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AGENCY CASE NUMBER: 20-055629
COURT CASE NUMBER: 48-2020-CF-009247-O

**IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA**

STATE OF FLORIDA

vs.

NAME: **Ashley Mason**

D.O.B: **12/06/1988** RACE/SEX: **White / Female**

HOME ADDRESS: **9201 Ventana Lane, Orlando, Florida 32825**

PHYSICAL DESCRIPTION: HEIGHT: **5'2"** WEIGHT: **110** HAIR: **Brown** EYES: **Brown**

SOCIAL SECURITY NUMBER: **[REDACTED]**

DRIVERS LICENSE NUMBER: **FL; M250-001-88-946-0**

A F F I D A V I T F O R A R R E S T W A R R A N T

STATE OF FLORIDA
COUNTY OF ORANGE

Comes now the affiant, **Detective Corporal Michael Mandarano, EID 4788**, a sworn law enforcement officer, to wit: **a Deputy Sheriff** for the **Orange County Sheriff's Office, Florida**, before **The Honorable Brian F. Duckworth**, **Judge, in and for Orange County, Florida, Ninth Judicial Circuit**, who makes this affidavit and states under oath that affiant has probable cause to believe that certain laws have been violated **Orange County, Florida**, and that on/between **August 1, 2020**, the Defendant, **Ashley Mason**, did violate Florida State Statute(s), and commit the offense(s) of:

- C1: Principal First Degree - 1st Degree Murder** **FSS: 782.04-9**
- C2: Aggravated Assault with a Firearm** **FSS: 784.021(1)(A)-1**

Your affiant, **Detective Corporal Michael Mandarano, EID 4788**, is and has been since **December 8, 2006**, a duly sworn **Deputy Sheriff**, with the **Orange County Sheriff's Office, Florida**.

YOUR AFFIANT, IN THE COURSE OF THIER OFFICIAL DUTIES, HAS COME TO INVESTIGATE:

On August 1, 2020, at approximately 1931 hours, the Orange County Sheriff's Office Communications Center received a 9-1-1 call which indicated an individual had been shot at 7623 East Colonial Drive, Orlando, Florida 32807 (Burger King). After deputies arrived, they located the victim, Desmond Joshua, Jr., on his back in the parking lot suffering from a single gunshot wound to the chest. Desmond Joshua, Jr. was transported to 7727 Lake Underhill Road, Orlando, Florida 32822 (AdventHealth East Orlando) where he was pronounced deceased. The scene was secured by Sector II patrol deputies and Corporal Michael Mandarano was notified of the homicide. At 2120 hours, he arrived at the scene and took over as the lead detective.

At that time, it was learned Desmond Joshua, Jr. was an employee of the Burger King and had started his employment there on July 30, 2020. Prior to the shooting, the victim was working in the drive-through line at the restaurant. At about 1916 hours, surveillance video inside the business captured Desmond Joshua, Jr. as he argued with an unidentified white female who was operating a black sedan. The female appeared irate and was seen exiting her vehicle and banging on the glass window of the drive-through. Eventually, the black sedan pulled away and did not appear to obtain any food.

At about 1930 hours, video surveillance from the store also captured an unidentified, heavy-set, white

male as he approached the east-facing glass door and began banging on it. Desmond Joshua, Jr. was seen as he approached the door and engaged the subject through the locked door. Almost immediately thereafter, Desmond Joshua, Jr. removed all of the items from his person and pockets (headphones, phones, etc.) and walked outside, out of view of the restaurant's surveillance cameras.

Cellular phone video then partially captured the events which occurred beyond the reach of the surveillance cameras. It showed Desmond Joshua, Jr. and the unidentified male in a physical fight, which eventually led to Desmond Joshua, Jr. being placed into a headlock on the ground. During the video, Kelvis Rodriguez can be overheard yelling, "Bust him if he touches me!" The physical fight appeared to be coming to an end and the subject recording runs back into the restaurant while stating, "Yo, did she really pull out a gun, bro?"

At that time, Corporal Michael Mandarano met with the shift manager of the Burger King, witness [REDACTED]. He stated the drive-through was backed-up and the customers were waiting for a long time as a result. One customer, who [REDACTED] described as a white female wearing a gray tank top and colorful shorts, was the driver and was particularly irate. He stated the female exited the vehicle and continued yell and threatened to bring her "man" to the restaurant. As a result, [REDACTED] refunded the subject and told her to leave. [REDACTED] said the female parked the black sedan and remained in the parking lot for approximately five (5) minutes, left for two (2) minutes, and then returned with a white work truck, which was being driven by an unidentified white male. [REDACTED] said the driver of the vehicle demanded to fight Desmond Joshua, Jr. During the fight, the male placed Desmond Joshua, Jr. into a headlock and began to choke him, which was corroborated by the aforementioned cellular phone video. As a result, [REDACTED] said he attempted to pull the arms of the male off Desmond Joshua, Jr. in an effort to break-up the fight, which was successful and the pair disengaged from one another. At that time, [REDACTED] saw the unidentified white male arm himself with a handgun, enter the driver's seat of the white truck, lower the window, and overheard him state, "You got two seconds before I shoot you." Shortly thereafter, [REDACTED] heard a gunshot and saw Desmond Joshua, Jr. fall to the ground in the parking lot. The white truck and black sedan fled the scene. [REDACTED] subsequently called 9-1-1. He also stated he would recognize the subjects if he were to see them again.

During the interview [REDACTED] Orange County Sheriff's Office Deputies located the suspect's white truck and black sedan at 9201 Ventana Lane, Orlando, Florida 32825. Deputies also located who they believed to be the female involved in the incident, Ashley Mason. A short time later, the male suspect, later identified as Kelvis Rodriguez, arrived at the home in a Honda Pilot. The white pickup truck was identified as a 2015 white Chevrolet Silverado with a "SGL" insignia on the side and the attached Florida license plate of GEL 968. The black sedan was identified as a 2014 Honda Accord with attached Florida license plate IQ9 2CF. Corporal Michael Mandarano conducted two show-ups with [REDACTED]; the first being with Kelvis Rodriguez and the second being with Ashley Mason. [REDACTED] identified both individuals and stated the male was the person who shot Desmond Joshua, Jr. and the female was the woman in the drive-through line prior to the shooting, to whom he refunded the \$40. [REDACTED] provided a sworn audio-recorded statement.

Both subjects were then detained and transported to 2500 West Colonial Drive, Orlando, Florida 32804 (Orange County Sheriff's Office Central Operations Center) for interviews.

After collecting basic biographical information from Ashley Mason, she was read her Miranda Warnings from an agency-issued Miranda Card, which she stated she understood. The following is a brief synopsis of the audio and video-recorded interview with Ashley Mason:

Ashley Mason stated she went to the Burger King to purchase food for her family and subsequently ordered several items totaling \$33.11. She subsequently said she waited in the drive-through line, unable to leave, for a long time. When she got to the window, she was upset and entered into an argument with the drive-through cashier, Desmond Joshua, Jr. The argument continued to escalate

and she stated she was eventually refunded her money, \$40.00, and told to leave. She felt as if the crew was being disrespectful and unprofessional. She noted her husband, Kelvis Rodriguez, was on the phone with her during the interaction and told her he was coming to the Burger King to “talk to them.” Ashley Mason, who had her 13-year old daughter in the front seat, said she left the premises and drove back to her home located at 9201 Ventana Lane, to find her husband’s work truck gone. As a result, she said she returned to the Burger King to find her husband fighting the employee from the drive-through, Desmond Joshua, Jr. At the same time, Ashley Mason said she saw a firearm in the front seat of her husband’s truck, took possession of it, and placed it in her Honda Accord. As the fight was broken up, she said Kelvis Rodriguez said, “Give me the fire,” and she handed the handgun to him. As she attempted to back out of the parking spot, she was unsure if she hit someone with her vehicle, as there were multiple Burger King Employees outside. She said Desmond Joshua, Jr. jumped over the hood of her car and walked toward the driver’s side of Kelvis Rodriguez’ work truck. She said she heard the gunshot and saw Desmond Joshua, Jr. fall to the ground. She said she got scared and went home to decide her next actions. She noted Kelvis Rodriguez returned home shortly after and stated, “I messed up.” The two debated whether they should call 9-1-1 and invited Ashley Mason’s mother over. At some point after her arrival in her Honda Pilot, Kelvis Rodriguez erased his phone and took the Honda Pilot without permission. He returned awhile later and met with deputies who had now secured his residence.

On August 4, 2020, Corporal Michael Mandarano obtained surveillance video from the U Roll Sushi located to the east of the Burger King. The exterior cameras disproved Ashley Mason’s claim in which she stated she traveled to her residence as it captured her vehicle parking in the lot until Kelvis Rodriguez arrived at the Burger King. Ashley Mason then moved her black Honda Accord back over to the Burger King, out of view of the U Roll Sushi cameras.

Corporal Michael Mandarano then met with Kelvis Rodriguez for the purposes of conducting an interview. After collecting basic biographical information, Kelvis Rodriguez was read his Miranda Warnings from an agency-issued Miranda Card. The following is a brief synopsis of the audio and video-recorded interview:

Kelvis Rodriguez initially stated he went to the Burger King after he learned of the verbal altercation his wife had with the employees. He approached the front door and told Desmond Joshua, Jr. to come outside and fight him. He said Desmond Joshua, Jr. punched him four times in the left side of his face. Kelvis Rodriguez said he then grabbed Desmond Joshua, Jr. and placed him in a headlock and tried to choke him out to end the fight. He said there were multiple Burger King Employees outside and he was scared. He overheard someone telling him to let Desmond Joshua, Jr. go and that the fight was over. After letting go, Kelvis Rodriguez said he went to his vehicle and grabbed the handgun he “always keeps” in there. He said he brandished it to Desmond Joshua, Jr. who was still advancing and told him to back away. He said he got into his white truck and shut the door. After doing so, he saw Desmond Joshua, Jr. jump over his wife’s black Honda Accord and walk toward his closed driver’s side door, which still had the window up. Kelvis Rodriguez said he lowered the window and told Desmond Joshua, Jr., who he estimated to be about four (4) to six (6) feet away, to back up. He said Desmond Joshua, Jr. moved toward him and he fired one shot. After the shot, Kelvis Rodriguez fled to his home, took his mother-in-law’s Honda Pilot, and “destroyed” the gun. Kelvis Rodriguez refused to provide the location of the firearm and stated no one would find it and it could no longer be used. Kelvis Rodriguez never called 9-1-1 after the shooting. When confronted with the inconsistencies in his statements as compared to the other witness and participant testimony, Kelvis Rodriguez requested an attorney and all questioning was stopped.

During Corporal Michael Mandarano’s interviews with Kelvis Rodriguez and Ashley Mason, Detectives Brian Savelli and William Pappas interviewed the witnesses at the Burger King. Detectives Savelli and Pappas met with [REDACTED] first and the following is a brief synopsis of his sworn, audio-recorded interview:

He was working in the kitchen of the Burger King when he overheard Ashley Mason as she yelled

about bringing her “man to beat all of us up.” [REDACTED] estimated five to ten minutes elapsed after he heard the yelling until the arrival of a male he described as heavyset and as having long, black braids. At that time, the male, Kelvis Rodriguez, began “beating on the door” and tried to enter the Burger King. [REDACTED] stated he made contact with Kelvis Rodriguez and realized Desmond Joshua, Jr. was going to exit the store and fight. He witnessed the physical altercation and saw Kelvis Rodriguez get Desmond Joshua, Jr. into a “chokehold, like he was trying to break his neck.” [REDACTED] said the employees were yelling in an attempt to break-up the fight and repeatedly told Kelvis Rodriguez to let go of Desmond Joshua, Jr. After the pair was separated, [REDACTED] saw Kelvis Rodriguez walk back toward his white pick-up truck and get a black handgun, possibly a 9mm, from Ashley Mason; furthermore, he said he saw a younger white female in a cast, [REDACTED], hand the firearm to Ashley Mason. During this exchange of the handgun, [REDACTED] said Desmond Joshua, Jr. was in close proximity to Kelvis Rodriguez, but was not striking him and was simply “talking shit.” He added he overheard Kelvis Rodriguez say, “Back up,” to Desmond Joshua, Jr. and “cocked it” prior to firing the handgun. The interview was concluded shortly thereafter.

Detectives Savelli and Pappas then met with [REDACTED] who provided a sworn, audio-recorded interview. The following is a brief synopsis of the interview with Adiel Gonzalez:

[REDACTED] said August 1, 2020 was his first day at work at the Burger King and he was working in the kitchen. He noticed Ashley Mason was at the drive-through and was upset due to a long wait time. He recalled her saying she had been waiting for fifteen to twenty minutes and it was taking too long to get her food order. Shortly thereafter, the juvenile female in the passenger’s seat exited and through a cup of soda at the drive-through window. [REDACTED] said Desmond Joshua, Jr. opened the window after the soda hit it and noted how their actions were disrespectful. [REDACTED] said he heard Ashley Mason yell through the window, “I’m gonna [sic] get my husband to come shoot you. I’m gonna [sic] get my husband to come shoot you. You’re gonna [sic] have to take it up with my husband.” To these comments, [REDACTED] heard Desmond Joshua, Jr. tell Ashley Mason to go get her husband. Once Kelvis Rodriguez arrived, he demanded to fight Desmond Joshua, Jr. During the fight, he saw Kelvis Rodriguez as he placed Desmond Joshua, Jr. into a chokehold. At that point, [REDACTED] attempted to break-up the fight, was standing very close to both parties, and described his position as being “bent down in his face telling [Kelvis Rodriguez] to let [Desmond Joshua, Jr.] go.” It was then [REDACTED] said he overheard Kelvis Rodriguez whispering that he was going to shoot Desmond Joshua, Jr. When asked how confident he was he heard Kelvis Rodriguez threaten to shoot Desmond Joshua, Jr. while he was in the chokehold, [REDACTED] said he was one hundred percent positive.

Shortly thereafter, the physical portion of the fight ended and [REDACTED] watched as Kelvis Rodriguez went over to his white pick-up truck and demanded the gun from Ashley Mason, to which she obliged. [REDACTED] said he saw Kelvis Rodriguez remove the handgun from the holster, charge it, and say, “I’m gonna [sic] shoot you. I’m gonna [sic] shoot you. You got two seconds to back up or I’m gonna shoot you.” At that time, [REDACTED] said Kelvis Rodriguez entered the driver’s seat of the white pick-up truck and Ashley Mason entered the black Honda Accord.

[REDACTED] said Desmond Joshua, Jr., whose hand were down, began backing up while saying, “All I wanted to do was talk” and put his hands up while saying, “If you really want to fight, step out of the car.” [REDACTED] said he never saw Desmond Joshua, Jr. try to enter or touch Kelvis Rodriguez’ truck. At some point, [REDACTED] said Ashley Mason tried to hit Desmond Joshua, Jr. with her vehicle and he was forced to jump over the hood of the car. [REDACTED] said there were several Burger King Employees in front of the pick-up truck and he saw Kelvis Rodriguez lower the driver’s side window, pull the truck forward slightly, and shoot Desmond Joshua, Jr. in the chest and drove away. The interview was concluded shortly thereafter.

Detectives Savelli and Pappas then met with [REDACTED], another employee of the Burger King. The following is a brief synopsis of the sworn, audio-recorded interview with [REDACTED]:

██████████ said he was in the lobby and was unable to overhear anything Ashley Mason was saying during the initial argument in the drive-through. After Kelvis Rodriguez arrived at the business and demanded to fight Desmond Joshua, Jr., ██████████ asked Desmond Joshua, Jr. if he really wanted to go outside and fight, to which Desmond Joshua, Jr. replied affirmatively. During the chokehold portion of the physical fight, ██████████ witnessed multiple people moving closer to Desmond Joshua, Jr. and Kelvis Rodriguez. He then noticed Ashley Mason pointing a handgun toward the group and heard Kelvis Rodriguez say, “Babe, shoot them if they try to do something.” As a result of seeing the firearm and hearing Kelvis Rodriguez’ threatening order, ██████████ said he ran back into the Burger King. From his vantage point inside the restaurant, he saw the physical fight get broken up and watched as Desmond Joshua, Jr. stepped on Ashley Mason’s black Honda Accord in order to get closer to Kelvis Rodriguez; ██████████ did not believe Ashley Mason hit Desmond Joshua, Jr. with her vehicle. He then heard a gunshot and watched as the white pick-up truck and black Honda Accord drove away.

Detectives Savelli and Pappas then met with ██████████ another employee of the Burger King. The following is a brief synopsis of his sworn, audio-recorded interview. NOTE: Corporal Roberto Aristondo translated this interview.

██████████ stated he had worked at the location for about two months and was working in the kitchen when he heard someone banging on the drive-through window. When he went to investigate the noise, he saw two women, Ashley Mason and ██████████, yelling and screaming outside and saw one throw a beverage cup at the drive-through window. He added he saw ██████████ refund their money and watched them leave and park in the front of the restaurant. ██████████ P██████████ saw one of the females walked up to the door and began yelling and banging on the door and then return to her vehicle. Five to ten minutes later, he saw a white Chevrolet pick-up truck pull into the parking lot and he believed the driver knew Ashley Mason and ██████████ based on their interaction. He said Desmond Joshua, Jr. walked outside to speak with the male, Kelvis Rodriguez, who already had “his fists balled up.” He said he watched as Desmond Joshua, Jr. and Kelvis Rodriguez physical fought, which eventually ended up on the ground. ██████████ said the fight was broken up by some of the Burger King Employees and Kelvis Rodriguez walked toward the white pick-up truck, took a handgun from “one of the women”, and charged the weapon. At this time, ██████████ said he felt scared and watched Desmond Joshua, Jr. stand there near Kelvis Rodriguez with his arms at his side. He said Kelvis Rodriguez got into the white pick-up truck and Desmond Joshua, Jr. was “still standing there.” ██████████ indicated that, once Kelvis Rodriguez entered the truck, he shot Desmond Joshua, Jr. as he stood there with his hands at his side. He did not see Desmond Joshua, Jr. attempt to enter the white pick-up truck or advance toward Kelvis Rodriguez. The interview was concluded shortly thereafter.

It should be noted that ██████████ does not speak English and did not understand anything being said by any of the parties throughout the entirety of the incident.

Detective Savelli then met with ██████████ a bystander who was in the parking lot of 7685 East Colonial Drive, Orlando, Florida 32807 (U Roll Sushi), a restaurant directly to the east of the Burger King. The following is a brief synopsis of ██████████ sworn, audio-recorded interview:

██████████ stated she was waiting for her food, outside, at U Roll Sushi with her boyfriend when she overhead an argument emanating from the Burger King parking lot. She observed the “kid that got shot”, Desmond Joshua, Jr., being held in a chokehold by “the big guy”, Kelvis Rodriguez. She noted she was unable to hear the specifics of the argument, began to walk closer to the Burger King, heard a gunshot, and heard the other Burger King Employees yelling, “He got shot, he got shot.” ██████████ stated she only saw Kelvis Rodriguez and “the two girls”, Ashley Mason and ██████████ leave the scene after the shooting. ██████████ said she ran over to the victim and held his hand while they waited for law enforcement and the fire department. The interview was concluded shortly thereafter.

Detective Savelli then met with [REDACTED] boyfriend, who also witnessed the incident from his vantage point at the U Roll Sushi. The following is a brief synopsis of the sworn, audio-recorded interview:

[REDACTED] noted that he and his girlfriend were in the parking lot of the U Roll Sushi waiting for their food order to be ready when he noticed an argument as it occurred in the Burger King parking lot. He was unable to make out the words being said, but stated he saw the “Caucasian male”, Kelvis Rodriguez, had the “African American male”, Desmond Joshua, Jr., in a chokehold. [REDACTED] also noticed Kelvis Rodriguez was with “two other females”, Ashley Mason and [REDACTED]. [REDACTED] watched as the Burger King Employees broke up the fight and heard the women shouting, “Get in the car. Let’s go.” [REDACTED] said the Burger King Employees were scattered throughout the parking lot and, as the women went to leave, thought they could have been struck by her vehicle. In fact, [REDACTED] saw Desmond Joshua, Jr. jump on top of the hood of her car in what he believed was an effort to avoid “the impact to his legs”. After jumping over the hood, [REDACTED] saw Desmond Joshua, Jr. walk up to the white pick-up truck, which was now occupied by Kelvis Rodriguez. [REDACTED] estimated Desmond Joshua, Jr. was about three to four feet away from the driver’s side window of the truck when the “gunshot goes off” and Desmond Joshua, Jr. “holds on to his chest”. [REDACTED] added Desmond Joshua, Jr. was in a “confrontational stance” and was saying something [REDACTED] could not hear. Additionally, Desmond Joshua, Jr. was not attempting to gain access to the pick-up truck and said he was “nowhere near the window, nowhere [sic] trying to open the door”. After the shooting, [REDACTED] crossed over the access road, entered the Burger King parking lot, and began to try to help. He called 9-1-1 and obtained the first three digits of the license plate on the pick-up truck as G-E-L, noticed it had an “SGL” decal on the side, and watched as it fled the scene, along with the two females in their black, four-door sedan. The interview was concluded shortly thereafter.

Detectives Savelli and Pappas then met with [REDACTED] the daughter-in-common of Ashley Mason and Kelvis Rodriguez. The following is a brief synopsis of the sworn, audio-recorded interview, which was conducted at 9201 Ventana Lane:

[REDACTED] said she went with her mother, Ashley Mason, to the Burger King, noticed the line for the drive-through was long, and noted it took longer than normal to reach the drive-through window. Once they reached the drive-through window, [REDACTED] said the employee, Desmond Joshua, Jr., was disrespectful which made her mother angry. She watched as her mother paid for the food with \$40 and received \$6 in change along with two drinks. At that time, Ashley Mason asked for the receipt and was told she would be given a receipt with her food order. [REDACTED] stated her mother again expressed her anger and feelings of being disrespected. [REDACTED] who described herself as a “hothead”, also became angry and believed she could see Desmond Joshua, Jr. “talking mad trash behind the window” and, as a result, threw the small drink at the drive-through window. Specifically, she said she heard Desmond Joshua, Jr. say he was going to “beat her ass”. During the argument at the drive-through window with Desmond Joshua, Jr., [REDACTED] overheard her mother say, “I’m gonna [sic] call my mans [sic] up here,” to which Desmond Joshua, Jr. responded, “Call him up, I’ll fight him up front.”

[REDACTED] indicated her mother was then refunded the money and subsequently told her father, Kelvis Rodriguez, about the interaction at the drive-through window. She said her father then came to the Burger King and placed a black handgun, which was in a holster into the black Honda Accord because he “didn’t want anything to happen”. [REDACTED] who was in the passenger’s seat, placed the handgun into the glovebox. Shortly thereafter, her father, Kelvis Rodriguez, and Desmond Joshua, Jr. entered into a physical fight. During the fight, her mother, Ashley Mason, exclaimed her father was being “jumped” and asked for the handgun. [REDACTED] said she gave her mom the firearm and watched as Ashley Mason pointed it toward the ground, but in the direction of the Burger King Employees. At the same time, [REDACTED] said

she exited the Honda Accord and walked toward the physical fight. Once the fight was “over”, she said her father returned to his pick-up truck and obtained the handgun from Ashley Mason. She said her father entered his truck and then she heard a “firecracker”, but did not see what happened. She said she returned home in the Honda Accord and her father returned in the white pick-up truck. ██████████ ██████████ said she did not know the current location of the aforementioned handgun and believed her father left with it after returning to the residence. The interview was concluded shortly after that.

Detectives Savelli and Pappas then met with Diane Mason, Ashley Mason’s mother. The following is a brief synopsis of the sworn, audio-recorded interview:

Diane Mason stated she became concerned when Ashley Mason’s phone was going to voicemail, so she traveled to their residence located at 9201 Ventana Lane. When she arrived, she placed her purse and keys inside the home and noticed Kelvis Rodriguez was eating a Hot Pocket. She went into the backyard to smoke a cigarette with her daughter, Ashley Mason, and claimed to learn about the shooting at the Burger King. It was during this time, which Diane Mason believed Kelvis Rodriguez took her keys and vehicle, a Honda Pilot, and left the home towards an unidentified destination. Diane Mason then consented to a search of her Honda Pilot and a firearm was not located. The interview was concluded shortly thereafter.

A record’s check of Kelvis Rodriguez’ name revealed he was a convicted felon. Specifically, Kelvis Rodriguez was adjudicated guilty of a felony under Orange County Court Case Number 2004-CF-006735-O for the charge of Possession of Cannabis > 20 grams, FSS 893.13(6)(B)-1.

Based on the various witness testimony from the Burger King Employees, Ashley Mason armed herself with the handgun and pointed it in the direction of the physical fight between Kelvis Rodriguez and Desmond Joshua, Jr. and the people around it. This action caused several bystanders to run due to fear of the firearm. Furthermore, Kelvis Rodriguez is heard yelling, “Bust him if he touches me!” on the cellular phone video. Once the fight is broken up, Kelvis Rodriguez, who repeatedly and loudly threatened to shoot Desmond Joshua, Jr., asked for the handgun from Ashley Mason and she subsequently provided it to him. The handgun was the weapon used to shoot and kill Desmond Joshua, Jr. moments later.

**Detective Corporal Michael
Mandarano, EID 4788**

AFFIANT

SWORN TO AND SUBSCRIBED before me in the County and State aforesaid this 5th day of August, 2020.

Detective Brian Savelli, EID 3175

PLACED UNDER OATH BY