

IN THE CIRCUIT COURT
OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA

Altamonte Springs Police Department
Case No. 201810000670

VS.

MARIANO HERNANDEZ

Court Case No. *2018CF964A*

FILED IN OFFICE
GRANT WALDOY
CLERK CIRCUIT COURT
2018 MAR 23 AM 8:28
BY SEMINOLE CO. FLA
D.C.

AFFIDAVIT FOR ARREST WARRANT

State of Florida
County of Seminole

BEFORE ME, *Dan Seidentzen* a sworn law enforcement officer, personally came Detective Allan David, Badge #100568, of the Altamonte Springs Police, who being duly sworn deposes and says: that Affiant has reason to believe and does believe that probable cause exists for the arrest of **Mariano Hernandez, Date of Birth 09/08/1988, Social Security Number [REDACTED], 809 Ravens Circle Apt. #207, Altamonte Springs, Florida, 5'10", approximately 150 lbs, hispanic, male** for a violation of the laws of the State of Florida, to wit: **(4 Counts) Attempted Homicide F.S.S. 782.04 (1a1), Weapon Offense-Missile into Dwelling, F.S.S. 790.19, Firing Weapon in Public or Residential Property, F.S.S. 790.15 (1) and Criminal Mischief under 1000 Dollars, F.S.S. 806.13 (1b2).**

THE FACTS tending to establish the grounds for this application and the probable cause of Affiant believing that such facts exist are as follows:

On 03/22/18, Altamonte Springs Police Department Patrol units responded to 809 Ravens Circle, Ravens Crossing, in reference to a shooting. Upon arrival, Patrol units made contact with victims, Fernando Galvan, Tony Garza, Jay Jay Jasso, and Luis Serna who all provided the following information in sworn statements.

On 03/22/18 at approximately 1815 hours, Galvan, Garza, Jasso, and Serna were all on the roof of 809 Ravens Circle. They were all laying down shingles when they heard a man and female arguing somewhere below them. None of them payed much attention to it at the time. Garza began heading down the ladder that had been placed next to the building. While climbing down, Garza looked over to the area where he had heard the male and female arguing. At the base of the stairs that led to unit 205 and 207 he observed a Hispanic male and a white female. The Hispanic male looked over at Garza and began yelling at him to not look at his girl as well as to mind his own business.

The Hispanic male ran over to the base of the ladder that Garza was climbing down. The Hispanic male grabbed a nearby gas can and attempted to throw it at Garza but was unsuccessful. He grabbed the base of the ladder and began shaking it in an attempt to push it over while Garza was still on it. Garza climbed back up the ladder. The Hispanic male then pushed the ladder over causing it to fall. Garza, Galvan, Jasso, and Serna all began yelling at the Hispanic male to leave the area before the called for police. They observed the male subject run up the stairs and into unit 207. The Hispanic male was inside unit 207 for approximately 5 minutes before exiting the apartment.

The Hispanic male walked down to the base of the stair case with a black handgun and pointed it at Galvan, Garza, Jasso, and Serna. Galvan, Garza, Jasso, and Serna all jumped behind shingles that had been stacked up on the roof. They stated they heard 2 shots, when they stood up to see if the subject was still there they saw the subject running over to a white car that had the white female sitting in already.

The subject is described as a Hispanic male, 6ft tall, medium build, and short brown hair. He was last seen wearing a red Braves jersey with a matching red hat.

Galvan, Garza, Jasso, and Serna all stated that they were in fear for their lives when the subject began shooting the firearm. They all stated they would be able to identify the subject if they saw him again and they do wish to press charges.

Patrol units spoke with the residents, Nydia Cruz and Demetrius Harrison who provided the following in a sworn statement. On 03/22/18 at 1815 hours, Cruz and Harrison heard a loud banging noise. They thought it had been one of the roofers since they had been loud all day long. She walked out of her apartment and saw her neighbor, Mariano Hernandez walking down the stairs that lead up to their apartments. Hernandez walked to his girlfriend's white car that his girlfriend was sitting inside of. As Hernandez left the roofers were yelling to her that he just shot at them. She looked at the area of the building near her front door and observed what appeared to be a bullet hole in the western most wall near her door.

Patrol units observed a bullet hole near her front door as well as what appeared to be a bullet hole in the gutter area just above Cruz's apartment. They looked for one of the projectiles that hit the building but was unsuccessful.

On 03/22/2018, I was the on duty detective and patrol units requested assistance in this case. I responded to 809 Ravens Circle in reference to a shooting. Information was provided by the witnesses and victims that the male suspect resided in unit #207.

I observed what appeared to be a round hole in the gutter above unit #205. I also noticed damage to a wall and above the front window to unit #205. It appears to be damaged caused possibly by the projectile. The damage appeared to coming from ground level, upwards towards the direction of where the four roofers were located just above unit 205. Patrol units and Crime Scene Investigator Arciniega canvassed the roof, inside of unit #205 and wall but none of the projectiles were able to be located.

I researched through CAFÉ and located a female resident named Alicia Rubino. Rubino is the registered owner for a white 2001 Toyota Camry, bearing Florida tag IJGX34. Another listed registered owner for the vehicle was Mariano Hernandez. I observed the photograph for Hernandez and noticed it appeared similar to the description provided by the four victims.

I compiled a four separate photo lineups which contained a photograph of Hernandez. I provided Detective Van Cleave with two of the photo lineups and SPO Cornell with the other two photo lineups. All of the photo lineups were completed separately from one another.

Detective Van Cleave completed a photo lineup with Jay Jay Jasson Martinez while on scene. The instructions were read aloud and the process was audio recorded. Detective Van Cleave returned the photo lineup to me and Jasson Martinez selected the photograph in the fifth place. It should be noted the individual in the fifth place is Mariano Hernandez.

Detective Van Cleave completed a photo lineup with Fernando Galvan. The instructions were read aloud and the process was audio recorded. Detective Van Cleave returned the photo lineup to me and Galvan selected the photograph in the fourth place. It should be noted the individual in the fourth place is Mariano Hernandez.

SPO Cornell completed the first photo lineup with Luis Serna. The instructions were read aloud and the process was recorded thru the use of a body camera. SPO Cornell returned the photo lineup to me and stated that Serna was unable to identify any of the individuals in the photo lineup.

SPO Cornell completed the second photo lineup with Tony Garza-Smith. The instructions were read aloud and the process was recorded thru the use of a body camera. SPO Cornell returned the photo lineup to me and stated that Garza-Smith was unable to identify any of the individuals in the photo lineup.

Due to Hernandez leaving the scene, he was unable to be located.

Based on the above listed investigation probable cause exists to charge Mariano Hernandez with four counts of Attempted Homicide per F.S.S. 782.04 (1a) for shooting at the four victims, Weapon Offense-Missile into Dwelling, F.S.S. 790.19, for hitting building 809, Firing Weapon in a Public or on Residential Property F.S.S. 790.15 (1) , for discharging a firearm in an apartment complex, and Criminal Mischief F.S.S. 806.13 (1b2) for damaging the ladder and building. Based on my inability to locate Hernandez at this time, your affiant is respectfully requesting an arrest warrant be issued for Mariano Hernandez for the above listed charges.

Your Affiant, Detective Allan David (hereinafter referred to as Your Affiant) is a sworn Law Enforcement Officer employed by the Altamonte Springs Police Department. Your affiant has successfully satisfied the Florida Standards and Training Requirements by attending Seminole Community College, Sanford, Florida, which included training in criminal investigations. Your affiant is a certified Police Officer in the State of Florida. Your affiant has also attended and

successfully completed a Field Training Officer course, Crisis Intervention course, Background Investigations, Interview and Interrogation and Offender Profiling course.

WHEREAS, your Affiant makes this affidavit and prays the issuance of an Arrest Warrant with authority to enter any premises to effect said arrest, in due form for the arrest of **Mariano Hernandez** for the violation of the laws of the State of Florida, to wit: **(4 Counts) Attempted Homicide F.S.S. 782.04 (1a1), Weapon Offense-Missile into Dwelling, F.S.S. 790.19, Firing Weapon in Public or Residential Property, F.S.S. 790.15 (1) and Criminal Mischief under 1000 Dollars, F.S.S. 806.13 (1b2).**



Detective Allan David #100568
Altamonte Springs Police Department
Affiant Signature

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23rd DAY OF March, 2018.



Officer Signature
Altamonte Springs Police Department

Affiant Personally Known
 Affiant Produced Identification

Type of Identification