

(DISTRICT) (COUNTY) COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903		
The People of the State of Colorado, Plaintiff V. GADSON OCHOA, DALVIN DEMITRIUS, DOB: 08/11/1993, SSN: [REDACTED], Defendant		▲ COURT USE ONLY ▲ Case/File Number:
Agency: Colorado Springs Police Department	Agency Number: 2238042	Division: Criminal Ctrm:
AFFIDAVIT OF PROBABLE CAUSE		

The following affidavit is submitted to the Court to document the probable cause in support of the arrest of **GADSON OCHOA, DALVIN DEMITRIUS, DOB: 08/11/1993, SSN: [REDACTED]; BLACK MALE, 6'03 FT, 145 LBS, BLK HAIR, BROWN EYES.**

This offense is fully documented in Colorado Springs Police Department report 2238042 detailing the offense(s) of:

§18-3-203(1)(F), ASSAULT IN THE SECOND DEGREE, CLASS THREE FELONY (F3) - TWO (2) COUNTS

§18-8-104 (1) (A), OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY MEDICAL SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER, CLASS TWO MISDEMEANOR (M2)

§18-8-103 (1) (A), RESISTING ARREST, CLASS TWO MISDEMEANOR (M2)

§42-3-202 (1)(A), NUMBER PLATES FURNISHED TO BE ATTACHED, CLASS B TRAFFIC INFRACTION (TIB)

§42-4-1301(1)(A), DRIVING UNDER THE INFLUENCE, MISDEMEANOR (M)

With the victim(s) identified as:


STATE OF COLORADO

CHRISTOPHER HUMMEL; EMPLOYEE ID: 6964

COLBY J. HICKMAN; EMPLOYEE ID: 7090

On 10/09/2022 at approximately 0254 hours, Your Affiant, Police Officer J. Dussan/7086, herein after referred to as I, was provided with the following information. Officers C. Hickman/7090, M. Anderson/5396, and C. Hummel/6964 were conducting a routine traffic stop in the area of the 3700 block of Airport Rd and South Academy Blvd in the City of Colorado Springs, County of El Paso, State of Colorado. Officer Hickman observed a gray sedan vehicle enter the parking lot of the above location. The driver of the vehicle, later positively identified through his Georgia's drivers license as Dalvin Demitrius Gadson Ochoa, DOB 08/11/1993, was demonstrating unorthodox driving behavior.

Officer Hickman pulled behind the vehicle in the parking lot and noted the vehicle had no license plates and did not have a temporary tag in the back window. The vehicle turned right out of the parking lot, going southbound on Academy Blvd heading towards Airport Rd. The vehicle was travelling approximately 15 miles per hour in a 45 mile per hour zone. Officer Hickman utilized his overhead lights to conduct a traffic stop. The vehicle turned right onto Airport Rd. and slowed down to approximately 5 mph. The vehicle eventually came to a stop in a parking lot near the intersection of Majorie Lee Drive and Airport Rd. During Officer Hickman's initial contact with Dalvin, he noted a knife in the center cup holder next to Dalvin. Officer Hickman also observed Dalvin to be thick-tongued and slurred in his speech.

Supervisor Initials / IBM: 

Moments later, Officer Hummel and Officer Anderson arrived on scene. Officer Hickman briefly informed other officers Dalvin was going to be detained on suspicion of driving under the influence, and that he had observed a knife in the center cup holder next to Dalvin. Officer Anderson approached the front passenger door and engaged in a casual conversation with the front passenger, later positively identified as Carlos Carranza, DOB 07/08/1991, while Officer Hickman and Officer Hummel contacted the driver, Dalvin.

Officer Hickman informed Dalvin he was being detained and needed to step out of the vehicle. At this point, Dalvin was sitting in the driver seat with both feet out of the vehicle and the driver's door open. After Dalvin was asked to step out several times, he became verbally argumentative and told officers something to the effect of, he "was not going to be detained" and refused to exit the vehicle. As officers attempted to physically withdraw Dalvin from the vehicle, Dalvin retreated completely back into the vehicle and kicked Officer Hummel in his center chest area several times, while becoming more aggressive.

Officer Anderson observed Dalvin fighting with Officer Hummel and Officer Hickman. Officer Anderson returned to the driver's side of the vehicle to assist the other officers in detaining Dalvin. Dalvin continued to fight by kicking, scratching, and punching officers. Dalvin attempted multiple times to pull his left arm out of Officer Hickman's grasp and reach toward the area of the center console. Officer Anderson struck Dalvin in the face with his fist, in an effort to prevent him from reaching for the knife and force him from the vehicle. After multiple strikes to Dalvin, Officer Anderson continued telling him to get out of the vehicle and he was under arrest.

Officers were eventually able to place Dalvin into custody. Due to the circumstances of the situation, Dalvin was transported to Memorial Central Hospital located in 1400 E Boulder St, Colorado Springs, CO. Officer M. Piros/7101 sat with Dalvin at UC Health Memorial Hospital Central and determined he would be placed under arrest for driving under the influence due her observation of his slow and slurred speech. Dalvin was not evaluated for DUI due to his refusal to exit the car and subsequent fight with officers. He refused a chemical test while at Memorial Central Hospital.

Your Affiant would respectfully request that probable cause be found that **GADSON OCHOA, DALVIN DEMITRIUS, DOB: 08/11/1993, SSN: [REDACTED]; BLACK MALE, 6'03 FT, 145 LBS, BLK HAIR, BROWN EYES**, did, within the City of Colorado Springs, County of El Paso, State of Colorado, commit in violation of the Colorado Revised Statutes 1973 as amended, the offense(s) of **§18-3-203(1)(F), ASSAULT IN THE SECOND DEGREE, CLASS THREE FELONY (F3) - TWO (2) COUNTS; §18-8-104 (1) (A), OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY MEDICAL SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER, CLASS TWO MISDEMEANOR (M2); §18-8-103 (1) (A), RESISTING ARREST, CLASS TWO MISDEMEANOR (M2); §42-3-202 (1)(A), NUMBER PLATES FURNISHED TO BE ATTACHED, CLASS B TRAFFIC INFRACTION (TIB); §42-4-1301(1)(A), DRIVING UNDER THE INFLUENCE, MISDEMEANOR (M).**

The foregoing instrument was acknowledged before me

Notary Signature:

Melissa A. Meyer

Affiant:

Jeffrey Dussan
JEFFREY DUSSAN 7086

Commission Expires:

12/13/2023

Employed By: Colorado Springs Police Department

Address:

Sand Creek Division
950 Academy Park Loop
Colorado Springs, CO 80910

Position: Police Officer

Date: Sunday, October 09, 2022

MELISSA A. MEYER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194046223
My Commission Expires 12-13-2023

(DISTRICT) (COUNTY) COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903		▲ COURT USE ONLY ▲
The People of the State of Colorado, Plaintiff V. GADSON OCHOA, DALVIN DEMITRIUS, DOB: 08/11/1993, SSN: [REDACTED] Defendant		
Agency: Colorado Springs Police Department Agency Number: 2238042		Case/File Number: Division: Criminal Ctrm:
INFORMATION FOR PRELIMINARY PROCEDURE		

The above named Defendant was arrested on Sunday, October 09, 2022 on the charges of:

§18-3-203(1)(F), ASSAULT IN THE SECOND DEGREE, CLASS THREE FELONY (F3) - TWO (2) COUNTS

§18-8-104 (1) (A), OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY MEDICAL SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER, CLASS TWO MISDEMEANOR (M2)

§18-8-103 (1) (A), RESISTING ARREST, CLASS TWO MISDEMEANOR (M2)

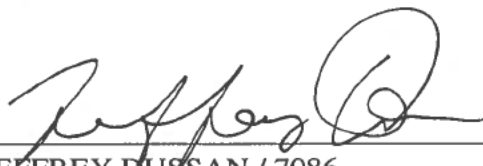
§42-3-202 (1)(A), NUMBER PLATES FURNISHED TO BE ATTACHED, CLASS B TRAFFIC INFRACTION (TIB)

§42-4-1301(1)(A), DRIVING UNDER THE INFLUENCE, MISDEMEANOR (M)

The following bonding information is to be considered by the Judge in setting bail on the defendant.

STANDARD BOND

Signature of Peace Officer who
furnished the above information:



Print Name: JEFFREY DUSSAN / 7086

NOTE: If more than one defendant was arrested for the same or similar acts or series of acts, they must be included on the same sheet.

Initiating Law Enforcement Agency Information	
Initiating Officer:	JEFFREY DUSSAN 7086
Agency/Division:	Colorado Springs Police Department Sand Creek Division
Case Number:	2238042