

**STATE OF INDIANA
MARION COUNTY, ss:**

**IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION**

Cause No: 49D29

STATE OF INDIANA)
)
vs.)
)

INFORMATION

COUNT I

MURDER

I.C. 35-42-1-1(1)

A FELONY

COUNT II

ATTEMPTED MURDER

I.C. 35-42-1-1(1) and I.C. 35-41-5-1(a)

A LEVEL 1 FELONY

COUNT III

ATTEMPTED MURDER

I.C. 35-42-1-1(1) and I.C. 35-41-5-1(a)

A LEVEL 1 FELONY

COUNT IV

DISORDERLY CONDUCT

I.C. 35-45-1-3(a)(1)

A CLASS B MISDEMEANOR

**SHAMAR DUNCAN
B/Male
DOB 4/28/2000**

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 August 27, 2022, SHAMAR DUNCAN did knowingly kill another human being, to-wit: Simmie Poetsema;

COUNT II

On or about August 27, 2022, SHAMAR DUNCAN did attempt to commit the crime of Murder, which is to intentionally kill another human being, namely: R.H., by engaging in conduct, that is: shooting at or against the person of R.H. with the specific intent to kill R.H., which conduct constituted a substantial step toward the commission of said crime of Murder;

COUNT III

On or about August 27, 2022, SHAMAR DUNCAN did attempt to commit the crime of Murder, which is to intentionally kill another human being, namely: M.V.D., by engaging in conduct, that is: shooting at or against the person of M.V.D. with the specific intent to kill M.V.D., which conduct constituted a substantial step toward the commission of said crime of Murder;

COUNT IV

On or about August 27, 2022, SHAMAR DUNCAN did recklessly, knowingly or intentionally engage in fighting or tumultuous conduct;

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

September 1, 2022

Date

RYAN MEARS

Marion County Prosecutor

19th Judicial Circuit

/s/ Amy Jacobson

Amy Jacobson, #31039-49

Deputy Prosecuting Attorney

State's Witnesses:

M. GILLIAM, IMCFSA

A. MCKALIPS, IMPD

J. MESSER, IMPD

A. MISHLER, IMCFSA

S. SCHAFFER, IMPD

G. SCHWOMEYER, IMPD

G. TAYLOR, IMPD

C. WINTER, IMPD

M. WRIGHT, IMPD

R.H.

M.V.D.

D.C.

R.

T.D.

T.L.

N.P.

T.G.

M.O.

D.B.

AFFIDAVIT
FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Detective Michael Wright swears (affirms) that:

On August 27, 2022, officers with the IMPD were dispatched to the 100 block of South Meridian Street on the report of three people shot. Upon arrival, officers located three subjects who had been shot. The subjects were identified as Simmie Poetsema, R.H. and M.V.D..

Mr. Poetsema was transported to Methodist Hospital. R.H. and M.V.D. were transported to Eskenazi Hospital.

I responded to the scene in the 100 block of South Meridian Street along with several other IMPD Homicide Detectives. Upon my arrival, I met with Officer J. Hassled. I gathered all the information that Officer Hassled had collected to that point. I then had Officer Hassled walk me through the crime scene. I observed several shell casings in the northbound lanes of Meridian Street. I observed blood on the sidewalk in front of the Hampton Inn. I also observed a lot of broken glass and some bullet fragments. I then entered the Hampton Inn where two of the victims retreated to. I observed a blood trail that led from the entry doors off Meridian Street to an office area off to the side of the main lobby. There were bloody towels and clothing that were also located.

Crime Lab was requested to respond to the scene. Crime Lab Technician Alan (Jacob) Mishler responded to process the scene. While processing the crime scene Technician Mishler recovered nine 9mm shell casings, bullet fragments and took blood swabs for potential DNA. There was also some clothing and towels that were collected that had blood on them.

The other detectives that responded began taking witness statements.

Detective Andrew McKalips interviewed T.G. T.G. told Detective McKalips that he heard 4-6 gunshots. When he looked up, he saw a pickup truck leaving the scene. He described the truck as having an open back, beige or greyish color, 4 doors, a roof bar on top of the cabin, metal climbing ladder-possibly on both sides but for sure on one side. He then located his buddy M.V.D. who had been shot in the thigh. He observed that M.V.D. had mass bleeding and he helped apply pressure to the wound until medics arrived.

Detective Gregory Taylor interviewed M.O. M.O. told Detective Taylor that they had left a club in downtown Indianapolis. They were headed back to the hotel for the night. On their way back to the hotel some guys bumped into their group and a disturbance broke out. He said there were three African American males that got into a pulling and pushing match. He said one of the African Americans got hit and was knocked out with one punch. He said their group was trying to get out of the fight because they didn't want a fight. He said 30 seconds to 2 minutes after the fight, shots were fired. He observed a truck pull over that had at least two people in it. He said the truck didn't really pull over, but it drove by and that's when he heard the shots. He described the truck as a light-colored pick-up truck. He said he would compare the truck to a Ford F-150. He then described a hand come out the truck to fire the shots. He said the hand came out of the truck to about the wrist. He said he was 100% sure that the shots came from the truck. After the shooting he then saw his friend Simmie on the ground bleeding, so he went to help him. The truck then drove off from the scene.

M.O. then described the three males involved in the fight. The first one is a black male 6'2"-6'4", 210lbs, long dreads or braids with facial hair. The second was a black male 6'0", 175lbs, hair braided. The third one he could not describe other than him being a black male.

Detective Taylor also interviewed D.B. D.B. told Detective Taylor he was with several people from the group. He said they were out at a bar, and they left to go back to the hotel. He walked back to the hotel, when eventually one of his buddies came up to him and said there is a situation. He turned around and said there were three black guys. He said the black guys were just looking for a fight and he tried to deescalate the situation. He said they were

Affidavit for Probable Cause

From: Detective Michael Wright

able to walk away and started back towards the hotel again. He said Simmie and some of the other guys kept trying to deescalate the situation, but the guys just kept looking for a fight. He said eventually a fight broke out. He said R.H. was having trouble because one of the bigger black males took him separately and they were fighting. He said one of the guys from his group then knocked out one of the black guys. He went over and told all his friends, let's go. Everyone started to go back towards the hotel. He said he was the last one near where the fight took place. He went back to the front of the hotel, he then heard gunshots. He heard 4 to 5 shots possibly more. He saw glass breaking near him and he ran inside. He observed a white or silver pickup truck on the street as he was running inside. He thinks there were at least two people in the truck, he said he was pretty sure they were black males. He could not tell if they were the same guys from the fight.

D.B. then described the black males from the fight. He described the first male as being smaller than 179cm, 70kg with a black hoodie, buzz cut with a beard. He said he seemed to be on something because of his demeanor. He described the second male as 185cm, 80kg, dreads or braids in his hair wearing jeans and a black t-shirt. He said he thought he saw the second male pull something black out but couldn't tell what it was. When asked by Det. Taylor if he thought it was a gun, he said he couldn't tell, but that was a thing he was "afraid of, considering this is America." He described the third male as being light skinned, facial hair and possibly braids. He believed the third male was the aggressor and that's why he was punched. He said the third male was the one that got knocked down to the ground and when he got up, he seemed confused.

Detective Taylor then spoke with N.P. N.P. told Detective Taylor that he observed an altercation across from the Indy Star building. There was a male with dreads that passed by him with two other people. He said those males all seemed to be very intoxicated. The group of males then went across the street and were looking for trouble. They got into it with a different group of males by shoving a person and that group walked away from the three males. The group of males then got into an altercation with the group of people that were involved in the shooting. N.P. said he was watching from across the street. He observed one of the males who were causing problems get hit and knocked to the ground. He said he then heard one of the males from the group causing trouble say, "I'm going to get a strap." He said the victim group walked around and made their way back to in front of the Hampton Inn. He said the group causing problems went back to their vehicle. He described the vehicle they got into as a silver pickup truck that looked like a work truck. The truck drove off and made a U-turn in front of the Indy Star building. He said the truck pulled up in front of the Hampton Inn, stopped and turned the flashers on. He then heard gunshots and the truck took off towards the circle and turned right.

Detective Taylor then asked N.P. some follow up questions about the males who were causing the problems. N.P. said they were all black males. He said one of them had braids. He said the one with the braids was the aggressor out of the group. He observed the one with the dreads shove one of the white males in the large group of people. He said the fight then turned into like a 3 on 9 or 10 fight. He said one of the black males then fell to the ground. He said the fight ended at that point and the group of white males began to walk back toward the Hampton Inn. He said the three black males went back to their truck. He said the truck made a U-turn and flew up to the Hampton Inn and stopped with its flashers on and the shooting then started.

He described the truck as being a Ford F-150 silver in color. Said he could be wrong but thought it was a Ford. He said it was a crew cab that looked like a work truck. He said that it had blue details on the side of it like a plumbing or company truck. He said it had a toolbox in the bed of the truck as well.

Detective Taylor asked N.P. if he saw who shot. He said that he believed it was the person in the back seat that shot but he could not be sure due to the angle. He then continued to say that the first person that got back to the

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

DATED: 9/1/2022

Affidavit for Probable Cause

From: Detective Michael Wright

truck, grabbed the door, and said “unlock the car, unlock the car, I’m getting the strap.” All three males then got back to the car, and they all got in.

He described the aggressor being about 6’0”-6’2”, 210lbs, braids past his shoulders possibly to mid bicep. He had a substantial beard and was wearing a red shirt and black jeans.

He described the suspect who got knocked out as being 5’6”-5’7”, 130-140lbs, wearing white jeans with crystals or something on them with a lighter colored shirt. He said his hair had waves that were cut low, and he had a beard.

The third male had on a red shirt and dark jeans with an afro mohawk styled haircut. He was about 6’3”, 220-230lbs. He had some facial hair as well.

He then described where the males got into the vehicle. He said the male with the white shirt got in driver seat. The one with the dreads got into the front passenger seat. The one with the afro got into the rear passenger side of the truck. He said he was sure that the shots came from the passenger side of the vehicle.

Detective Christopher Winter responded to Eskenazi Hospital where M.V.D. and R.H. were transported to be treated for their injuries. M.V.D. told Detective Winter that he was out at a club in downtown Indianapolis. He left the bar with his friends to go back to the hotel. He heard that there was a fight between his friends and some other guys. He said there were three dark guys, one with long hair. He told them to stop and went back towards the hotel. He then turned around and saw that there was a fight going on. He said after the fight broke up and they started back to the hotel. He was walking into the hotel and heard the shots. He was shot as he ran back into the hotel. He was unable to see who did the shooting.

R.H. told Detective Winter that they were on their way back to their hotel and had some words with some guys. He thought everything was ok at first, but it ended up in a fist fight. He said they made it back to the hotel when shots were fired. He remembered seeing a pickup truck but could not describe it. He said the agitator was brown with cornrows or dreads, 185cm. He also stated that the other two were about the same as the first guy he described.

Detective James Hurt responded to Methodist hospital where Mr. Poetsema was transported. He spoke with the hospital staff, and he was advised that Mr. Poetsema was not likely to survive his injuries. Detective Hurt collected Mr. Poetsema’s clothing and brought it back to the crime scene and released it to Technician Mishler.

The information about the truck that was gathered was provided to Sgt. Steven Schafer in the IAC section of IMPD. Sgt. Schafer started to look at all the city cameras to see if he could locate a truck that matched the description of what was given. Sgt. Schafer was able to locate video of the truck in the 100 block of South Meridian Street during the shooting incident. The truck was originally parked on the west side of the street facing southbound. On the video, you can see the truck make a U-turn in the middle of Meridian Street to go northbound. The truck pulls up in front of the Hampton Inn, stops briefly, and then takes off at a high rate of speed North Bound on Meridian Street. Sgt. Schafer was then able to follow the truck with other cameras placed downtown. The truck enters Monument Circle and turns east bound onto the circle. The truck is then picked up on camera turning east bound onto New York Street from Meridian Street. The next set of cameras pick the truck up going northbound in the 900 block of North Delaware Street. No other video of the truck leaving the downtown area was located at that time.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

DATED: 9/1/2022

Affidavit for Probable Cause

From: Detective Michael Wright

While still at the crime scene I was informed that Sgt. Carpenter was talking with an individual that had a video of the fight that led up to the shooting. I responded to his location which was at the corner of Georgia and Meridian Street. When I arrived there, I met with T.L.

T.L. told me that he had a video of the fight that occurred just prior to the shooting. T.L. showed me the video. In that video I can clearly see a light-colored Ford truck parked on the west side of Meridian Street. There is a black male that matched some of the witness descriptions of the suspects standing next to it. When I watched the video, I can clearly see a toolbox in the bed of the truck. It also has two objects that I believed to be small light bars next to the cab of the truck on the driver and passenger side that extend above the cab of the truck. These lights would be consistent with what you would see on a construction vehicle on the interstate or city streets that are doing road work. The truck also has an extended cab where the back doors would open backwards to enter. The video also shows three black males going to the truck after the fight ends. You can clearly make out their clothing descriptions in the video. One of the males is wearing white jeans with a black shirt, white shoes and has what appears to be a lowcut haircut with a beard. The second male is wearing brown or tan pants, black shirt and he has dreads with facial hair. The third male is wearing light-colored blue jeans, black shirt, has an afro style haircut and has facial hair.

There was another male who was standing with T.L. He was identified as J.R. J.R. watched the video from T.L.'s phone and told me that the same group of black males in the video were trying to start a fight with a different group of people prior to the video incident. He said he observed four black males trying to fight a Hispanic group about an hour before the video incident. He said that the main aggressor in that incident was a black male wearing a tan or beige shirt with long dreads.

The Violent Crimes Unit (VCU) was notified about the incident and asked to come in and start helping with the case. Det. Sgt. Garth Schwomeyer and Detective Jeremy Messer with VCU came in and began to search the FLOCK System to locate a vehicle matching the description of the suspect vehicle. Detective Messer entered search parameters into the FLOCK System. He checked the parameters from August 1, 2022, at 1330hrs and August 27, 2022, at 1930hrs. He entered the parameters of pickup truck, Ford, silver/grey and top rack. This search resulted in over 2,000 hits in the FLOCK System. Detective Messer was able to look through the photos and located a truck matching the description. The hit was from August 23, 2022, at 1834hrs from the camera at 10th and Emerson eastbound. Detective Messer ran the plate of that truck, which was Indiana Dealer Plate, R377371. The plate came back to a 2XXX Ford registered to R. with an address of XXXX North XXXXX Avenue.

VCU units then began to work on locating the truck. Det. Sgt. Schwomeyer responded to XXXX North XXXXX Avenue to look for the truck. Det. Sgt. Schwomeyer arrived at XXXX North XXXXX around 1130hrs. He did not observe the truck at the residence. Det. Sgt. Schwomeyer went to check some other address that the VCU Unit had located when doing their research. He returned to the XXXX North XXXXX address around 1230hrs, and the truck was in the driveway. He observed a black male who he believed was R. on the passenger side of the truck removing items and taking them into the house located at XXXX North XXXXX Avenue. He hit for the rest of his team on the radio and told them that he 100% had the truck on XXXXX. He also noticed that the truck had key identifiers removed from it. The lights had been removed, toolbox was removed and there were reflective stripes removed but you could tell where they had been. While waiting for his backup to arrive on scene he observed the male making trips back and forth from the house while removing items at XXXX North XXXXX Avenue. The male then gets into the truck and leaves the residence. Det. Sgt. Schwomeyer follows the truck until his back up arrives. They then stop the vehicle at XX and XXXXXX Avenue. They take the male into custody without incident. They positively identify the male as R. and transported him to the homicide office for an interview.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

DATED: 9/1/2022

Affidavit for Probable Cause

From: Detective Michael Wright

I then responded to the homicide office along with Detective Winter. Detective Winter and I then conducted an interview with R. I read R. his Miranda Rights and he agreed to speak with me without an attorney present. He also signed the advice of rights form. Once we completed the advice of rights form, I asked R. if he knew why he was down in our office. R. said he knew why he was there. He said there was an altercation last night and something happened. He said when the officers came and got him today, they told him that someone died. He said that whatever we wanted to know he would tell us. I asked him who he was with, and he said he was with two people, T.D. and Shamar. R. said he was in Lawrence somewhere prior to going out for the night. He said they then went to Broad Ripple and then ended up downtown. He said he drove the truck downtown and T.D. and Shamar were with him. He said his truck is a Ford F-150 gray in color. Det. Winter asked him if anything was in the back of the truck the night before. He said that there was a toolbox and lights in the back. He said he had to take those out because he tried to go get a carwash because someone puked on his truck the night before and they told him he couldn't go through the carwash with the lights. R. also said he had a temporary plate on the car. I asked R. where he parked at, and he couldn't figure out where he parked. R. said that they got out and started walking around. He said someone brushed up against one of the other people he was with and some pushing and shoving started. He said he was unable to describe the person when asked because he was drunk. He then said there were like 14 people trying to jump them. He saw one of the other people he was with on the ground, so he went and picked him up and they ran back to the car. He said they pulled off and one of the people he was with said "my phone" so he stopped. He then heard gunshots going off. Det. Winter asked who was shooting and R. said Shamar was shooting. Det. Winter asked what type of seating there was in the truck. He said that he had two rows of seating. Det. Winter asked who was sitting next to him and he said T.D. because he put him in the truck. Shamar was sitting in the back seat. Det. Winter asked R. what he was wearing. He said he was wearing white pants. He said T.D. and Shamar were probably wearing black, and that Shamar had jeans on. Det. Winter then asked how they got out of there when the pushing and shoving started. He said he saw one of the people he was with on the floor. R. ran to one of the people he was with to help him because he got knocked out "like they should have". He got the person he was with up and went back to the truck and they left. He said one of the people he was with said "my phone" and he then heard the shots. He said Shamar was shooting out of the back of the truck. He said after the shooting he took T.D. and Shamar to 16th and Dequincy and dropped them off at Shamar's car. R. then went home and went to sleep. R. woke up and saw puke on his truck, so he went to 38th and Shadeland to get it washed. He said the carwash told him he couldn't go through because of the lights so he went to his mother's house to remove them. He took the lights off and took them back to the house. He said he then threw his clothes in the truck because he was going to do his laundry. I asked him what kind of car the people he was with got in to and he said it's a white Mazda that's registered to Shamar.

I asked R. if Shamar said anything before or after the shooting. He said that he yelled at Shamar because he was mad that he shot. He said Shamar said, "I just spazzed." I asked if he has talked to the people he was with since the shooting and he said, no. I asked if he knew the people's phone numbers. He said he would get them out of his phone for us.

At the end of the interview, I collected a buccal swab from R. which I had a warrant for.

I then submitted warrants for XXXX North XXXXX Avenue and for the Ford F-150 that belonged to R. They were both granted.

I communicated with VCU detectives about the other two suspects. I provided them with the information for T.D. and Shamar Duncan so that they could begin to search for them.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

DATED: 9/1/2022

Affidavit for Probable Cause

From: Detective Michael Wright

Sgt. Michael Duke submitted a search warrant for a Dodge truck that was on the property of XXXX North XXXXX which was also granted.

Detective Gregory Shue and Detective Shem Ragsdale executed the search warrant at XXXX N. XXXX Avenue. Crime Scene Technician Megan Gilliam processed the scene on XXXXX with the assistance of Crime Lab Technician Jenna Hood.

During the execution of the warrant at XXXX North XXXXX the following items were collected: unfired cartridge headstamp HS S+W 40, 7 magazines, unfired cartridge casing headstamp INC 9mm Luger, two fired shell casings- headstamp NCC7R 40 S+W and headstamp S+B 40 S+W, unfired cartridge headstamp S+B 40 S+W and clothing.

The warrant on the Dodge truck was also served by Det. Shue and processed by Technician Gilliam. There were photos taken on the interior and exterior of the truck, but nothing was recovered.

Behind the Dodge truck Det. Shue observed a tarp that appeared to be covering items. When the tarp was removed, he observed a polished steel truck bed toolbox with a pickup truck window protector. There were also two lights that appeared to be strobe lights under the tarp. The toolbox was searched. There was nothing recovered but all the items were photographed for documentation.

VCU Detectives had started their search for the other two suspects, T.D. and Shamar. VCU located T.D. going into an apartment located at XXXX Wind XXXXX Drive Apt. XX. T.D. exited the apartment and got into a vehicle that was being driven by a female. VCU stopped the vehicle after it left the apartments at the intersection of High School Road and XXXXX Drive. VCU contacted me to let me know that they had T.D. in custody and that he was with his girlfriend. VCU towed the vehicle that the girlfriend was driving to Animal Control pending a search warrant.

I submitted a search warrant for XXXX Wind XXXXX Drive Apt. XX where T.D. was seen coming out of. The search warrant was granted.

Detective Shue and Detective Ragsdale executed the search warrant at XXXX Wind XXXXX Drive Apt. XX. Technician Gilliam and Technician Hood processed the scene at XXXX Wind XXXXX Drive Apt. XX.

During the execution of the warrant at XXXX Wind XXXXX Drive Apt. XX the following items were recovered: pair of tan pants and brown men's wallet that were located on the floor next to the bed, 2 iPhones that were located on the bed-one of which had a picture of T.D. on the main screen. The two iPhones were transported to the Homicide office by Detective Shue and given to me. The pants recovered during this search warrant matched the pants being worn by one of the males in the video of the fight.

I then went to speak with T.D. Detective Winter joined me in the interview. I started the interview by getting all T.D.'s information. I then read Mr. Duncan his Miranda Rights. T.D. agreed to speak with me and signed the Advice of Rights form.

I asked T.D. to tell me what happened. T.D. said he was downtown with two people, R., and Shamar. T.D. said they went to a bar but couldn't remember which one. T.D. said that before they went out for the night, they all met I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

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From: Detective Michael Wright

at R.'s house. T.D. said when they left R.'s house for the night, they took R.'s truck. T.D. said R. has a silver truck that has 4 doors. He said the truck has a toolbox in the back of the truck. T.D. said he and the people he was with got into an altercation with 9 or 10 white guys. T.D. said they were headed back to the truck when a fight happened. He said he tried to punch a guy and he ended up falling. The fight lasted maybe 30 seconds. When the fight was over, they went back to the truck and left. He got into front passenger seat. He said they then went back to R.'s house where he got his car and drove home.

Detective Winter then asked T.D. to tell us the rest of the story about what happened. T.D. said that he guesses someone got shot because the officers that stopped them told them that. Detective Winter asked T.D. if he heard gunshots, and he said, "I guess." Det. Winter asked if R. was shooting and he said no. Detective Winter asked if Shamar was shooting, and he said, "I don't know." T.D. said the shots were close though. Detective Winter then asked T.D. why people would say they were involved in the shooting, and he said he "wasn't sure, they can for sure say we were involved in the fight, but the other part, I don't know." T.D. said he was not sure if shots were coming from the truck because he was very intoxicated.

I asked T.D. what he was wearing, and he stated that he was wearing tan pants, black shoes, and the shirt he was currently wearing which was black. I asked T.D. if there was anything in the back of R.'s truck that would stick out from any normal truck. He said that there were some lights, a toolbox, and a reflective strip.

At the end of the interview, I collected a buccal swab from T.D. which I had a warrant for.

After I collected the buccal, we left the interview room for a few minutes. I returned to the interview room to clarify where everyone was sitting in the truck. He said R. was driving and Shamar was in the back seat. He said he wasn't sure which side of the back seat Shamar was on.

A warrant had been submitted earlier in the day for R's F-150. Sgt, Duke met Technician Mishler at Animal Control to execute the granted search warrant on the F-150. During the execution of the warrant there were several items collected by Technician Mishler. One of the items that was collected was a white pair of jeans that had sparkly gems or diamonds on them. These pants matched the description of one of the males that N.P. describes in his interview with Detective Taylor. A pair of light-colored jean shorts was also located during the search. Inside one of the pockets of those shorts were two live rounds of 9mm ammunition. The headstamp on those rounds were WMA21. There were six shell casings located at the original crime scene that were 9mm with the same headstamp. There was also another live round located on the truck floor in between the center console and front passenger seat. The round was located closer to the rear of the vehicle, and it was also a 9mm with the headstamp of WMA21.

On August 28, 2022, Detective McKalips conducted photo arrays with eight witnesses from the night of the incident. During those photo arrays there was one person, M.B., who identified T.D. as being part of the disturbance. One person, W.M., identifies Shamar Duncan as being part of the disturbance. No one identified R.

On August 29, 2022, I met with N.P. to do a follow-up interview and show him photo arrays. N.P. identifies R. as being the driver of the truck when he leaves after the fight.

When I finished speaking with N.P. I responded to an address where VCU had located the girlfriend of Shamar. I responded to their location and took a statement from her. She stated that Shamar came over and picked her up Sunday. Shamar told her that some female said something to them, and the people Shamar was with started talking shit about the girl and the group of guys got involved. Shamar told her that he saw a gun, or thought he saw a gun,

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

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From: Detective Michael Wright

and he was worried about the people he was with. He said that he went to the truck to get his gun. He said he saw one of the guys reaching towards his waist, so he defended himself. She said Shamar didn't say he shot and that when he said he was defending himself she didn't know if that meant by shooting or by fighting them. The girlfriend asked Shamar if he was the one that shot, and he wouldn't say anything.

On August 30, 2022, I attended the autopsy of Mr. Poetsema. The autopsy was performed by Dr. John Cavanaugh. He determined that Mr. Poetsema suffered one gunshot wound to the head. The bullet traveled from back left to right front. The bullet caused a skull fracture and severe damage to the brain. The cause of death was determined to be a single gunshot wound to the head. The manner of death was homicide.

VCU Detectives had still been working on locating Shamar. August 31, 2022 at approximately 1421hrs I received a text message from Lt. Mark McCardia saying Shamar was in custody. He had been located leaving the area of 10151 John Marshall Drive. I was advised that he was wearing a hoodie that he had cinched down around his face, as well as a covid mask, which made it look like he was trying to hide his identity. VCU watched Shamar get into a vehicle with another male who was driving the car. VCU stopped the vehicle and confirmed that Shamar was in the vehicle. They transported him to the office for an interview.

I responded to the Homicide office along with Detective Winter. We went in to speak to Shamar. He was read his Miranda Rights and signed the Advice of Rights form and agreed to speak with us.

I asked Shamar to tell me what happened Saturday morning. I asked him if he knew what I was talking about and he said, yeah. He said he came downtown with two other people. He said they were intoxicated, and they tried to walk to a club, but it was closed. He said they go to walk back to their car, and they get into an altercation with some dude, the one being talked about on the news. He said on their way to the truck before the fight, some lady said something crazy to them and it made them stop. He told the people he was with that it's not worth it "let's go." He said as they walked away the group of males started to follow them. They stopped and asked the males if they were following them and that's when the fight started. He said the fight lasted 3-5 minutes. He stated he was in the street and one of the guys was trying to pick him up. He said he saw one of the people he was with hit his head and said the group of guys was stomping on T.D.'s head. He then saw a couple of guys running toward them from the hotel. Shamar said that's when everyone saw a gun and started scattering. He said they went back to their truck, but it took them a minute because T.D. was still dazed on the ground. Detective Winter asked him what happened next, and he declined to give a further statement.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Michael Wright

AFFIANT

DATED: 9/1/2022