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DA CONTROL #: _____

THE STATE OF TEXAS
COUNTY OF TRAVIS

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IN THE MUNICIPAL COURT
CITY OF AUSTIN

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The undersigned affiant, Detective Nicole Saval #3466, being a peace officer under the laws of Texas and being duly sworn, on oath makes the following statements and accusations:

I have good reason to believe and do believe that **David Cardenas III, a Hispanic male, born on 07-09-1996, further described by F.B.I. Identification Number: 424333AD4, and Texas State Identification Number: TX08215836**, on or about 9:37 A.M., Wednesday, May 22, 2019, in Austin, Travis County, Texas, did then and there commit the offense of:

**Penal Code 29.0 Robbery by Threat
Felony 2nd Degree**

Affiant is Detective Nicole Saval #3466, employed as a commissioned peace officer with the Austin Police Department (APD) for twenty two years and is currently assigned to the Robbery Unit. Affiant has obtained the following information through personal knowledge, information provided by Austin Police Officers, victim interview, surveillance video footage and information contained in APD offense report number: #19-1420679.

On Wednesday, May 22, 2019, at approximately 10:01 A.M., APD was notified of a robbery, which took place at 701 West Longspur Boulevard, #1064, Austin, Travis County, Texas. APD officers identified the victim as being L. Vazquez. Vazquez provided a sworn statement to APD Detective Billy Hutchison #6986, about the robbery.

Vazquez stated she was home asleep, in her bedroom, with her 3 year old daughter. She was awakened by a loud noise outside her bedroom. She got out of bed to go see what made the noise, when she observed a Hispanic male, about 30 years of age, approximately 5'09", stocky build, approximately 260 pounds, wearing a dark colored hoodie with the hood pulled up, saggy blue jeans, and a little facial hair in her bedroom doorway. The male entered her room, closed and locked the door behind him. The male was holding Vazquez's purse, which he had gotten from the living room. The male told her in Spanish, something bad was going to happen to her if she did not give him her money and jewelery. The male grabbed Vazquez's cell phone from the top of her bedroom dresser and put it in his hoodie pocket. He told her, "give me everything you got, hurry up!" The suspect said something to her in English, which Vazquez asked him to repeat in Spanish because she didn't understand. He repeated in Spanish, "give me your money and hurry up, my friend is waiting outside." Vazquez gave him jewelery, which the male grabbed and placed in her purse that he was holding. Vazquez then removed her wallet from a backpack, and took out the cash and placed it in the purse. The male then pushed Vazquez into the closet, and left, locking the bedroom door as he left. Vazquez stated she feared what the male would do to her and her daughter. The upstairs neighbor had a surveillance camera which captured the

beanie (possibly a Carhartt beanie), dark colored hoodie and baggy light colored pants.

On Thursday, May 23, 2019, at approximately 5:06 P.M., APD was notified of a robbery, which took place at 1500 West Braker Lane #B, Austin, Travis County, Texas. APD officers identified the victim as being J. Villegas-Torres. Villegas-Torres informed responding officers, and later provided a sworn statement to APD Detective Joshua Muchnikoff #7299, about the robbery.

Villegas-Torres stated he was home asleep when he awoke to discover a Hispanic male, in his mid to late twenties, heavy set, approximately 5'09", possibly with facial hair, wearing a beanie, with a black tattoo on his right hand, had entered his apartment. The suspect grabbed Villegas-Torres by the collar and held a drill to Villegas-Torres' head and threatened him while demanding property. Villegas-Torres was in fear he would be killed or seriously injured, and he complied with the suspects demands. The suspect took numerous items of property from Villegas-Torres' residence.

One of these items of property included a Sony Playstation 4, with serial number MG370785651. A reliable investigative tool utilized by law enforcement identified a Sony Playstation 4, with serial number MG370785651, was sold to the GameStop, located at 12901 North Interstate Highway 35, Suite #1820, Austin, Travis County, Texas, at approximately 5:24 P.M., on Thursday, May 23, 2019. The person who sold the Sony Playstation 4 was identified as being David Cardenas, with a date of birth of July 9, 1996. The distance from the aggravated robbery of Villegas-Torres and from the GameStop is a distance of only 4.6 miles.

Your affiant researched David Cardenas with APD records and observed Cardenas matches the following descriptions of the suspect in both robberies; race, age, approximate height, build, tattoo on right hand. The APD records management system (RMS) indicate Cardenas has numerous involvements for robberies, burglaries, thefts, and other offenses.

On Friday, May 24, 2019, APD Violent Crimes Task Force (VCTF) Officer James Eichenholz #7206 was able to obtain surveillance video footage from the GameStop transaction. The subject from the surveillance video footage was confirmed, by multiple robbery detectives, to be David Cardenas. He was seen walking in with a Under Armor duffel bag, described as stolen in the robbery, on May 23, 2019.

On Friday, May 24, 2019, Detective Jacob Ballesteros #7283, presented a sequential format photo lineup to Villegas-Torres, at the APD Robbery Unit Office. Villegas-Torres selected the photo of David Cardenas, as being the person who robbed him.

Detective Christopher Vanlandingham #6100, was able to determine David Cardenas is currently under Global Position System (GPS) monitor by Victim Safety First. Affiant believes GPS location data for David Cardenas, which is in the possession of Victim Safety First, will show David Cardenas was at or near 701 West Longspur Boulevard #1064, and 1500 West Braker Lane #B, Austin, Texas, at the time of both robberies.

On Friday, May 24, 2019, Detective Fonzie Johnson #4738, wrote a search warrant for Victim Safety First, requesting the location data for David Cardenas between Tuesday May 21, 2019, at 12:00 A.M. through Friday, May 23, 2019, at 6:00 P.M.

The search warrant data return showed David Cardena was at 701 West Longspur Boulevard on Wednesday, May 22, 2019, at 9:34 A.M., shown below by the red pin.



On Friday, May 24, 2019, your affiant wrote an arrest warrant for the 1500 West Braker Lane robbery, which was later served at Cardena's residence located at 16701 North Heatherwilde Boulevard #736, Pflugerville, Travis County, Texas. Detective Johnson wrote a search warrant on the apartment where Cardenas was arrested. The search warrant was executed immediately following being signed. Some of the evidence, seized during the search warrant, was later identified by Vazquez as belonging to her:

- Plain silver or white gold chain
- Silver or white gold chain with a dolphin pendant
- Silver or white gold chain with a Virgin Mary pendant

Also located during the search warrant was a brown Carhartt beanie cap, white sneakers, and a dark colored hoodie.

Based on the totality of the investigation it is my belief that **David Cardenas III**, a Hispanic male, born on 07-09-1996, further described by F.B.I. Identification Number: 424333AD4,