LAS VEGAS METROPOLITAN POLICE DEPARTMENT

DECLARATION OF WARRANT/SUMMONS

(N.R.S. 171.106)

(N.R.S. 53 amended 7/13/1993)

17F21103X
DWS
Declaration of Warrant Summons (Affidavit
8937737

FILED

Event Number: 171108-1767

2018 JAN 12 A 11:46

JUSTICE COURT
LAS VEGAS NEVADA
BY GEG
DEPUTY

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

DEREK STONEBARGER
ID#: 1858096
DOB: 4-29-76 SS#: 606-01-5826

A. PARRISH, being first duly sworn, deposes and says:

That He is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 12 years, assigned to investigate the crime(s) of DESTROY/INJURE PROPERTY OF ANOTHER$650<$5K committed on or about NOV 3, 2017, which investigation has developed DEREK STONEBARGER as the perpetrator thereof.

THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT:

1. On November 8, 2017 Mike Batt Manager of Commerce Auto Towing made a report at LVMPD Headquarters of intentional property damage to 3 of their tow trucks while they were towing cars on first Friday. Batt reported that the company was contracted to tow vehicles from the empty lot located at 1306 S. Casino Center. Batt reported that on Friday November 3rd several of their trucks had responded to that location to tow vehicles illegally parked. Batt stated that while they were there to tow vehicles, DEREK STONEBARGER came into the lot with a crowd of at least 13 people interfering with the towing of the vehicles. Batt reported that he and STONEBARGER had a disagreement over the towing of the vehicles. Batt reported that STONEBARGER went to the other side of the lot where another truck was hooking up a vehicle. Batt reported that STONEBARGER was given an item that he thought might have been a crowbar or tire iron from a person in the group to damage 4 different tires on 3 company trucks. Batt stated that STONEBARGER then gave another person the item back and he ran off with members of the crowd.
2. I was assigned this case for follow up. I called Mr. Batt and asked him who the owner was of the 1306 S. Casino Center lot. Batt advised that Raul Gil was the owner of the lot. I also asked Batt how he knew the suspect by name. Batt knows STONEBARGER as the owner of ReBar and the President of the Downtown Art District Board. Batt advised that he had a prior incident involving illegally parked vehicles he was called to tow and somehow STONEBARGER was involved. Batt stated that he had a video of STONEBARGER interfering with their doing business. DEREK STONEBARGER was identified through SCOPE and DMV with a birth date of 04-29-[redacted] SS#[redacted] NV DL#[redacted], to which I was able to get a NV DL photograph.
3. With this information I contacted STONEBARGER as well. I advised him he was listed as a suspect in a vandalism case involving tow trucks. STONEBARGER immediately began to explain how the trucks were

"ILLEGALLY" towing trucks off of the lot and how he and the group were only "BLOCKING" the trucks from towing vehicles. I asked STONEBARGER if he knew who the owner of the lot was and he advised the Gil Family owned the lot. I told STONEBARGER that he was accused of stabbing the tires with an unknown metal object and his response was that the trucks probably "Ran over some rebar or other item". STONEBARGER asked if he needed to get an attorney and I advised him if he did, they could contact me regarding the case.

4. I was able to contact Raul Gil, owner of the 1306 S. Casino Center lot. Mr. Gil affirmed he is the owner of that property and that he had contracted with Commerce Auto towing back in September of 2017 to cover that lot and post signs for "NO PARKING". Gil stated that he had issues with the City of Las Vegas after several First Friday events over the lot having trash or illegal parking. To circumvent any fines, he hired Commerce Auto towing to handle the lot. Gil also stated that he knew vehicles had been parking in his lot and he had heard that the owner of ReBar (STONEBARGER) was telling customers to park there. Gil stated that he had not been asked or given permission to anyone to park their customer's cars in that lot. I confirmed Gil's ownership of the property through the Assessor's website.
5. I responded to Commerce Towing to take photos of the damages to the tires as well as statements from other employees present that night. I spoke with Curtis Minnich who works as a driver for Commerce. Minnich stated that as he was trying to hook up a vehicle he was to tow, 2 men blocked his path asking him to give the owner a few minutes. Minnich stated that as he pulled away a male stood abnormally close to his front passenger tire. Minnich stated that the male stood there for a few seconds and when he walked away he stated something to the fact of "You will have to buy a new tire". Minnich stated that he was later told that male was the RebBar owner STONEBARGER. Minnich later found that his front passenger side tire had been cut and was leaking air.
6. I also spoke with driver John Mulhern. Mulhern was driving Truck 12 that night and had 2 tires damaged in the incident. Mulhern stated that as he was hooking up a vehicle, a 6' tall WMA ran up to his truck with some sort of metal bar, stabbing the passenger side rear tire. Mulhern stated that the same male then went to the front passenger tire, stabbed at it and stated "Fuck you, hope you like your flat tires". Mulhern stated that the male had several people cheering him on as he stabbed the tires. Mulhern stated the same male stabbed both the front and rear tires of his truck.
7. I also spoke with Mr. Batt in more detail. Batt stated that he observed STONEBARGER stab the tires on Mulhern's truck (12) with some sort of metal bar or tire tool. Batt stated that STONEBARGER stabbed the rear tire quickly and then moved to the front tire. Batt stated that STONEBARGER jammed the bar/tool into the sidewall against the rim and was shoving into it to penetrate. I observed the damage to this tire as it was still on the truck. The damage consisted of a large gouge mark in the side wall of the tire where it meets the rim. Batt stated that tire hasn't been replaced yet because they bought all the tires from their distributors to replace the totally unusable ones. Batt stated that this one will still hold air, but has to be refilled frequently. Batt provide me with a video he made on the night of the incident. The video shows a taller WMA interfering with the tow trucks, telling people to get into their vehicles so that the trucks couldn't tow them. Mulhern saw the video and stated that the male depicted in the video was the male who stabbed his truck tires. That male was identified as DEREK STONEBARGER. Batt attempted to send me the video

as to download and save, but it wouldn't work. Batt instead uploaded it to YouTube and provided me with the link.

8. When I was available to watch the video on a larger screen and numerous times, STONEBARGER is seen walking away from one of the trucks. The rear facing lights of the tow truck were bright enough that when STONEBARGER walks to the car being towed, it can be seen that he has some sort of bar/tool/stick item in his right hand. He is also carrying his phone in his left hand as he is videoing the occurrence form his perspective. As STONEBARGER approaches the driver of this car being towed, he appears to place the item in his waistband or front pocket. After he advised the vehicle owner to sit in his car and refuse to get out, he begins to walk away, appearing again to manipulate the item in his clothing.
9. Batt was able to provide the receipt to the 2 tires replaced. The total for 2 tires was $779.40. Commerce Towing still had one tire in the garage and one tire on a truck that was damaged. I was able to photograph the two remaining damaged tires. The other tire damaged in the incident had a 2" laceration in the side wall. Batt stated that the other two tires already replaced had side wall cuts as well. Batt stated that once tires are replaced for the two still at the facility, the price would be the same as the two already purchased, so another $779.40. Batt also provided a copy of the contract for the 1306 S. Casino Center lot.
10. I was contacted by STONEBARGER's attorney Charles Vlasic. Vlasic said they would cooperate with the investigation and when I asked if they would be willing to negotiate with the company, he stated they would never admit guilt, but would "Be Open" to talks. Later Vlasic was calling Commerce while I was there. I also advised him that it appeared STONEBARGER was filming the incident as well while interfering with the tow drivers. Vlasic was aware of the video, but advised STONEBARGER told him it was too dark to make out. I asked that if the videos still existed, I'd appreciate them if it absolved him of any wrongdoings. As of the time of this submittal, I have not received the videos.
11. Based on the above facts and circumstances I am submitting this warrant for the charge of Destroy/Injure the Property of Another $650<$5k on DEREK STONEBARGER being that he was witnessed by two people using some sort of metal object to damage/destroy 2 tow truck tires valued at $779.40.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect DEREK STONEBARGER on the charge(s) of DESTROY/INJURE PROPERTY OF ANOTHER$650<$5K.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 15TH day of NOVEMBER, 2017.

DECLARANT: C.D. 8817

WITNESS: T3956R **DATE:** 11/15/17