

Report: 09c12380
Lieutenant Jay C. Heintz
Coeur d'Alene Police Department

Summary of incident for Probable Cause:

On May 9th, 2009, at 0217 hours, Dispatcher D. Metzger received a 911 call of a shooting that occurred in the 300 block of North 3rd Street, Coeur d' Alene, Kootenai County, Idaho. Dispatcher notes indicated that a male had been shot in the face. Coeur d' Alene Officers were dispatched to the scene. Sgt. Walton was the first Officer on scene. Upon Sgt. Walton's arrival, he observed a male lying in the street on his back, and a large crowd was standing around the injured male. The injured male was being treated by a female who was holding pressure on the injured male's face. Sgt. Walton observed bright red blood on the ground next to the male's head. Coeur d' Alene Fire Department medical personnel were also dispatched to the scene and took over the treatment of the injured male. Officers contacted possible witnesses in the crowd and secured the scene with Police Line barrier tape. The injured male was later identified as Timothy I. Williams (Wolfe).

Timothy Williams was transported to Kootenai Medical Center by ambulance. Officer Neal rode in the ambulance to maintain the chain of custody of any evidence on the victim and for any possible dying declarations.

The following information was obtained from witnesses James Samuels, Tia Sines, and Corrinna Hendrics: James, Corrinna, Tia and Timothy Williams arrived at Mik & Mac's at approximately 2300-2315 hours. While at the bar, James and Timothy had a verbal confrontation with a Hispanic male. James described the Hispanic male as early 20's, 5-6, skinny build, short brown hair, with a small amount of hair on his chin. Corrinna described the male as early 20's, 5-4, skinny build, dark hair, big dark eyebrows. Wearing a white zip up style sweater with writing on the front, and mirrored style sun glasses. Corrinna also stated there was a female with the Hispanic male that she described as mid 20's, 5-2, 140, with dark hair pulled back. James thought the verbal confrontation with the Hispanic male occurred approximately 1 to 1 1/2 hours after they arrived. James also thought the Hispanic male was escorted out of Mik & Mac's by a bouncer.

Approximately 1/2 hour after the Hispanic male left the bar, James and Timothy went outside to have a cigarette. Approximately 10 minutes later, Tia and Corrinna came outside. James, Timothy, Tia, and Corrinna started walking back to their vehicle. They were walking on 3rd Street, when a dark colored Civic drove past them at a high rate of speed. The Civic stopped in the alley and stayed stationary before driving past their location again. The Civic turned around North of them and drove by them again. At this point, Corrine and Tia were in front of Timothy and James. The Civic then stopped next to James and Timothy. James stated the driver of the Civic was the Hispanic male they had a verbal confrontation with at the bar. The Hispanic male was the only occupant in the Civic. James stated the Hispanic male asked them what was up. James asked the Hispanic male why he continued to drive past them. James then heard a "pop" and he ducked. James then looked over and saw Timothy on the ground. James described the "pop" as a gun shot.

Corrinna saw James and Timothy standing next to a dark colored vehicle. Corrinna then saw a flash and heard what she thought was a firecracker. The vehicle then took off at a high rate of speed. Corrinna then saw Timothy on the ground. Tia stated James and Timothy walked

up to a dark colored Honda. Tia stated she saw a spark out of the corner of her eye and then heard screaming. When the Honda left, Timothy was lying on the ground.

Witness William "Billy" Clayton provided the following information: At Wallace Ave and 3rd Street, there was a group of males getting ready to fight. A Honda Civic with custom tail lights, rims, large exhaust, with an Atlanta Braves sticker in the rear window drove up to him. The driver of the Civic was a Hispanic male, early 20's, 5-8, and very skinny. He was wearing a gray colored hoodie and a dark colored hat. The Hispanic male asked Billy if he needed help. The Hispanic male showed Billy a gun and said something to the effect that he had the solution or could fix the problem. Billy described the gun as a 22 caliber pistol, small and silver in color. Billy stated the Hispanic male said his name was Carlos. Carlos then drove away. Carlos then drove back to Billy and told him he (Carlos) was going to get the people that had started something with him earlier. After the car drove away, Billy then heard a shot.

Based on statements from witnesses, the suspect vehicle was described as: Dark colored passenger car, 2-door, possibly a Honda Civic or Ford Escort or similar style vehicle, custom rims and tail lights, modified exhaust/muffler, medium size (6" to 8") sticker in rear window of an "A" (emblem for Atlanta Braves), possible damage on lower portion of driver's door, tinted windows, and possibly Idaho plates. Also based on statements from witnesses, the suspect was described as: Hispanic male, early 20's, short dark hair/slightly longer on top, small amount of facial hair on lower chin, 5-6 to 5-8, slender build, slight Hispanic accent but spoke English, well dressed, and possible diamond stud ear rings in both ears.

Detective Rios described Timothy Wolfe injury as follows: Timothy's face was swollen and his eyes were swollen shut; under Timothy's right eye, outside corner was a small caliber bullet wound; the bullet wound was no bigger than a barrel of a pen; lump near the back of Timothy's left ear that medical personnel thought was the resting point of the bullet; and a small abrasion on right knee. Timothy was on full life support systems and was clinically pronounced dead at 0430 hours. Timothy was taken off life support and was cardiac pronounced dead at 1712 hours.

Detective Reed contacted Kenya Williams, the D.J. working at Mik & Mac's last night. Kenya witnessed an altercation between a Hispanic female and a male. Kenya did not know the Hispanic female, but knew the Hispanic male she was with as Yoshio. Kenya stated Yoshio is a rapper and has made CD's. Kenya stated Yoshio drives a silver Chevy Impala or a dark colored Honda Accord style passenger's car with chrome rims and low profile tires. Kenya did not know Yoshio's real name.

Using a Google search engine, typing Yoshio Rap Idaho, was a web address of www.myspace.com/yoshiomusik. The website contained a rap video. On the rap video was a Hispanic male, early 20's, short, slender build, short dark hair, with little hair on the chin. The Hispanic male on the video matched the description of the suspect. Also in the video was a dark colored 2-door vehicle that matched the suspect vehicle description. A picture on the website showed Yoshio behind the 2-door dark vehicle and in the rear window of the vehicle was a large letter "A" in white (emblem for Atlanta Braves). On another similar website for Yoshio, included the phrase, "Then later in 2006 Carlos and Alba moved to Idaho because she had a lot of family up here."

Also found on the website was a message to Yoshio indicating something to the effect, I can not believe Oswaldo was arrested. Searching in-house computer records on Oswaldo, records indicated Oswaldo Andrade was currently confined in Kootenai County Jail. Detective Martin responded to Kootenai County Jail and talked to Oswaldo. Detective Martin described the suspect we were looking for and his nickname Yoshio. Oswaldo identified Yoshio as Juan

Carlos, but did not know his last name. Oswaldo also advised Juan Carlos works at Rancho Viejo in Post Falls.

Sgt. Wood contacted Post Falls Lt. Pat Knight and requested he check the Alpers system for the suspect vehicle. Lt. Knight advised four patrolman remembered stopping a vehicle matching the suspect's vehicle description and the Officers believed the vehicle was a Acura Integra. Lt. Knight also talked to Kootenai County Deputy Rich Lyons about the homicide, Deputy Lyons also remembered stopping a vehicle that matched the suspect vehicle description. Deputy Lyons located in his MDC(Mobile Data Computer) the license plate of K403694 of the vehicle he stopped that matched the suspect vehicle. Idaho registration on K403694 comes back to a 1994 Acura Integra, purple in color. Registered to Juan C Aldana. Running in-house computer on sound a like on Aldana, the check came back to Juan C Aldana Villanueva of 214 N Bannen Rd, Spokane Valley.

Detective TenEyck was contacted by Jessica Aguirre. Jessica advised Detective TenEyck her husband Alfredo Aguirre just received a phone call from Juan Carlos, and Juan wanted to know if he knew anything about a shooting last night in Coeur d' Alene. Jessica also knows Juan, and the suspect vehicle description given over the news matches the vehicle Juan drives.

Detective TenEyck then contacted Alfredo Aguirre by phone. Alfredo stated Juan Carlos called him and stated he (Juan) was in Coeur d' Alene last night and was involved in an altercation, and he shot one of the guys. Juan also said he was going to take the sticker off of his car and change the wheels. Juan then asked Alfredo if he could hide his car in Alfredo's garage. Alfredo refused, and Juan said he was going to hide out or go back to Honduras. Alfredo confirmed Juan works at Rancho Viejo and advised Juan was at work right now.

Sgt. Hedge and Detective R. Johnson responded to Rancho Viejo and observed the suspect vehicle parked in the parking lot. With assistance from Post Falls Police Department, Officers went in to contact the homicide suspect Juan Carlos Aldana Villanueva. The men's bathroom door was locked in the restaurant and Juan was ordered out. Juan came out of the bathroom and was detained in handcuffs. Juan was transported to Coeur d' Alene Police Department. Sgt. Hedge read Juan his Miranda rights, which he stated he understood. Juan agreed to answer Sgt. Hedge's questions. The following information was obtained from the interview between Sgt. Hedge and Juan Carlos Aldana Villanueva:

- Juan and his girlfriend (Alba) were at Mik & Mac's having a drink and dancing.(Night of May 8th)
- Juan and Alba got into an argument with the victim, the victims male friend and two other females.
- The victim and one of the female friends pushed Juan's girlfriend.
- Juan and his girlfriend decided to just leave and left at approx. 0100 hrs.
- Juan took his girlfriend back home to Post Falls.
- At approx. 0130 hrs. Juan went back to Cd'a and found the victim and his male friend at Mik & Mac's.
- Juan followed the victim and his friend to the area of the Torch.
- Juan parked in the bank parking, facing the Torch, waiting for them to do something.
- Juan wanted the victim and his friend to do something to him, so he could do something back.
- Juan admitted that he was going to use the gun if they did something.
- Juan admitted that he was going to use the gun if they started anything else with him.
- The victim and his friend never went back inside the Torch.

- Juan knew he had a .25 auto handgun underneath his seat, loaded and ready to go but he does keep the safety on.
- Juan drove by the victim and his friend while they were in the street and they were waving their arms at him.
- Juan drove about a block and then turned around and drove back to them.
- Juan rolled down his window and drove up next to the males.
- Juan did not know if the males were drunk or acting like it.
- One of the males then just started hitting him in the face and the other one grabbed his neck.
- Juan then grabbed the gun from underneath his seat, took the safety off and shot him.
- Juan only fired the gun once.
- Juan knew he hit the victim when he shot at him.
- Juan described this male as tall, white skin with black hair.
- Both males then backed up and Juan drove off.
- Juan said he knew it was going to happen.
- Juan said he did it and was now going to pay for it.
- Juan said that guy hit me and I said fuck it.
- Juan also said, I made my mistake, I did it.
- Juan said he did not just drive off because he was mad and pissed.
- Juan did ask if the guy had died during the interview.
- Juan made the statement that he fucked his life up, big time.
- Juan also said he is an angry man and it's over when he is angry.
- Juan has a family history of anger problems.
- Juan feels bad for what he did and he will pay for it.

Sgt. Hedge observed the following injuries on Juan: lower and upper lips of mouth slightly swollen; slight bruising and red marks on inner and outer lips of mouth.

Detective R. Johnson and Sgt. Hedge responded to the area of I90, Westbound lanes, in the area of the rest stop, to search for the pistol Juan used in the homicide that he threw out of his vehicle. Juan described the firearm he used as a .25 caliber automatic pistol, chrome in color with wood grips. Detective R. Johnson located the pistol approximately 198' East of the large blue Gas/Food/Exit 7 sign. The recovered pistol was a Raven Arms .25 caliber pistol, model P-25, serial number 639221, chrome plated, with wood hand grips.

Detective Martin obtained a search warrant for Juan Carlos Aldana Villanueva's 94 Acura Integra, Idaho license plates K403694. The Acura Integra was towed to the Coeur d' Alene Police Department and locked in the evidence storage shed.

Juan Carlos Aldana Villanueva was booked into Kootenai County Jail for 1st Degree Murder.

On May 10, 2009, the search warrant on Juan Carlos Aldana Villanueva's Acura Integra was executed. Located on the front passenger's seat floor was a spent shell casing. Written on the fired shell casing; "Win 25 auto." The brand of the empty shell casing matched the ammunition found in the pistol that was recovered along I 90.