

STATE OF INDIANA
MARION COUNTY, ss:

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION

Cause No: 49

STATE OF INDIANA)
)
 vs.)
)

INFORMATION

COUNT I

ATTEMPTED OBSTRUCTION OF JUSTICE
I.C. 35-44.1-2-2(a)(3) and I.C. 35-41-5-1
A LEVEL 6 FELONY

Michael Myers W/Male
DOB 12/17/1973

Co-Defendant with:

Leslee Pettitt-Myers

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 April 12, 2021, Michael Myers did attempt to commit the felony of Obstruction of Justice, which is to alter, damage or remove a record, document, or thing, that is: a vehicle, with the intent to prevent said item from being produced or used as evidence in an official proceeding or investigation, and Michael Myers took a substantial step towards the completion of that offense, to-wit: transported said vehicle to a repair shop;

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

June 9, 2023

Date

RYAN MEARS

Marion County Prosecutor
19th Judicial Circuit

/s/ Robert Beatson

Robert Beatson, 31221-49
Deputy Prosecuting Attorney

State's Witnesses:

- J. Tanasovich/IDHS/9714
- D. Yohe/IMPD/42225/IMPD
- J. Kempler/IMPD/32581
- T. Rohlfing/ISP/9114
- N. Alspach/ISP/8082

C. Ebel-Orr/USSS
Gary Edwards
William Rice
Elizabeth Vermeulen
Victoria Gieselman
Wayne Gieselman
Timothy Ragland
Lars Jonker
Kellie Lamarche

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

**IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION**

Cause No: 49

STATE OF INDIANA)
)
vs.)
)

INFORMATION

COUNT I

**ARSON
I.C. 35-43-1-1(a)(3)
A LEVEL 4 FELONY**

**Leslee Pettitt-Myers W/Female
DOB 9/5/1971**

COUNT II

**ARSON
I.C. 35-43-1-1(a)(2)
A LEVEL 4 FELONY**

Co-Defendant with:

Michael Myers

COUNT III

**LEAVING THE SCENE OF AN ACCIDENT
I.C. 9-26-1-1.1(a)(1) and I.C. 9-26-1-1.1(b)
A CLASS B MISDEMEANOR**

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 December 10, 2020, Leslee Pettitt-Myers did by means of fire knowingly damage the property of Gary Edwards, without the consent of said persons, to-wit: a home located at 7320 W 93rd St; and the pecuniary loss was at least five thousand dollars;

COUNT II

On or about December 10, 2020, Leslee Pettitt-Myers did by means of fire knowingly damage the property of Gary Edwards, to-wit: a home located at 7320 W 93rd St; in such circumstances so as to endanger human life;

COUNT III

On or about December 10, 2020, Leslee Pettitt-Myers, being the driver of a vehicle that was involved in an accident, did knowingly fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto;

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

June 8, 2023

Date

RYAN MEARS
Marion County Prosecutor
19th Judicial Circuit

/s/ Robert Beatson
Robert Beatson, #31221-49
Deputy Prosecuting Attorney

State's Witnesses:

J. Tanasovich/IDHS/9714
D. Yohe/IMPD/42225/IMPD
J. Kempler/IMPD/32581
T. Rohlfing/ISP/9114
N. Alspach/ISP/8082
C. Ebel-Orr/USSS
Gary Edwards
William Rice
Elizabeth Vermeulen
Victoria Gieselman
Wayne Gieselman
Timothy Ragland
Lars Jonker
Kellie Lamarche

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Comes now, Investigator Joseph Tanasovich, who hereby swears upon his oath, deposes and says:

1. I am a law enforcement officer with the Indiana Department of Homeland Security (IDHS). I am a law enforcement officer with IDHS pursuant to Ind. Code § 22-14-2-8(e).
2. I have received training related to the enforcement of Indiana laws, including the following:
 - a. Initial training at the 214th session of the Indiana Law Enforcement Academy.
 - b. I have satisfied the minimum basic training requirements established by rules adopted by the law enforcement training board under Ind. Code § 5-2-1-9 and described in Ind. Code § 35-37-4-5.
 - c. I have conducted numerous major criminal cases including, but not limited to arson, murder, and fraud.
3. I am filing this affidavit for probable cause in support of the charge(s) of: Arson (Ind. Code § 35-43-1-1), a Level 4 Felony, Burglary (Ind. Code § 35-43-2-1), a Level 4 Felony, and Leaving the Scene of an Accident (Ind. Code § 9-26-1-1.1), a Class B Misdemeanor, against Leslee Pettit-Myers, a white/female, DOB: 09/05/1971, height 5'6'', weight 125 pounds, with blonde hair and blue eyes, last known address: 6832 Woodhaven Place, Zionsville, IN 46077 based on the following facts:

INVESTIGATION

4. On 12/10/2020 at approximately 08:55 PM, an arson fire occurred at 7320 W 93rd St, Indianapolis, IN. The original 911 caller, Timothy Ragland, reported that he had just seen a vehicle speed away from his neighbor's house and the house was now on fire. By the time Pike Township Fire Department crews arrived on scene, the structure had visible smoke and flames.
5. Pike Fire Department Investigators determined the fire was intentionally set, arson.
 - a. On 12/11/2020, Det. Allen Englert and his partner, Jet, an accelerant detection canine from the Indianapolis Metropolitan Police Department, conducted a sniff of the area of fire origin. K9 Jet provided a positive indication for the presence of an ignitable liquid in several locations on the first floor of the residence.

- b. Fire debris evidence was collected and submitted to the Indiana State Police Laboratory for analysis. The analysis determined that several pieces of evidence contained an ignitable liquid.

6. Pike Township Division Chief/Fire Marshal Jonathan Kempler responded to the scene. Chief Kempler saw that a street sign at the intersection of W 93rd St and Moore Rd was on the ground and badly damaged. He also saw multiple car parts westbound along the road and in the drainage ditch adjacent to the intersection. Several of the parts had the word “Tesla” on them.

7. Investigators spoke with multiple witnesses as follows:
 - a. William Rice, who lives at 73XX W 93rd St, directly across from the address of the fire, told investigators in summary that he was in his home watching a movie when he heard a commotion outside. When he came outside to see what was happening, he saw his neighbor’s house on fire and his mailbox and post were laying on his lawn, badly damaged.
 - b. Timothy Ragland told investigators in summary that he saw a lighter-colored, possibly white or silver, “small SUV type” vehicle sitting in the driveway of 7320 W 93rd St just before the fire. He felt that it was odd because he seldom sees vehicles parked at that address, and he turned around to drive past the residence again. When he did so, the light-colored vehicle left the driveway at a high rate of speed, struck William Rice’s mailbox, and continued east on W 93rd St towards Moore Rd. Timothy Ragland immediately observed fire coming from 7320 W 93rd St and called 911.
 - c. Wayne Gieselman, who resides at 73XX W 93rd St, told investigators in summary that he also saw a lighter-colored vehicle at 7320 W 93rd St at approximately 08:45 PM. He watched the vehicle from his window for several minutes to see what it was doing. Less than five minutes later, he saw a person walk away from the residence with a flashlight, get into the vehicle, and back up at a high rate of speed. The vehicle then left eastbound on W 93rd St at 55-60 mph like a “bat out of hell”.
 - d. Lars Jonker, who lives in the vicinity of Moore Rd and W 93rd St, told investigators in summary that shortly before 09:00 PM, he saw a white, newer-model vehicle approach the intersection and strike the street sign. The front of the vehicle was badly damaged by the impact. The vehicle paused briefly, then fled northbound on Moore Rd towards Zionsville.
 - i. Jonker, unaware of the fire on W 93rd St, believed that he had seen an impaired driver fleeing the scene of a crash. He immediately got into his own car and followed the white vehicle, but in his haste he left his cell phone behind and therefore could not call police. Jonker recognized the vehicle to be a Tesla and noted a plate of possibly 44EEAU.

- ii. As the Tesla went northbound on Moore Rd, it struck another mailbox and then travelled westbound on W 96th St and northbound on Cooper Rd/County Rd 850 E. Jonker continued to follow. As they approached the overpass for I-865, the Tesla accelerated. It appeared to take a righthand turn into a neighborhood in the area of Hunt Club Rd. Fearing that the Tesla driver would circle around and confront him, Jonker discontinued his pursuit and returned to his home to contact police.
8. Investigators spoke with the arson victim, Gary Edwards, who is the sole property owner of 7320 W 93rd St. He stated that he currently used the residence to store personal possessions and it was not being lived in or occupied at the time of the fire.
9. On 03/05/2021, a search warrant authorizing a cellular “tower dump” was granted, allowing Investigators to review all devices hitting on the AT&T tower serving the crime scene area at the time of the incident. Tesla vehicles utilize AT&T services for various features such as internet radio, web browsing, live traffic, weather, and navigation.
 - a. Investigators identified a white 2016 Tesla Model X bearing VIN 5YJXCBE44GF003184 and Indiana license plate 404EAA from the data.
10. Investigators determined that the accused is the consistent operator of the Tesla and was the operator during the commission of the crime based on the following information:
 - a. All occupants who lived at 6832 Woodhaven Place, Zionsville, IN 46077 were identified through surveillance, neighbor interviews, and public records.
 - i. Cellular devices associated with each occupant were identified.
 - ii. Search warrants for cellular devices of all occupants were granted, allowing law enforcement to review data and subsequently eliminate all occupants except for the accused.
 - iii. A digital-pattern-of-life analysis found no indication that device(s) were shared among the occupants.
 - b. This vehicle is co-owned by the accused and is registered at 6832 Woodhaven Place, Zionsville, IN 46077. The accused is a deeded property owner and resident of this address in conjunction with her husband.
 - c. The address is located in the Enclave subdivision, which is the only subdivision near Cooper Rd/County Road 850 E just north of Hunt Club Rd and is the area in which Jonker saw the suspect Tesla turn into a neighborhood.
 - d. The accused’s neighbors confirmed that Leslee Pettit-Meyers drove a white Tesla SUV, but they had not seen the vehicle for some time after the commission of the crime.
 - e. The accused had a publicly facing Facebook page whereupon she posted a photograph of herself in the driver’s seat of a Tesla vehicle. The vehicle interior is an exact match to the interior of the 2016 Tesla Model X.

- f. Data from the “infotainment” system of the target Tesla had the user profile named “Leslee”.
 - g. The data obtained from AT&T and Tesla identified the accused’s 2016 Tesla Model X as being in the location of the crime scene around the time of the arson. Additionally, the vehicle moved northbound from the area of the crime scene to the northwestern cell sector shortly after the time of the arson. This is the cell sector that serves the accused’s residence.
 - h. The most direct route from the crime scene to the accused’s residence is by traveling north on Moore Rd., west on W 96th Street, and north on Cooper Road/County Road 850 E. This is the same route observed by Jonker the night of the arson and corresponds with the location data from AT&T and Tesla.
 - i. In an audio/video recorded interview, the accused’s neighbor, Kimberly Wilson, stated in summary:
 - i. She lives across the street from the accused.
 - ii. The accused drove the white Tesla exclusively.
 - iii. The accused’s husband drives a gray Tesla.
 - iv. She never saw anyone else drive the white Tesla, other than the accused.
 - v. She would notice if someone else was driving the white Tesla.
11. Investigators were able to determine that the accused was in or operating the target vehicle during the arson incident based upon the following information:
- a. Investigators reviewed data from cellular telephone records and data associated with 317-518-8851, which is assigned to the device utilized by the accused. The following information is specific to the accused’s mobile cellular device:
 - i. The accused’s cell phone hit on multiple towers around the crime scene at the time of the arson. This corresponds with the location information from the target Tesla.
 - ii. Cellular telephone tower data showed that the accused’s mobile device was present in the area of the arson from approximately 8:34 PM until approximately 9:00 PM, at which time her cell phone moved from the southern cell sector facing the crime scene to a northwestern cell sector. This indicated that the accused’s mobile device was moving north from the area of the crime scene towards the accused’s residence.
 - b. All of the other residents/occupants’ cellular devices remained in the area of the residence during the arson incident.
 - c. Around the time the arson occurred, the accused received a text message from her husband asking her where she was and indicated that the children were with him.
12. Investigators learned that the target Tesla Model X was located at Precision Collision Center in Louisville, KY. On 05/20/2021, a search warrant was executed upon that location.
- a. There are multiple Tesla authorized repair shops in Indiana, including one in Indianapolis.

- b. Precision Collision Staff member Kellie Lamarche spoke with investigators. The conversation was video, and audio recorded. Lamarche told investigators that the vehicle had been dropped off by the accused approximately one month after he corresponded with the business several times about the damaged vehicle. The accused told Precision Collision that an “unauthorized person” had been driving the vehicle when the crash occurred, and he did not want to file an insurance claim. The accused stated that if the insurance company found out about his vehicle, there would be problems.
 - c. A review of the insurance policy for the Tesla revealed there were no unauthorized persons listed.
 - d. Cellular location data corroborates the accused’s movement from Indiana to Kentucky.
 1. Departing the area of the accused’s home in Boone County Indiana at approximately 10:00am on 04/09/2021.
 2. Traveling south through Marion County Indiana on 04/09/2021.
 3. Entering Kentucky at approximately 2:00pm on 04/09/2021.
 4. Arriving in the area of Precision Collision at approximately 2:27pm on 04/09/2021.
 - e. A query into law enforcement, CARFAX and Insurance databases found that Mr. Myers filed no claims or police reports for the damage to the Tesla on or after the date of the arson. I verified that the Tesla was insured at the time of the incident.
 - f. The Tesla had extensive visible crash damage when investigators observed it at Precision Collision.
13. On 6/23/2021 Brandi Garcia, a representative with Tesla Motors, provided a detailed log from the event data recorder (EDR) from the target Tesla Model X. The EDR contained multiple alerts indicative of a frontal impact along with other notable data.
 - a. At 8:54:43 a front wheel impact was detected.
 - b. At 8:54:45 a park ground short was detected.
 - c. Between 8:58:56 and 8:59:00 the vehicle’s speed was recorded accelerating from 101.5 to 111.9.
14. Trooper Tatum Rohlfing, an accident reconstructionist with the Indiana State Police, evaluated the crash damage to the target Tesla Model X and compared it to the car parts recovered from the arson and crash scene.
 - a. Several of the parts had unique and irregular breakage patterns and matched with the target Tesla.
 - b. Tesla pieces located at the scene bore identical part numbers to those located on the target vehicle.
 - c. It was determined to be the same vehicle.

15. Additional information from the Indiana Bureau of Motor Vehicles indicated that the accused's husband purchased a new vehicle two days after the arson.
 - a. The dealership (Garlitch Ford, Chrysler, Dodge & Jeep in North Vernon, IN) confirmed that the accused was present with her husband at the time of the purchase.

16. On 02/08/2022 United States Secret Service Special Agent Christian Ebel-Orr provided data extracted from the cellular phone of the accused
 - a. Data analysis by SSA Ebel-Orr showed that on the date of the fire Leslee Pettitt-Myers received a text message from Michael Myers at 8:04:33 pm EST that read "What doing?"
 - b. Data analysis by SSA Ebel-Orr showed that on the date of the fire Leslee Pettitt-Myers received a text message from Michael Myers at 8:34:06 pm EST that read "Come home. The boys keep asking where you are"
 - c. Data analysis by SSA Ebel-Orr showed that on 5/21/2021, the date after investigators seized the Myers' vehicle in Louisville, KY and the day that a search warrant was served at the Myers' residence, Leslee Pettitt-Myers performed numerous internet searches on her cellular phone. Including:
 - i. Three search queries for "tesla gps"
 - ii. Three search queries for "does tesla store gps data"
 - d. Data analysis by SSA Ebel-Orr showed that on 5/21/2021 Leslee Pettitt-Myers also visited several websites on her cellular phone.
 - i. Three visits to a website with an article entitled, "*Tesla Model 3 keeps crash videos, location, phone contacts*"
 - ii. One visit to a Tesla forum with an article entitled, "*Does tesla record your driving locations? If so how far back?*"

17. The parents of the accused previously owned and lived at 75XX W 93rd St, a property located approximately 750 feet from the scene of the arson.
 - a. Arson victim Gary Edwards confirmed that the accused was his former neighbor, and that he and the accused had previously been involved in a verbal altercation with the accused shortly after the death of the accused's mother in 2018. Mr. Edwards stated, in summary, that the accused was upset over the unkempt condition of the properties.
 - b. The accused retained the services of Realtor Kimberly Wilson with Keller Williams Realty to sell her father Richard Pettitt's home at 75XX W 93rd Street.
 - c. According to realtor, Ms. Wilson, the home was listed at approximately \$370,000. There was decent interest in the property and Ms. Wilson stated that the listing received 27-30 showings. However, when the home didn't sell quickly, Ms. Wilson suggested that they drop the sales price. According to Ms. Wilson, Leslee Pettitt-Myers was not happy with the price reduction. The home ultimately sold for \$335,000 in December of 2019.

All of the above events occurred in Marion County, Indiana, except where specifically noted.

I swear under the penalties of perjury as specified by Ind. Code § 35-44.1-2-1, that the foregoing representations are true.

/s/ Joseph Tanasovich

Joseph Tanasovich

Indiana Dept. of Homeland Security