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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

vs.

ANTHONY DEREK LONG SOLDIER
DOB: 08/30/1980,
AKA: ANTHONY D. LONGSOLDIER,
JOSEPH MENDOZA, JOHNNY
ESPINOZA, ANTHONY GARCIA, INDIO
LONG SOLDIER,
CANAAN USP 3057 EASTON TURNPIKE
WAYMART, PA 18472
SO# 12384273,

Defendant.

Screened by: HOMICIDE UNIT
Assigned to: VINCENT B. MEISTER and
TYSON V. HAMILTON

INFORMATION

Case No.

DA Case No. 16022563

BAIL: \$1,000.007 (CASH ONLY)

Warrant/Release: Incarcerated at USP
CANAAN, WAYMART, PA

The undersigned Detective B. Pender with the Unified Police Department, in reference to agency case No. 2015-20501, upon a written declaration states on information and belief that the defendant, ANTHONY DEREK LONG SOLDIER, committed the crimes of:

COUNT 1

CRIMINAL HOMICIDE, MURDER (GANG), 76-5-203 UCA, First Degree Felony, as follows:
That on or about October 01, 2011 at 375 East 3300 South, in Salt Lake County, State of Utah, the defendant, a party to the offense, intentionally or knowingly caused the death of Stephen Angel Lopez; or intending to cause serious bodily injury to another, committed an act clearly dangerous to human life that caused the death of Stephen Angel Lopez; or acting under circumstances evidencing a depraved indifference to human life, knowingly engaged in conduct which created a grave risk of death to another and thereby caused the death of Stephen Angel Lopez; or engaged in the commission, attempted commission, or immediate flight from the

commission or attempted commission of Felony Discharge of a Firearm, or was a party to the Felony Discharge of a Firearm, and a person other than a party as defined in Utah Code Section 76-2-202 was killed in the course of the commission, attempted commission, or immediate flight from the commission or attempted commission of the Felony Discharge of a Firearm, and the actor acted with the intent required as an element of the Felony Discharge of a Firearm.

NOTICE IS HEREBY GIVEN pursuant to Utah Code Annotated §76-3-203.1, that the defendant is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with two or more persons; or for the benefit of, at the direction of, or in association with any criminal street gang as defined in section 76-9-802; or to gain recognition, acceptance, membership, or increased status with a criminal street gang as defined in section 76-9-802.

COUNT 2

FELONY DISCHARGE OF A FIREARM WITH SERIOUS BODILY INJURY, 76-10-508.1 UCA, First Degree Felony, as follows: That on or about October 01, 2011 at 375 East 3300 South, in Salt Lake County, State of Utah, the defendant, a party to the offense, knowing or having reason to believe that any person may be endangered by the discharge of a firearm, discharged a firearm in the direction of any person or persons; or with the intent to intimidate or harass another or with intent to damage a habitable structure, discharged a firearm in the direction of any person or habitable structure. Furthermore, the aforementioned violation caused serious bodily injury to Joseph Gates.

NOTICE IS GIVEN pursuant to Utah Code Annotated §76-3-203.1, that the defendant is subject to an enhanced penalty as provided in that section because the above offense was committed in concert with two or more persons; or for the benefit of, at the direction of, or in association with any criminal street gang as defined in section 76-9-802; or to gain recognition, acceptance, membership, or increased status with a criminal street gang as defined in section 76-9-802.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

B. Pender, M. Ikemiyashiro, and J. Sutura.

DECLARATION OF PROBABLE CAUSE:

Your Declarant, Detective B. Pender with the Unified Police Department, based on information in report numbers 2015-20501 (UPD) and 11G006036 (SSLPD), interviews of witnesses, and investigation by law enforcement officers states as follows:

On October 1, 2011, officers from multiple police agencies were called to Arbat Reception Hall, 375 East 3300 South in Salt Lake County, Utah, on reports of numerous shots being fired. Arbat Reception Hall is commonly used as a concert hall/night club. A rap artist was performing that night. The occasion brought a large number of known rival gang members to the hall.

Upon arrival, officers reported many people and vehicles fleeing the area. Officers also reported several physical altercations taking place while they were trying to secure the scene. Officers located Stephen Angel Lopez on the street on 400 East near the intersection of 3300 South with a gunshot wound to his chest. He was transported to Intermountain Medical Center where he was pronounced dead on October 2, 2011. Joseph Gates was located inside the reception hall and was taken to the University of Utah Hospital with a gunshot wound to his left arm.

Witness No. 1 was at the reception hall on the night of the shooting. Witness No. 1 told the police that as he was exiting the hall, Isaac Gallegos walked up to Stephen Lopez and asked him where he was from. Stephen Lopez told Mr. Gallegos the name of the gang he belonged to. Mr. Gallegos' reply was that it was the wrong gang and Mr. Gallegos punched Mr. Lopez in the face. A male, identified by witness No. 1 as ANTHONY LONG SOLDIER, was standing nearby at the time. Witness No. 1 stated that LONG SOLDIER had long hair and was wearing a blue shirt, blue pants, black shoes, and had a gun tucked in his waistband. Witness No. 1 said that Mr. Lopez was unarmed and trying to walk away but was prevented by the crowd of people trying to leave the reception hall. As Mr. Gallegos was getting ready to hit Mr. Lopez again, LONG SOLDIER, Mr. Gallegos' fellow gang member, walked up to Mr. Lopez and shot him once. Witness No. 1 also stated that LONG SOLDIER fired the gun again in the direction of the crowd leaving the hall.

Witness No. 2 told the police that a number of people including LONG SOLDIER came over to their house directly after the shooting. Witness No. 2 stated that LONG SOLDIER always carried a gun. Witness No. 2 also stated that LONG SOLDIER told them that he pulled out a gun and shot Mr. Lopez.

Witness No. 3 told the police that that she was at the reception hall that night and as she was leaving she saw two males running from the reception hall. Witness No. 3 described one of the males as Native American with long ponytail and dressed in dark clothing.

Witness No. 4 was driving by at the time of the shooting and saw the shooter standing in front of the Arbat Reception Hall in the parking stalls on the south side, firing a black handgun in the air, then running west on 3300 South. Witness No. 4 later identified ANTHONY LONG SOLDIER from a photo array.

During the course of the investigation, witness No. 5 told the police that the day after the shooting LONG SOLDIER was talking about the shooting and said that he started firing into the crowd and then run off east on 3300 South towards 600 East where he hid the gun in the bushes near a home.

On October 3, 2011, Julie Schrader, Assistant Medical Examiner with the Utah Office of the Medical Examiner, performed an autopsy on Stephen Angel Lopez. Julie Schrader determined Mr. Lopez's cause of death to be a gunshot wound to the chest and his manner of death to be homicide.

A ballistics examination of the bullets removed from Mr. Lopez's body and Mr. Gates' left arm were determined to have been fired from the same firearm.

Post-*Miranda*, LONG SOLDIER admitted to being at the Arbat Reception Hall on the night of the shooting.

REQUEST FOR ISSUANCE OF A WARRANT:

The State hereby requests that the Court issue a Warrant of Arrest in the above-entitled case for the following reasons:

- 1) To prevent risk of injury to a person or property.
- 2) To protect the public safety and welfare of the community or an individual.
- 3) To secure the appearance of the accused.

Pursuant to Utah Code Annotated § 78B-5-705 (2008) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: _____

B. Pender
Declarant

Authorized for presentment and filing

SIM GILL, District Attorney

Deputy District Attorney
25th day of October, 2016
VA/ DA Case No.16022563

OTHER PENDING CASES FOR THE DEFENDANT

Court

Court Case #

Trial Judge

DAO#

Charge