

STATE OF INDIANA
MARION COUNTY, ss:

IN THE MARION SUPERIOR
COURT
CRIMINAL DIVISION

STATE OF
INDIANA

Cause No: 49G12

vs.

INFORMATION

COUNT I

CARRYING A HANDGUN WITHOUT A
LICENSE

I.C. 35-47-2-1

A CLASS A MISDEMEANOR

COUNT II

RESISTING LAW ENFORCEMENT

I.C. 35-44.1-3-1(a)(1)

A CLASS A MISDEMEANOR

Avondre Gavia B/Male
DOB 9/26/2001

On this date, the undersigned Deputy Prosecuting Attorney of the Nineteenth Judicial Circuit, being duly sworn on his/her oath (or having affirmed), says that in Marion County, Indiana

COUNT I

On or about May 31, 2020, Avondre Gavia did knowingly carry a handgun on or about his person, without being licensed as required by law;

COUNT II

On or about May 31, 2020, Avondre Gavia did knowingly forcibly resist, obstruct or interfere with Trevor Wright, a law enforcement officer, while said officer was lawfully engaged in his duties as a law enforcement officer;

all of which is contrary to statute and against the peace and dignity of the State of Indiana.

June 1, 2020
Date

RYAN MEARS
Marion County Prosecutor
19th Judicial Circuit

/s/ Mark R. Conner

Deputy Prosecuting Attorney

State's Witnesses:

Julie Dutrieux D3917 IMPD
Trevor Wright 42898 IMPD
Elizabeth Flatter 41935 IMPD
Michael Phillips 20105 IMPD

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Agency case report: IP200052531

Detective Julie A. Dutrieux has knowledge that:

On Sunday, May 31st, 2020, at approximately 04:00 AM, Officer Wright (42898) with IMPD was mobile with his mobile field force securing the downtown area to disperse any rioters that may still be in the area. While patrolling the area, officers encountered, Mr. Avondre Gavia and a juvenile female at 200 N. Illinois St. Officers immediately told Mr. Gavia and the juvenile they needed to leave the area. Mr. Gavia expressed concerns that an officer hadn't come to speak to him about his wallet being taken. Officers let him tell them his issue. Mr. Gavia told officers that it had been 30 minutes since he called and was furious an officer hadn't found his wallet yet.

Officer Wright explained to Mr. Gavia there were riots going on in the city and an officer would speak to him as quickly as they could. Mr. Gavia did not like that answer and went on to tell officers they aren't doing the jobs he pays them for and that officers were being a "bunch of bitches." Officers once again told Mr. Gavia to leave the area, he again refused. Officers then placed Mr. Gavia in handcuffs for disorderly conduct. While officers were placing Mr. Gavia in handcuffs, the juvenile began yelling at the police. Officers told her to leave the area and she refused saying "I'm a juvenile, you can't take me to jail." Officers then placed the juvenile in handcuffs.

The juvenile was carrying a black backpack. In the outside pocket of the backpack was a Smith and Wesson SD9 VE handgun serial number (FXJ5835) and 16 live rounds of 9mm in the magazine. Also in the back pack were t shirts from Dicks Last Resort and merchandise from TJ Maxx, (shirts, jewelry, perfume, etc.) all still having tags on them. Both places were vandalized and looted during the riots.

While officers were conducting the search on juvenile, Mr. Gavia began to get physical with officers while in handcuffs. Mr. Gavia tried to push away from the officers to run from the police. Officer Crowe (41931), Officer Gossett (42844), and Officer Wright (42898) subdued Mr. Gavia and regained control of him.

Officer Phillips (20105) with IMPD read Mr. Gavia his Miranda Rights and asked him about the handgun. Mr. Gavia told Officer Phillips the gun was his and the juvenile did not know the gun was in the bag. Mr. Gavia also told Officer Phillips he had priors for carrying a handgun without a license.

Officer Phillips took pictures of Mr. Gavia after he was reobtained by officers. Officer Crowe transported all evidence to the IMPD property room. Mr. Gavia was placed under arrest and transported via MCSO wagon to the MCSO jail. The juvenile was placed under arrest and

Affidavit for Probable Cause

transported via MCSO wagon to the Juvenile Intake center.

All events occurred in Marion County, State of Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.

DATED: June 1, 2020

/s/ Julie A. Dutrieux
AFFIANT