

STATE OF INDIANA	)	IN THE ST. JOSEPH SUPERIOR COURT
	) SS:	
COUNTY OF ST. JOSEPH	)	
	)	
STATE OF INDIANA	)	INFORMATION IN THREE (3) COUNTS:
	)	<u>COUNT I:</u>
VS	)	BATTERY BY MEANS OF A DEADLY
	)	WEAPON
TROYAE LEANDIS SCOTT	)	A LEVEL 5 FELONY
DOB: 12/4/1997	)	

COUNT II:
BATTERY RESULTING IN SERIOUS
BODILY INJURY
A LEVEL 5 FELONY

COUNT III:
CARRYING A HANDGUN WITHOUT A
LICENSE
A LEVEL 5 FELONY

COUNT I

AMY S CRESSY, upon information and belief, affirms under penalty of perjury that:

On or about January 25, 2020 in St. Joseph County, State of Indiana, TROYAE LEANDIS SCOTT did knowingly touch Demarco Barnes in a rude, insolent, or angry manner, by shooting him; said touching being committed with a deadly weapon, a handgun.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)(2), and against the peace and dignity of the State of Indiana.

COUNT II

AMY S CRESSY, upon information and belief, affirms under penalty of perjury that:

On or about January 25, 2020 in St. Joseph County, State of Indiana, TROYAE LEANDIS SCOTT did knowingly touch Demarco Barnes in a rude, insolent, or angry manner, by shooting him resulting in serious bodily injury.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)(1), and against the peace and dignity of the State of Indiana.

COUNT III

AMY S CRESSY, upon information and belief, affirms under penalty of perjury that:

On or about January 25, 2020 in St. Joseph County, State of Indiana, TROYAE LEANDIS SCOTT did

knowingly carry a handgun in or upon the defendant's vehicle or person without a license after being previously convicted of the offense of Carrying a Handgun Without a License, a Class A Misdemeanor in the St. Joseph Superior Courts under 71D04-1805-CM-002016 on June 7, 2019.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-47-2-1 and I.C. 35-47-2-1(e)(2), and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true.



AMY S CRESSY
DEPUTY PROSECUTING ATTORNEY

Probable cause found. Arrest Warrant Issued.

___ Pursuant to Criminal Rule 26 and the St. Joseph County Release/Detention Matrix, Defendant ordered released on recognizance with a promise to appear. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

Defendant to be held for initial bail hearing on ___ day of ___, 2020 at 1:00 p.m.

XX Defendant to be held for next available bail hearing after the warrant is served.

___ Bond set in the amount of ___ corporate surety or ___ cash. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

So found this ___ day of **01/27/20**, 2020 at **3:44 p.m.** am/pm.


JUDGE, ST. JOSEPH SUPERIOR COURT

WITNESSES:

Demarco Barnes

Terrell Barrett

Kayla Miller South Bend Police Department

Matthew Napolitan South Bend Police Department

Paigh Williams

All witnesses listed in police, medical and laboratory reports

STATE OF INDIANA) IN THE ST. JOSEPH SUPERIOR COURT
) SS:
ST. JOSEPH COUNTY)
STATE OF INDIANA)
 v.) SUPPLEMENTAL AFFIDAVIT IN
TROYAE LEANDIS SCOTT) SUPPORT OF PROBABLE CAUSE
DOB – 12/04/1997)

Det. Matt Napolitan affirms under the penalty for perjury and states:

I am a police officer for the City of South Bend and have been so employed since 2014. I am currently assigned to the SBPD Investigative Bureau where my duties include investigating shooting as and other crimes of violence. My duties regularly involve individuals who are engaged in violent criminal organizations sometimes referred to as “gangs” including past and present targets of the SBPD Group Violence Intervention (GVI) Enforcement Actions. I make this affidavit based upon my personal investigation, the investigation of other sworn law enforcement officers as well as the criminal history of TROYAE LEANDIS SCOTT.

On or about January 25, 2020 at approximately 11:32 p.m., St. Joseph County Dispatch was notified a shooting in the 1900 block of East Calvert Street, South Bend, St. Joseph County, Indiana. South Bend Police Department (SBPD) officers responded to a residence and found Demarco Barnes with numerous gunshot wounds to his legs and abdomen. Mr. Barnes was transported to Memorial Hospital for treatment.

While being treated at Memorial Hospital, Demarco Barnes spoke with SBPD officers including me. Mr. Barnes stated that while he was inside his residence, he heard a knock at the door. Mr. Barnes stated he answered the door and was “bum rushed” by two (2) suspects. Mr. Barnes stated that he argued with the suspects inside the residence for a short time before being shot. At that time, Mr. Barnes claimed that he had never seen these individuals before but recalled the suspects were telling him, “You think you’re better than everybody else.”

As Mr. Barnes was giving this statement medical staff came in and advised that he would need to go into surgery due to his injuries. I then allowed Barnes, girlfriend, Paige Williams to come back and see Mr. Barnes before he was taken to surgery.

Paige Williams was later transported to the SBPD Detective Bureau to provide a recorded statement. Ms. Williams stated that she had been sleeping in a bedroom at Mr. Barnes' home when she awoke to the sound of gunfire. Ms. Williams stated she heard approximately two (2) gunshots and then heard two (2) unknown voices yelling at Mr. Barnes. The two unknown voices were demanding to know where some money was located. Ms. Williams then heard two more gunshots followed by one of these unknown parties stating something to the effect of, "If your bitch has a problem we'll kill her too."

Ms. Williams stated that she did not see these suspects and didn't know Mr. Barnes to have any problems with anybody. While speaking with Ms. Williams, she advised that she was currently in possession of Mr. Barnes cellular phone. This cellular phone, an iPhone X Plus in a gray case, was collected.

Additionally, during the investigation, other officers spoke with Mr. Barnes' roommate, Terrell Barrett. Mr. Barrett stated that he was upstairs at the house on East Calvert Street when he heard Mr. Barnes downstairs talking on the phone with an unknown party.

Mr. Barrett stated that as this conversation was going on, he heard Mr. Barnes tell the party on the phone to come to the door. Mr. Barrett stated that a short time later, he heard Mr. Barnes let somebody in the front door. Mr. Barrett stated that he then heard Mr. Barnes having a conversation with an unknown male party, but he didn't really hear much of what was being said.

Mr. Barrett then stated he heard a scuffle, followed by the voice a second unknown male party stating, "Nigga I'll kill you" followed by more scuffling followed by gunshots. Mr. Barrett went down to the first floor where he found Mr. Barnes lying on the floor. It was apparent to Mr. Barrett that Mr. Barnes had been shot.

Mr. Barrett said he then saw two dark-skinned black males flee the residence and get into a gray four (4) door car, The gray car fled westbound on Calvert Street. Mr. Barrett described

both suspects as male black. He said that one of the suspects was wearing a gray hoodie and the other had shoulder-length dreadlocks.

Also during the investigation, officers spoke with one of Mr. Barnes' neighbors whose identity is known to police. This witness stated he heard people at the East Calvert Street residence and then saw what looked like "fireworks" coming from a gun. (In my training and experience, I recognize this to be a description of a muzzle flash.) This witness went on to state that two (2) black males left the house in an older model black four door car which fled westbound. The witness described one of the suspects as a black male of a skinnier build, wearing dark clothes. The witness described the while the other as a black male as around 5'6" to 5'8", wearing a red hoody. This witness advised that he had seen the older model black car at this residence before, and that he believes he has seen Mr. Barnes and Mr. Barnes' girlfriend (Ms. Williams) get into this car as recently as a week ago.

Search warrants for Mr. Barnes' home and a blue Chevrolet Caprice registered to Mr. Barnes were executed. Spent shell casings and scattered amounts of a green leafy substance were collected from the residence. A small safe which contained a handgun and a quantity of a green-leafy substance was recovered from the vehicle.

I also obtained a search warrant was applied for on the contents of Mr. Barnes' Apple iPhone X Plus. Upon authorization of this warrant, I began looking through recent phone calls and text messages sent and received by Mr. Barnes' phone. I noted a group text message among a number of individuals titled, "LaytownEntertainment".

On January 26, 2020, I reviewed the contents of the "LaytownEntertainment", group chat and located a text conversation from Saturday, January 25, 2020 at approximately 11:35 p.m. (This is approximately three (3) minutes after St. Joseph County Dispatch was notified of the shooting.

On January 25, 2020 at 11:35 p.m., a message was sent from a contact number save in Mr. Barnes' phone under the name "Yae" which simply stated, "Lawtown". (In my training and experience, I believe that this is a reference to the group or organization calling themselves "LaytownEntertainment" but is a typographical error. I also recognize, in my training and experience, that some criminal organizations engage in criminal activity under the guise of being a musical group or use a musical group of an arm of the "gang" to spread fear and propaganda.)

Between 11:35 p.m. on January 25, 2020 and 1:23 a.m. on January 26, 2020, members of the group text saved in Mr. Barnes' contacts as "Kenny G" and "Yae" texted back and forth as a part of the group text.

This group text conversation includes the following in pertinent part:

Kenny G: "Smh (common abbreviation for 'shaking my head') Why".

Yae: "Cuz im Wildlyfe fuk who dont like and whoever shot YK dead on Black Deciple I got mfs comin to town right now".

I know from my training and experience that "Wildlyfe" refers to a group/gang affiliated with the Westside and/or Lakeside area of South Bend and that "Black Deciple" (sic) is a reference to the nationally known criminal organization Black Disciples. Westside/Lakeside street gangs commonly claim to fall under the larger Black Disciple umbrella.

"Yae" later texted: "Cuz he front his move and he ah bitch Im Wildlyfe I cause problems."

Later in the day on January 26, 2020, investigators went back to Memorial Hospital to once again speak with Demarco Barnes after he was out of surgery. Mr. Barnes admitted that prior to the shooting, two individuals who he knows by the Facebook usernames "Buddy Folks" (later identified a Anthony Herron) and "Taliban Yae" came over to his house to smoke marijuana. Mr. Barnes later showed investigators the "Taliban Yae" Facebook page and pointed out the individual who shot him to police. Other investigators and I positively identified that individual as TROYAE LEANDIS SCOTT from previous law enforcement contacts.

On today's date, January 27, 2020, I spoke with Mr. Barnes at Memorial Hospital. Mr. Barnes was recovered enough to give a more detailed account of the events. Mr. Barnes stated that Herron arranged to come over to the residence to smoke marijuana. He stated that SCOTT came with Herron uninvited. Mr. Barnes said that he knows SCOTT as "Yae" and has known him for around ten (10) years. He said that he and SCOTT have relative in common and that they refer to each other as "family."

. When Herron and SCOTT came to his house, Mr. Barnes showed off his handgun to them. At some point, SCOTT took possession of the handgun and something to the effect of "This is mine now." Mr. Barnes was not alarmed as he knew SCOTT well and believe this to be

a joke. SCOTT then took an amount of marijuana and said something about it all being his now before walking toward the door.

Mr. Barnes said that he told SCOTT that he could not leave with these items. SCOTT then shot Mr. Barnes. Mr. Barnes and SCOTT began to physically wrestle over the gun and SCOTT continued to shoot Mr. Barnes. SCOTT and Herron then fled.

TROYEA LEANDIS SCOTT was previously convicted of the offense of Carrying a Handgun Without a License, a Class A Misdemeanor under St. Joseph County Cause Number 71D04-1805-CM-002016 on June 7, 2019 and to Carrying a Handgun Without a License, a Class A Misdemeanor under St. Joseph County Cause Number 71D08-1707-CM-003175 on June 7, 2019. Defendant received sentences of 90 days executed under both causes.

All of the above events occurred in St. Joseph County, Indiana.

I affirm under the penalty for perjury that the foregoing representations are true to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Matt Napolitan", is written over a horizontal line.

Detective Matt Napolitan

South Bend Police Department.

DETENTION CONSIDERATIONS

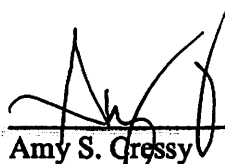
In addition to the facts detailed above, TROYEA LEANDIS SCOTT is a substantial flight risk or a danger to self, others, or the community for the following reasons:

TROYEA LEANDIS SCOTT is a target of the South Bend Police Department Group Violence Intervention Enforcement Action 18-02 due to his involvement with criminal organizations/street gangs which affiliate with the Westside of South Bend and acts of gun violence. Enforcement Actions target individual gang/group members who are the "first" to be associated with a homicide or the "worst" in incidents of gun violence in the community.

WHEREFORE, the State requests that the Court detain the Defendant until the Court conducts a bail hearing.

Further, due to the ongoing nature of this investigation, the State requests that this information be sealed and that no person disclose the fact of the information is in existence or pending until TROYAE LEANDIS SCOTT has been arrested or otherwise brought within the custody of the Court other than any disclosure necessary incident to his arrest.

I affirm, under the penalties for perjury, that the foregoing representations are true



Amy S. Gressy
Deputy Prosecuting Attorney