

Close-out Memorandum of the
Investigation Regarding
Jaime Ezequiel Robles
August 16, 2022



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
December 19, 2023



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE
State Attorney

DATE: December 19, 2023

FROM: STAFFING/REVIEW TEAM

RE: SAO Case #: 62/22/08/16/004
Deceased: Jaime Ezequiel Robles

Based on the information obtained and reviewed during the investigation, the conclusion of the staffing/review team is the following:

On August 15, 2022, at about 12:05 PM, Broward Sheriff Office Robbery Detective Mark Copley and Miami Dade Police Department (MDPD) Task Force Detective Thomas Wever responded to the Extended Stay Hotel in Miami Springs. The Detectives were investigating an Armed Robbery committed by two masked males that occurred the day before in Broward County. The "getaway car" believed to be used in the crime was found in the parking lot of the hotel. Officers surveilling the vehicle saw a male getting into the car and followed him to the Miami area of Northside where the car was stopped and a shooting ensued. The driver, Jeremy Horton, shot and killed MDPD Detective Echaverry, and MDPD officers returned fire and Horton was killed.

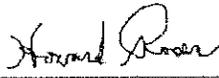
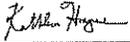
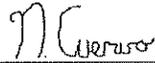
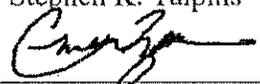
The next day, police returned to the hotel to continue their investigation and review security surveillance video. A hotel employee advised that Horton had been seen in the company of another male who was staying in the hotel. Police surveilled the room and observed two individuals exit the room; one confirmed Horton was a visitor of the other rooms occupant, Jamie Robles, and the other confirmed there was a case the shape of an assault rifle in the room. Based on this information, police obtained a search warrant, and MDPD Special Response Team (SRT) responded to serve the warrant.

SRT Officer Anthony Jimenez enter the room carrying a ballistic shield and his weapon while the other team members followed in single file with their equipment. Upon making entry, Ofc Jimenez found Robles in the small bathroom. On the bathroom sink, in plain view, was an AK-47 rifle within reach. Officer Jimenez fired multiple times, Robles fell to the ground and was later pronounced deceased. Officer Jimenez is heard to say several times "let me see your hands." The incident is heard on the officer's body worn camera, but the view is obstructed by his shield which only has a narrow viewing slit.

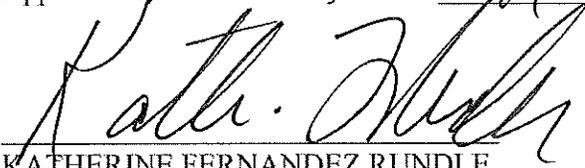
After a review of the case, without a statement from Ofc. Jimenez detailing what was in his mind before the shooting, we cannot speculate further on his actual knowledge or intent in

firing his weapon. Therefore, there is insufficient evidence to make a clear determination that the shooting was legally justified. Likewise, because of this lack of evidence there is insufficient information to file any criminal charges that can be proven beyond a reasonable doubt.

The members of the staffing/review team for this case are:

 Howard Rosen	<i>/s/ Deisy Hernandez</i> Deisy Hernandez	 Stephen K. Talpins
 Kathleen Hoague	 Nilo Cuervo	 Christine Zahralban
<i>/s/ Marie Jo Toussaint</i> Marie Jo Toussaint		

Approved by State Attorney on this 19 day of Dec, 2023.


KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM DATE: December 19, 2023

FROM: PATRICIA MULHOLLAND RE: POLICE SHOOTING CLOSEOUT MEMO
TITLE OF WHO MEMO FROM

SANTIAGO AROCA SAO # 62/22/08/16/004
ASSISTANT STATE ATTORNEY

OFFICER INVOLVED:	Officer Anthony Jimenez, MDPD ID #30-7384
DECEASED:	Jaime Ezequiel Robles (multiple gunshot wounds)
DATE & TIME:	August 16, 2022, at approximately 5:25 PM.
LOCATION:	Extended Stay of America Hotel, 101 Fairway Dr., Miami Springs, Fl.
WEAPONS:	Glock, model 17, Gen 4, 9mm caliber. SN: RED047 (Ofc Jimenez) AK-47 Rifle, 7.62 X 39 MM SN: 47064011 (Jaime Robles)
LEAD:	SA Alex Villanueva, FDLE 1335. FDLE report received on 9/1/2023.
CASES #:	FDLE MI-27-0199 MDPD Case Nos: PD220816271869 & PD220816271867 AOA/Broward Case No: PD220816271540
SAO CASE #:	SAO #62/22/08/16/004

On August 25, 2023, the Florida Department of Law Enforcement (“FDLE”) closed its investigation into the August 16, 2022, fatal shooting of Mr. Jaime Ezequiel Robles, hereinafter Robles, that occurred when Robles was in a hotel room accompanied by his two (2) minor children, ages two (2) and four (4) and the Miami Dade Special Response Team (“SRT”) breached the room to serve a search warrant.

This memo is based on the lead investigator FDLE Special Agent Alex Villanueva’s case file and includes the facts and observations that Assistant State Attorneys (“ASAs”) Patricia Mulholland and Santiago Aroca collected when they responded to the on-duty call. We have reviewed the officers’ reports, Crime Scene reports and pictures, Body Worn Camera videos, the ballistic report, the DNA report, the autopsy report and the witnesses’ interviews conducted by FDLE during the investigation, among other reports. The shooting officer, Officer Anthony Jimenez, herein after Officer Jimenez, declined to give a statement regarding the shooting event.

FACTUAL SUMMARY

A review of the evidence shows that on August 15, 2022, at approximately 12:05 PM, Broward Sheriff Office Robbery (BSO) Det. Mark Copley and MDPD Homicide Task Force Det. Thomas Wever responded to the Extended Stay Hotel, (“Extended Stay” or “Hotel”), 101 Fairway Drive, Miami Springs, FL, to continue the investigation of an Armed Robbery committed by two armed and masked males that occurred the day before at a 911 Food Store, located in Broward County. On August 15, 2022, hours after the mentioned armed robbery, a vehicle believed to be the robbers’ getaway car, a White Hyundai Sonata, with Florida tag JCDY02, was located at the parking lot of the Extended Stay Hotel in Miami Springs. Officers surveilling the vehicle saw a male getting into the car and followed it to the Miami area of Northside, where the car was stopped and a shooting ensued in which the subject, identified as a Jeremy Willie Horton (herein after

Horton), opened fire and shot and killed MDPD Detective Cesar Echaverry. During the incident, Horton was subsequently killed by MDPD officers present at that shooting event. That incident was documented in a close out memorandum, SAO case #62/22/08/15/003. (This memo was supported by FDLE investigation case # MI-27-0918. Refer to report in case SAO #62/22/08/15/003 for more information about that incident.)

On August 16, 2022, the day after the deaths of Horton and Det. Echaverry, BSO Robbery Det. Mark Copley and MDPD Thomas Wever went to the Extended Stay Hotel to continue the investigation into the Broward armed robbery. The detectives wanted to know why Horton and the robbers' getaway car was at the hotel. The detectives were reviewing the security cameras at the hotel when hotel employees informed them that Horton had been seen in the company of another male who was staying in room #239. The employees also informed the detectives that the room occupants of room #239 were Robles, Ms. Yesenia Velazquez and three (3) minors.

Detectives Copley and Wever surveilled room #239 and subsequently observed two (2) persons coming out of room #239. One of them was Ms. Yesenia Velazquez, and the other was her fifteen-year-old teenage son, identified as K. X. B. The detectives questioned them. Ms. Velazquez confirmed to Det. Copley that she was staying in room #239 with Robles, her son K. X. B and Robles' two (2) minor children. She added that Mr. Robles was her boyfriend and that the day before, he had a visitor known to her as "Seven." Based on Ms. Velazquez's description the detectives believed that "Seven" was Horton.

Upon additional questioning, K. X. B. informed the detectives that "Seven" had a black case. He believed based on the shape of the carrying case it contained an assault rifle. He further advised that "Seven" placed that case behind the sofa in room #239.

Based on K. X. B.'s statements, their review of the video and the hotel employees' assistance, the detectives obtained a search warrant for room #239. Subsequently, the detectives contacted the MDPD Special Response Team (SRT) and requested their assistance in serving the warrant.

Two teams of SRTs responded to the hotel at approximately 5:22 PM., and one of the SRT teams breached the door to room #239 shortly thereafter. SRT Officer Anthony Jimenez was the first to enter the room. He was carrying a ballistic shield on his left hand and had his MDPD issued Glock pistol out and ready to fire in his right hand. Immediately after entering the very small entry way into the room, he confronted Robles who was standing naked in the steamy bathroom. The bathroom was very small. Close to Mr. Robles, on the bathroom sink across from the shower and within immediate reach of Robles, there was a loaded AK-47 rifle in plain view. Officer Jimenez fired multiple times, Robles fell to the ground and Officer Jimenez continued firing. At some point during the time Officer Jimenez was firing his handgun, he was heard to say several times "let me see your hands". MDRF was called to render medical assistance and Robles was pronounced dead at scene. An Autopsy took place on August 17, 2022, at the Miami Dade Medical Examiner Office. The cause of death was multiple gunshot wounds.

Off. Jimenez was wearing a Body Worn Camera that took video of the incident. However, the camera was obstructed by the ballistic shield and only captured what could be seen through the very small rectangular ballistics shield's window. During part the shooting incident, the two minor children of Robles were in the main room of the studio.

Behind Ofc. Jimenez, the following MDPD police personnel entered the room: Officer Orlando Sanchez (030-5329), Officer Jose Hernandez (030-5814), Officer Spencer Perez (030-6372), Officer Jonathan Correa (030-9923), Sergeant (Sgt.) Raul Cardeso (030-5441); and MDRF

Tactical Medic (TACMED) Meregildo Gonzalez. The officers entered single file behind Officer Jimenez. Only Off. Jimenez, who was on the lead, discharged his weapon during the shooting incident. All the officers who entered the room, except Ofc. Jimenez gave statements to FDLE.

WITNESS STATEMENTS

A. STATEMENTS OF LAW ENFORCEMENT OFFICERS WHO ENTERED ROOM #239

- **Ofc. Orlando Sanchez** said that he was part of the SRT team that breached the front door to room #239 and entered the room. He was behind Off. Jimenez. He heard that Officer Jimenez yelled “show me your hands” several times, followed by multiple shots fired by Ofc. Jimenez. Ofc. Sanchez did not hear any responses from Robles and only Ofc. Jimenez’s loud verbal commands. Officer Sanchez explained that his view was obstructed by Ofc. Jimenez’s ballistic shield. He said that at the briefing before leaving the station he was told that in the room there were guns and children.
- **Ofc. Jose Hernandez** explained that the SRT was provided a key card to access the room. As the door opened, he noticed that the latch on the inside of the door was closed, which prevented their entry. Then, a forcible breach was made with a hammer while flash bangs were deployed outside the room window. Inside the hotel room, Ofc. Jose Hernandez observed two (2) small children inside the living room area. He then heard multiple commands saying “hands, hands, let me see your hands”, followed by several gunshots fired by Ofc. Jimenez. He reiterated that he did not hear any responses from Robles, he only heard Ofc. Jimenez’s loud verbal commands. He also said that he did not observe the incident because his view was obstructed by Ofc. Jimenez’s shield and officers that were positioned in front of him.
- **Ofc. Spencer Perez** was on the MDPD force for about 4 years, of which he was a member of the SRT for 1½ years. He explained that when the team was briefed, they were told that they were to assist in the execution of a search warrant for a hotel room occupied by an

accomplice of Horton who shot Det. Echaverry the day before. They were told that the occupant to the room had an AK-47 and a pistol and that in the room there were possibly children. Off. Perez was assigned the task of breaching the front door for the entry team. He indicated that a key card to the room was initially used but, as the door began to open, the inside security latch was engaged, which prevented them entry. Ofc. Perez utilized a sledgehammer and was able to force the door open. Ofc. Perez entered the room following five (5) SRT officers. He heard loud verbal commands by Ofc. Jimenez saying, "let me see your hands", multiple times. He then heard multiple gunshots fired by Ofc. Jimenez. He indicated that his view was obstructed by the shield and officers in front of him and he did not see what happened in the bathroom between Ofc. Jimenez and Robles.

- **Ofc. Jonathan Correa** explained that he had been working three (3) years for MDPD, and one (1) year was with SRT. He was present at the team meeting prior to going to the hotel to execute the search warrant. He was told that the occupant of room #239 had an AK 47 and two (2) children. He was also told that Robles was related to the prior day incident in which Det. Echaverry was murdered. Ofc. Correa advised that the team was provided with a key card to enter the room, but as the door began to open, the SRT team noticed that the security latch was engaged, which prevented them entry. Then, a forcible breach was made, and the team entered the room. As he was entering the room, he heard loud verbal commands by Ofc. Jimenez saying, "let me see your hands". He heard the command being given multiple times and he did not hear a response from Robles. He heard multiple gunshots fired by Ofc. Jimenez but he did not see Ofc. Jimenez discharging his firearm at Robles because his view was obstructed. He saw two (2) little children in the room, and he grabbed one of them and took the child out of the room to a safe place.
- **MDPD Sgt. Raul Cardeso** explained that he was the SRT team leader on the day of this incident. His team was requested to execute a search warrant in a hotel room regarding an armed robbery. At the briefing before leaving, Sgt. Janel Ruiz, informed the SRT team that the person in the room, Mr. Jaime Robles, was armed. A picture of Robles was provided. Sgt. Cardeso explained that he and his team arrived at the location and made it up to the second floor, to room #239. He positioned himself in the number four (4) position of the

“stack” and Ofc. Anthony Jimenez was assigned as the “shield” officer when the team made entry into the room. They were provided with a room key by the hotel staff but had to breach the door using a sledgehammer. Upon entering the room, Ofc. Jimenez “broke” to his right and the team entered the common area of the room where two (2) small children were located. Sgt. Cardeso indicated that he assisted the team in removing the children. As that was taking place, he heard what he believed to be the voice of Ofc. Jimenez, giving loud verbal commands to Mr. Robles and saying, “let me see your hands” several times. He noticed that Mr. Robles was in the bathroom. Ofc. Jimenez continued to give loud verbal commands as he was maintaining a “hold” to the bathroom doorway. He said that a few seconds later, Sgt. Cardeso heard several gunshots. Sgt. Cardeso heard Ofc. Jimenez say, “subject down, subject down” and requested that the medics respond. Sgt. Cardeso looked into the bathroom and noticed that an AK-47 rifle was laying on the countertop of the bathroom vanity and Mr. Robles was lying on the floor. He moved out of the way and the medic (Ofc. Meregildo Gonzalez) entered the bathroom to treat Robles.

- **MDFR Tactical Medic (TACMED) Meregildo Gonzalez** was the last in the “stack” of officers who entered room #239. He explained that he works for Miami Dade Fire Rescue (MDFR) and that a MDPD ambulance followed the MDPD vehicles to the Extended Stay of America, which is a normal practice. He knew that the SRT team were there to execute a search warrant. He did not have a Body Worn Camera (BWC). TACMED Gonzalez saw when the SRT teams went upstairs to room number #239 and stacked themselves in the hallway. He did not know which team member made entry into the room first because he was at the rear of the “stack”. After multiple shots were fired inside the room, he was told to enter the bathroom and assist. He was later told that the name of the male was Robles. He observed that Robles suffered multiple gunshot wounds. He noticed that an AK-47 rifle was laying on the countertop of the bathroom sink. TACMED Gonzalez tried to render medical treatment to Robles, but Robles was not responsive. TACMED Gonzalez pronounced Robles deceased at approximately 5:34 PM.

B. STATEMENTS OF OFFICERS WHO DID NOT ENTER ROOM #239

- **MDPD Detective Nirso Pimentel** was questioned by FDLE. He was assigned to the MDPD Homicide Bureau Street Terror Offender Program (STOP) unit. He was at the Extended Stay of America Hotel parking lot, then he moved to the lobby and finally he was in the second-floor stairwell, next to room #239, to surveil the room from outside. Det. Pimentel explained that he could see down the hallway and hear voices of children and one male in the room who were speaking in Spanish. After the SRT arrived, Det. Pimentel withdrew from the stairwell and went downstairs to the main entrance. He said that he heard the shots, but he did not see the shooting.
- **MDPD Det. Thomas Wever** was assigned to the Homicide Bureau and detached to the FBI Violent Crime Task Force. He explained to FDLE that he went to the Extended Stay of America Hotel on August 16, 2023, to investigate the above-mentioned armed robbery at Broward. Det. Wever spoke with the hotel employees, reviewed the CCTV video and found that Horton, the man who was driving the White Hyundai Sonata previously used in the armed robbery in Broward and subsequently killed MDPD Det Echaverry in a shootout on August 15, 2022, was associated to the current occupants of room #239. Det Wever drafted the search warrant for the hotel room and asked for the SRT team intervention to execute the warrant. Detective Wever stated that he was outside of the hotel when the search warrant was served by SRT. He indicated that he heard flash bang grenades followed by gunshots. He further stated that he did not see the shooting and did not speak with any of the SRT personnel involved.

C. STATEMENTS OF CIVILIANS

- **Ms. Yesenia Velazquez**, the girlfriend of Robles, gave a statement to FDLE. Ms. Velazquez explained that she was the mother of K. X. B., fifteen (15) years old at the time. Ms. Velazquez stated that she, her son, Robles and his two (2) children, J. R., two (2), and J. R. four (4), arrived at the Extended Stay Hotel on Sunday August 14, 2022. After their arrival a black male known to her as "Seven" joined them. ("Seven" was identified by the

police as Horton.) Ms. Velazquez advised that before coming to the Extended Stay, they had been residing at the Thunderbird Hotel, 18401 Collins Avenue, Sunny Isles Beach, Florida 33160 for approximately five (5) months. Ms. Velazquez explained that they had been using a White Hyundai Sonata that Robles obtained. Ms. Velazquez stated that on Monday, August 16, 2022, (the day after the armed robbery in Broward) "Seven", asked Robles to borrow the Hyundai Sonata to "pick something up and be right back". "Seven" said that he would be back some hours later and he left at approximately 7:30 p.m.. However, "seven" never came back, and they thought that he had stolen their vehicle. Ms. Velazquez stated that Robles repeatedly called "Seven" via his cellular telephone, but it was never answered. She acknowledged that before the shooting she was stopped, detained, and questioned by unknown police officers (later identified as BSO Det. Copley and MDPD Det. Wever) who spoke with her and told her to stay in the lobby area of the hotel. She informed them that her boyfriend was in room #239 with his two toddlers. When asked by FDLE, she denied having told the detectives that there were firearms in the room. (This statement is in direct conflict with the statement she previously made to the BSO and the MDPD detectives). Finally, Ms. Velazquez said that she never saw the shooting. She only heard numerous shots being fired as she remained in the lobby area.

- **Minor K. X. B.**, said that on August 15, the date on which Horton died and Det. Echaverry was killed, he remained in the hotel room while Ms. Velazquez and Robles left the hotel to purchase food. They came back and Horton aka "Seven" called a female. A short time later, Horton asked for the keys of the White Hyundai and left. K. X. B. indicated that he had seen Horton with two (2) firearms, a pistol and a long rifle. He explained that Horton kept his pistol in a "fanny pack." K. X. B. indicated that the "fanny pack" belonged to him (K. X. B.) originally but Horton took it. K. X. B. said that he listened to a conversation between Horton and Robles in which Robles told Horton that there were kids in the room and the rifle should not be there. Finally, he said that Horton placed the bag that contained the rifle behind the couch in the hotel room. where the incident occurred. This video shows the room empty, with blood on the floor and appear to have been taken after the shooting. These videos have little evidentiary value.

CRIME SCENE

The Crime Scene Investigators entered the room and focused first on the items that were on top of the bed. They collected a lap top computer, a cellular telephone and a canvass rifle case. Robles was lying down on the entrance of the bathroom, naked, on his body were 4 electrodes placed by Miami Dade Fire Rescue. The Crime Scene Investigators recovered 15 casings, all of them brand WCC+P, caliber.9mm. These casings were collected on or around Robles' body in the bathroom. They also recovered 2 projectiles and 2 fragments of projectile. They observed 2 bullet holes on the wall.

On top of the bathroom sink, Crime Scene found a loaded AK-47 rifle, serial number 47064011. The magazine contained 29 live rounds, but the chamber was empty. The ballistic analysis revealed that no projectiles, empty cartridge casings or fragments were linked to this rifle.

Ballistic analysis determined that the recovered casings were fired by Ofc. Jimenez's department issued Glock, model 17, Gen 4, .9 mm caliber, serial number #RED047. Based upon the round count of Ofc. Jimenez's weapon, he could have discharged up to sixteen (16) rounds, one less than the maximum capacity of his weapon. During the autopsy, seven (7) fired projectiles were recovered from Mr. Robles head, neck, right shoulder, right back, right chest, heart and scrotum. There was no evidence of shoot or gun powder stippling on the gunshot wounds. Therefore, there were no contact gunshot wounds. The seven projectiles recovered were linked by ballistic analysis to Ofc. Jimenez's service Glock, model 17, Gen 4, .9 mm caliber, serial number #RED047. Ofc. Jimenez had a backup firearm, a Glock, model 17, Gen 5, .9 mm caliber, serial number #BSHV182, that was not fired, according to the ballistic analysis.

DNA

The MDPD Forensic Laboratory, DNA section, received swabs from the AK-47 rifle above mentioned and from Mr. Robles. The laboratory concluded that there were the profiles of at least 2 DNA contributors and included at least 1 male but due to the complexity of the mixture, the laboratory drew no conclusions. In other words, the rifle could not be linked by DNA to anyone conclusively.

CONCLUSION

The role of the State Attorney in this investigation and in conducting this review is limited to determining whether a criminal violation of Florida law has occurred, whether any person may be held criminally responsible, and whether such criminal responsibility can be proven beyond a reasonable doubt in a court of law. The State Attorney does not establish agency policy, procedures, and training requirements. Nor does the State Attorney have any responsibility for determining disciplinary action, pursuing civil litigation in these matters nor morally determine whether the officer's actions are right or wrong. All these determinations belong in other forums. The only role of the State Attorney is to determine whether under applicable Florida law the actions of Ofc. Jimenez constitute a criminal act and if so, whether it can be proven beyond and to the exclusion of every reasonable doubt as our laws demand.

We have reviewed the Florida Department of Law Enforcement Investigative Summary into the police use of force in this incident. We have also reviewed the sworn statements, Body Worn Camera videos, other videos, crime scene pictures and reports, autopsy report, DNA and Ballistic reports, and other evidence compiled by FDLE under FDLE Case Number MI-27-0199. We find the FDLE summary to be complete, thorough and consistent with the statements, crime

scene evidence and with our observations at the scene. We adopt and attach that Investigative Summary hereto and offer our conclusion based on the results of our investigation and review.

On August 16, 2022, MDPD officers were attempting to serve a judicially approved search warrant on room #239 of the Extended Stay of America Hotel in Miami Springs. They were aware that there were firearms and minor children in the room. The officers were briefed that Robles was involved in an Armed Robbery in Broward two days earlier.

When the officers entered the room Robles was in the bathroom and that within his immediate reach there was a loaded AK-47 rifle on top of the near sink. The Body Worn Camera video taken by Ofc. Jimenez is the most important piece of evidence. A thorough review shows that the BWC of Ofc. Jimenez was obstructed by the ballistic shield he was carrying. The only video we have is the video as seen through the small ballistic shield window that quickly became foggy because of the steam in the bathroom.

The SRT team breached the door and entered the room simultaneously with flash bangs being deployed. Ofc. Jimenez was in the lead and the other SRT officers were in line directly behind him. Ofc. Jimenez had his ballistic shield up and his weapon in his hand. Only he could see Robles as he quickly confronted him in the bathroom. According to all the officers directly behind him, they heard Ofc. Jimenez screaming "let me see your hands." They also heard many shots fired. Ofc. Jimenez did not give a statement to FDLE regarding this shooting incident.

Florida law provides the use of deadly force is legally justified if:

"[a] person . . . reasonably believes that using or threatening to use [deadly] force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the imminent commission of a forcible felony." [A] person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in

a criminal activity and is in a place where he or she has a right to be”.

§ 776.012 (2)

SRT was called to make entry to serve a search warrant because of the belief Robles was involved with Horton in the armed robbery in Broward two days before and that there were firearms in room #239. Upon breaching the room Robles was standing in the bathroom and a fully loaded rifle was within his immediate reach. The view from Ofc. Jimenez’s BWC video that we have is very restricted. The action before the shooting occurs very fast and the exact sequence of events, including the moment when shots were fired, is difficult to determine from the BWC because flash bangs were deployed and there was only limited video through the viewing slit in the shield. Without a statement from Ofc. Jimenez detailing what he saw and what was in his mind before the shooting, we cannot speculate further on his actual knowledge or intent in firing his weapon.

Therefore, there is insufficient evidence to make a clear determination that the shooting was legally justified. Likewise, because of this lack of evidence, there is also insufficient information to file any criminal charges against Officer Jimenez that can be proven beyond a reasonable doubt. Mr. Robles was believed to be connected to an Armed Robbery from Broward County, a witness indicated that he had access to a firearm in the hotel room, the events occurred quickly in a small space, and an AK-47 was in plain view inside the bathroom. Under these circumstances, no criminal charges can be filed.

Prepared by:

/s/ Patricia Mulholland
Patricia Mulholland, Esq.
Assistant State Attorney

/s/ Santiago Aroca
Santiago Aroca, Esq.
Assistant State Attorney