of another; acting under circumstances evidencing a depraved indifference to human life, knowingly engage in conduct which created a grave risk of death to

another and thereby caused the death of another; engage in the commission, attempted commission, or immediate flight from the commission or attempted commission of any predicate offense, Felony Discharge of a Firearm and Aggravated Kidnapping, or was a party to the predicate offense; and a person other than a party as defined in Utah Code Section 76-2-202 was killed in the course of the commission, attempted commission, or immediate flight from the commission or attempted commission of any predicate offense; and the actor acted with the intent required as an element of the predicate offense.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 2

AGGRAVATED KIDNAPPING, (GANG) (LWOP) 76-5-302(2)+(3B), a First Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did in the course of committing a kidnapping: use or threaten to use a dangerous weapon; or acted with the intent to compel a third person to facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony; or inflict bodily injury on or to terrorize the victim or another individual, to wit: N.W.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

NOTICE IS GIVEN that ALEX caused serious bodily injury to the victim or another during the course of committing Aggravated Kidnapping, and are therefore subject to enhanced penalties under Utah Code Ann. § 76-5-302(4)(b), to include the possibility of life without parole.

COUNT 3

AGGRAVATED KIDNAPPING, (GANG) 76-5-302(2)+(3B), a First Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did in the course of committing a kidnapping: uses or threatens to use a dangerous weapon; or acts with the intent to compel a third person to facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony; inflict bodily injury on or to terrorize the victim or another individual, to wit: H.T.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 4

FELONY DISCHARGE OF A FIREARM WITH SERIOUS BODILY INJURY, (GANG) 76-10-508.1, a First Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;

(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or

(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

Furthermore, the aforementioned violation caused serious bodily injury to any person.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 5

FELONY DISCHARGE OF A FIREARM WITH SERIOUS BODILY INJURY, (GANG) 76-10-508.1, a First Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did knowingly or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons;

(b) with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure; or

(c) with the intent to intimidate or harass another, discharged a firearm in the direction of any vehicle.

Furthermore, the aforementioned violation caused serious bodily injury to any person.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 6

AGGRAVATED ASSAULT, (GANG) 76-5-103(2)+(3A), a Second Degree Felony, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did attempt, with unlawful force or violence, to do bodily injury to another;

(ii) make a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or

(iii) commit an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another; and

(b) includes in the actor's conduct under Subsection (2)(a) the use of:

(i) a dangerous weapon; or

(iii) other means or force likely to produce death or serious bodily injury.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

COUNT 7

PURCHASE, TRANSFER, POSSESSION OR USE OF A FIREARM BY RESTRICTED PERSON, 76-10-503(2)(A), a Second Degree Felony, as follows: That on or about August 15, 2024, at Salt Lake County, the defendant did (2) being then a Category I restricted person, intentionally or knowingly agree, consent, offer, or arrange to purchase, transfer, possess, use, or have under the person's custody or control, or intentionally or knowingly purchased, transferred, possessed, used, or had under the person's custody or control:(a) any firearm.

COUNT 8

FAILURE TO RESPOND TO OFFICERS SIGNAL TO STOP, 41-6A-210(1), a Third Degree Felony, as follows: That on or about August 11, 2024, at Salt Lake County, the defendant did , after receiving a visual or audible signal from a law enforcement officer to bring the vehicle to a stop: (i) operated the motor vehicle in a willful and wonton disregard of the signal so as to interfere with or endanger the operation of any other vehicle or person; or(ii) attempted to flee or elude a law enforcement officer by vehicle or other means.

COUNT 9

ASSAULT, (GANG) 76-5-102(2)+(3A), a Class A Misdemeanor, as follows: That on or about August 3, 2024, at 5425 South Wasatch Blvd, Mount Olympus Trailhead Parking Lot, in Salt Lake County, the defendant, as a party to the offense, did attempt, with unlawful force or violence, to inflict bodily injury upon another; or
(b) commit an act, with unlawful force or violence, that:
(i) caused bodily injury to another; or
(ii) created a substantial risk of bodily injury to another.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that ALEX is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

Detective I. Wasson, A.A., H.T., and Dr. J. Lohmann

DECLARATION OF PROBABLE CAUSE:

Your affiant bases probable cause on information and evidence collected by Salt Lake County Sheriff's Office, Case No. SO24-13748 and the following:

On August 3, 2024, at 4:34 am, Salt Lake County Deputies received an urgent welfare check at 5425 S Wasatch Blvd, Mount Olympus Trailhead Parking Lot in Salt Lake County. Deputies located N.W. deceased in the driver's seat of a sedan. N.W.'s legs were hanging out of the open door, his body was laying across the seat. Deputies observed that the windows on the rear driver and front passenger side of the sedan were broken, and two shell casings were located on the ground at N.W.'s feet and another shell casing on the driver's side rear floor.

Deputies located A.A. approximately a mile north of the scene along Wasatch Blvd. A.A. had visible injuries to his face and provided an account of what occurred. A.A. stated that he was hanging out by his Hyundai Sonta with his cousin N.W., friend H.T., and another male they met in the parking lot. A.A. stated that two males approached them, saying random stuff, asking if they "Rep R5?" and "Want to gang bang?" They told the two males that they don't "mess with that shit." A.A. stated that one of the males punched him in the mouth one to two times, leaving him with a swollen abrasion in the center of his top lip. A.A. stated that he ran away and hid, but two sedans, one dark in color, another white, began following. He described them slowly driving down and circling on Wasatch Blvd in the direction he ran, like they were looking for him. A.A. noticed that the cars then returned towards the Olympus trailhead parking lot. A.A. called H.T. to warn him the cars were coming back. A.A. told H.T. to hide with N.W. in the car and lock the doors because A.A. still had the keys to the vehicle. While on the phone, H.T. told A.A. the males were back and A.A. heard banging on the windows of the car during the

phone call with H.T. A.A. told H.T. to call 911 and hung up. A.A. then called 911 for help. Detectives noted that A.A. placed a call to 911 at approximately 4:22 a.m.

Deputies located H.T. who had ran west across I-215 to seek help. H.T. had a visible wound to his head. H.T. stated that he was hanging out with A.A. and N.W. at the Mount Olympus trailhead parking lot. H.T. stated that they were approached by two males. These males asked if they represented "500" and asked A.A. what his Instagram handle was. H.T. stated that one of the males punched A.A. and A.A. ran off. H.T. said two cars left, one white and one black, and were gone for about five minutes. The males came back a short time later in the same two vehicles. H.T. stated that he and N.W. were standing outside A.A.'s vehicle as the two cars drove passed them. One of the suspects called out through an open window asking, "Do you guys' bang?" The suspects' cars parked north of them and multiple males of Hispanic, Black and mixed-race, started walking back towards them. H.T. stated that he and N.W. got back into A.A.'s car and locked the doors. N.W. was in the driver's seat and H.T. was in the front passenger seat. H.T. stated that two suspects approached the driver's side where N.W. was sitting, while two other suspects approached the passenger side where H.T. was sitting. The males began banging on the car windows. While this was occurring, A.A. called H.T. to warn them that the males were coming back. H.T. stated that he saw the rear driver side passenger window shatter and a male reached in through the broken window and unlocked the door. The male opened the back door and got into the back seat behind N.W. This male began punching N.W. and another male tried to get inside the car on the driver's side. H.T. stated that the males on the passenger side broke the window and H.T. pushed his car door open and pushed one of the males away. The other male on the passenger side then hit H.T. in the head with what he believed to be a hammer. H.T. stated that he stumbled and fell to the ground by the front of the car. H.T. stated that he saw the male preparing to hit him again with the hammer, so he rolled off the retaining wall to the roadway below. H.T. stated that he then ran west, crossed the roadways, including I-215. H.T. stated that he had a large laceration to his head that required stiches and staples, as well as cuts on his knee and elbow. H.T. lost his phone during his escape and knocked on nearby doors to get help. Detectives noted that a resident called 911 at 4:37 a.m. regarding H.T.

Detectives further located a 911 call placed from N.W.'s phone at 4:23 a.m. During the call, muffled voices can be heard saying "we don't do that" while there is a tapping sound and then glass breaking. Three sounds are heard that detectives believe are gun shots followed by a male's voice in a state of high distress and fear before the call goes silent.

Deputy Salt Lake County Sheriff Detective I. Wasson and other detectives processed the crime scene. During their search, three 9mm shell casings were located. Two of the casings were located on the ground near the driver side door and another was located behind the driver's seat inside the vehicle. Detectives also located a blue Toronto Blue Jays ballcap with a sticker centered on the brim behind the front driver's side tire of A.A.'s vehicle. A rock was located on the back seat near the damaged window. Additionally, a handprint was recovered from inside the driver's window of A.A.'s vehicle. This handprint was processed and identified as a 15-year-old juvenile, A.V., who is a documented Florencia 13 gang member.

Detective Wasson received information from the Salt Lake County Metro Gang unit concerning known associates to A.V. and the Florencia 13 gang. Specifically, gang detectives located photos of A.V. with known Florencia 13 gang members MATEO HERIBERTO MARTINEZ and ALEX RUIZ-MARTINEZ flashing known gang signs that appeared to be taken near the Mount Olympus trailhead prior to this incident. Detectives located another video recording of MATEO taken on July 29, 2024, where he is wearing a Toronto Blue Jays hat bearing the similar color, emblem, and sticker on the brim as the one located at the homicide scene. Through investigation, gang detectives located a message from ALEX to MATEO that was sent at 4:20 a.m. on the day of the homicide which read “yo hurry up, come to the view” which detectives believe was ALEX calling the group back to the trailhead after they searched for A.A. Through prior investigations gang detectives know “the view” to be a reference to the Mount Olympus trailhead where the homicide occurred.

Based on these leads, call detail record warrants were executed on known phone numbers belonging to MATEO and ALEX. Detectives were able to determine that both MATEO’s and ALEX’s phones were in the direct vicinity of the Mount Olympus trailhead during the time N.W. called 911. Specifically, MATEO’s phone shows arriving at the trailhead at 4:02 a.m. while ALEX’s phone arrives separately at 4:05 a.m. coming from a different direction. Both phones are then observed to travel northbound on Wasatch Blvd. for approximately 10 minutes, consistent with A.A.’s observation of being followed by two cars. ALEX’s phone then shows back at the trailhead around the same time he messages Mateo “yo, hurry up, come to view.” The phones then show leaving the trailhead in separate directions. ALEX’s phone travels to a neighborhood in West Jordan, UT where detectives learned A.V. was staying with several other Florencia 13 gang members. A.V. was ultimately arrested on August 12th, 2024 at this same residence.

On August 12, 2024, MATEO was arrested at a residence in Murray, UT.

In their search for ALEX, detectives noted that witnesses described one of the vehicles involved in the homicide as being white in color. Detectives noted that ALEX drove a white Honda Civic and began looking for his vehicle. On August 11, 2024 detectives located the Civic in the area of 7351 S Catalpa Street in Salt Lake County, Utah at approximately 17:15. Officers observed four occupants in the vehicle and activated their lights in an attempt to pull the vehicle over. The vehicle fled north on 1300 West, evading police. Detectives reviewed ALEX’s phone location data during this attempted traffic stop and found his phone to be traveling in the same direction as the fleeing vehicle. The following day, ALEX filed a police report with Unified Police reporting that his vehicle was stolen around 9:00 a.m. on August 11th, 2024.

On August 15, 2024, in Salt Lake County, Detectives conducted a traffic stop on a different vehicle being driven by ALEX’S mother and in which ALEX was a passenger. ALEX was found to be in possession of a firearm and in possession of a cell phone with the same phone number detectives used to track his location during the time of the homicide as well as his fleeing from police.

Dr. J. Lohmann of the State Office of the Medical Examiner conducted an autopsy on N.W. Dr. Lohmann noted a gunshot wound to N.W.'s right hand, a gunshot wound to N.W.'s right temple, a gunshot wound to the bridge of his nose, and a gunshot wound to his left shoulder. Each of the gunshot wounds had an entry and exit wound. Dr. Lohmann determined that cause of death as gunshot wounds and the manner of death as homicide.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that A.V., MATEO, and ALEX are subject to an enhanced penalty as provided in that section because the above offense was committed in concert with three or more persons or for the benefit of, at the direction or, or in association with any criminal street gang.

NOTICE IS GIVEN that A.V., MATEO, and ALEX caused serious bodily injury to N.W. during the course of committing Aggravated Kidnapping, and are therefore subject to enhanced penalties under Utah Code Ann. § 76-5-302(4)(b), to include the possibility of life without parole.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-10-503, that ALEX is a Category I Restricted Person and is subject to an enhanced penalty as provided in that section because the defendant has been convicted of a violent felony defined in Utah Code 76-3-203.5, Aggravated Robbery, a Second-Degree Felony, in the Third District Juvenile Court.

This Amended Information is being filed to add Counts 2, 3, 4, 5, and 9 as listed in this document and to change the level of the Aggravated Assault charge.

Authorized for presentment and filing

SIM GILL, District Attorney

/s/ Joshua Graves

Joshua Graves

Deputy District Attorney

23rd day of August, 2024 / MM / DAO# 24.014625