

TO:Tina COMPANY:Ch 8



## OFFICE OF THE DISTRICT ATTORNEY

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### FACSIMILE TRANSMISSION

**TO:** Tina **FAX#:** 669-6506

**FROM:** Tess Driver

**DATE:** Tuesday, November 10, 2009 at 12:25:30 PM

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Message:

See attached - Mario Librado - 09F23333X

If there are any issues with this fax transmission, please call .  
NO. OF PAGES, EXCLUDING COVER PAGE: 05

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JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,  
-vs-  
MARIO LIBRADO,  
Defendant.

CASE NO: 09F23333X  
DEPT NO: 7

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of MURDER (SECOND DEGREE) (Felony - NRS 200.010, 200.030); POSSESSION OF COMPONENT OF EXPLOSIVE OR INCENDIARY DEVICE WITH INTENT TO MANUFACTURE EXPLOSIVE OR INCENDIARY DEVICE (Felony - NRS 202.261); POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICE (Felony - NRS 202.262) and PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY (Felony - NRS 202.595), in the manner following, to-wit: That the said Defendant, on or about the 7th day of November, 2009, at and within the County of Clark, State of Nevada,

COUNT 1 - MURDER (SECOND DEGREE)

did then and there willfully, feloniously, without authority of law and without the intent to do so, did kill ARTURO AYALA-MARTINEZ, a human being, in the commission of an unlawful act, which in its consequences, naturally tends to destroy the life of a human being or a dangerous felony, to-wit: possession of component of explosive or incendiary device with intent to manufacture explosive or incendiary device and/or possession of explosive or incendiary device

COUNT 2 - POSSESSION OF COMPONENT OF EXPLOSIVE OR INCENDIARY DEVICE WITH INTENT TO MANUFACTURE EXPLOSIVE OR INCENDIARY DEVICE

did then and there wilfully, unlawfully, and feloniously, with the intent to manufacture an explosive or incendiary device, possess a component of an explosive or incendiary device to-wit: pipe and/or two small propane cylinders, and or shotgun shells

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1 and/or model rocket igniters and/or a battery.

2 COUNT 3 - POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICE

3 did then and there wilfully, unlawfully and feloniously possess an explosive or  
4 incendiary device or any explosive or incendiary material, substance or component that  
5 could be readily converted to an explosive or incendiary device in or upon any public street  
6 or highway and/or in or near any private habitation, public place or any place open to the  
7 public and/or in, on or near any public conveyance; the said Defendant committing the crime  
8 in the following manner, to-wit: by possessing a pipe bomb in the desert area by Valmark  
9 Street and Puebla Avenue, in Las Vegas, Nevada, which is open to the public and/or near  
10 private habitations.

11 COUNT 4 - PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS  
12 OR PROPERTY

13 did then and there willfully and unlawfully perform an act in willful or wanton  
14 disregard of the safety of persons or property resulting in the death of ARTURO AYALA-  
15 MARTINEZ, in the following manner, to-wit: Defendant constructing and detonating and/or  
16 attempting to detonate a pipe bomb with ARTURO AYALA-MARTINEZ in close  
17 proximity.

18 All of which is contrary to the form, force and effect of Statutes in such cases made  
19 and provided and against the peace and dignity of the State of Nevada. Said Complainant  
20 makes this declaration subject to the penalty of perjury.

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22 \_\_\_\_\_  
23 11/9/2009  
24

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27 09F23333X/jh  
28 LVMPD EV# 0911074059  
(TK7)

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Fax from :

11-10-09 12:30 Pg: 11

LAS VEGAS METROPOLITAN POLICE DEPARTMENT.  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 07/13/93)

EVENT: 091107-4059

STATE OF NEVADA )  
 ) ss: Mario Librado  
COUNTY OF CLARK ) DOB: 05/27/1992

Barry Jensen, being first duly sworn, deposes and says:

That he is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of 20 years, assigned to investigate the crime(s) of MURDER, POSSESSION OF COMPONENT OF EXPLOSIVE OR INCENDIARY DEVICE WITH INTENT TO MANUFACTURE EXPLOSIVE OR INCENDIARY DEVICE, POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICE and WILLFUL WANTON DISREGARD WITH SUBSTANTIAL BODILY HARM OR DEATH committed on or about 11/07/2009, which investigation has developed MARIO LIBRADO as the perpetrator thereof.

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

1. On 11/07/2009 at approximately 2301 hours, Mario Librado telephoned 9-1-1 and requested paramedics. Librado told the call taker that he built a pipe bomb and it went off injuring his friend. Librado said it also blew off his fingers. Paramedics and LVMPD patrol officers arrived and located Librado and his friend, later identified as Arturo Ayla-Martinez. They were transported to UMC and treated for their injuries. On 11/08/2009, Arturo Ayala-Martinez died from his injuries and was pronounced dead by Dr. Lewis at 0006 hours.

2. On 11-08-2009, at approximately 0240 hours, Detective Mogg arrived at the UMC Trauma Center where he met with Detective P. Calos. Detective Mogg viewed the body of Arturo Martinez in a treatment room in the trauma center, and noticed that Martinez had several lacerations on the left side of his face, and an incised wound on the right side of his neck.

Detective Calos told Detective Mogg the second person being treated in the trauma center was named Mario Librado. Detective Mogg spoke to one of the nurses treating Librado, and she said Librado had received a 5mg injection of Morphine and antibiotics on 11-07-09 at 2346 hours, and a second Morphine injection on 11-08-09 at 0020 hours.

3. At approximately 0314 hours, Detectives Mogg and Calos interviewed Mario Librado who was lying in a trauma center bed near the nurses station. Librado was alert and had been answering questions concerning his medical history, family, and the circumstances surrounding his injury with a doctor moments before. Detective Mogg identified himself and Detective Calos to Librado, and asked Librado if they could talk to him about his injuries and the circumstances surrounding his injuries. Librado said he would talk to the Detectives without a parent being present. During the recorded interview with Librado, he identified the person who was with him as Alfredo. Librado was later shown a photo copy of a Mexican ID Card in the name of Arturo Ayala-Martinez. Librado identified the person in the Mexican ID card as his friend "Alfredo".

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Librado told Detective Mogg that he was injured when a bomb he constructed blew up. Librado said he and Martinez went to a store on 11-07-09 and purchased some shotgun shells, model rocket igniters, a battery, and two one-pound propane tanks with which to construct the bomb. Librado also told Detective Calos that he bought a 1 1/4" x 6" galvanized pipe and two end caps at another store with which to construct the bomb.

4. Librado said he constructed the pipe bomb using a model rocket igniter, gunpowder, and gasoline. Librado said he fabricated a remote switch with which to detonate the bomb, and used a battery to provide power to the igniter. He said he tested the switch at Martinez' apartment. Librado said he taped the propane tanks to the pipe bomb, and used a length of string to activate the switch. Based on details Librado gave Detective Mogg, it appears that Librado constructed components of the bomb at the residence on Cessna, and/or the entire device, and/or transported the assembled device or the components thereof to the desert where the final assembly and detonation occurred.

5. Detective Mogg later corroborated with evidence recovered at the scene. Librado said the device failed to detonate, so he waited a short period of time before he and Martinez walked back to where they had placed the bomb. Librado said he tried to cut the wires on the bomb when it detonated injuring himself and Martinez. Librado described where he and Martinez were standing when the bomb detonated, and the location was consistent with the injuries inflicted on Martinez and Librado.

Librado said he had constructed bombs on several previous occasions, and detonated them in the same desert area where he was injured on 11-07-2009.

Based on Detective Mogg's training and experience in the design, construction, and disposal of Improvised Explosive Devices there is no legal use for the explosive device constructed by Mario Librado.

6. During the investigation of the crime scene, Detective Mogg and Detective Ericson found a location where an apparent pipe bomb and two small propane cylinders had exploded, and other evidence was found at that location which indicated the explosion was caused by an improvised explosive device. Detective Mogg also located a remote firing site which was located approximately 153 feet north of the site of the explosion. A blood trail leading north from the site of the explosion to the area of San Miguel and Puebla where Librado was located by paramedics and LVMPD patrol officers. Librado directed the paramedics and LVMPD patrol officers to Martinez' location in the desert area south of Valmark St.

7. Martinez resided at 4749 Cessna, apartment # 1 with his roommate, Vicente Jimenez. Detectives made contact with Vicente Jimenez at 4749 Cessna, apartment # 1. Jimenez said he and Martinez lived in the apartment and his ex-girlfriend's daughter, Crystal, stayed with them occasionally. Jimenez also stated that Mario Librado was in town visiting him. Jimenez signed a Consent to Search card for the search of the apartment. Inside Martinez' bedroom, Detectives located several components used in the manufacturing of the explosive device that was detonated in the desert area north of Valmark St.

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- 8. Detective Kyger interviewed Jimenez who said he was aware that Librado had been setting off devices. Jimenez told Librado to "stop".
- 9. Detectives Calos and Raetz located digital surveillance of Librado and Martinez purchasing items used in the construction of the explosive device which killed Martinez and injured Librado. They also recovered a receipt of the purchase. Detective Calos was able to identify Librado and Martinez from the digital surveillance images.
- 10. The injuries causing Martinez' death were sustained during a felony crime being committed by Mario Librado.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect MARIO LIBRADO on a charge(s) of MURDER, POSSESSION OF COMPONENT OF EXPLOSIVE OR INCENDIARY DEVICE WITH INTENT TO MANUFACTURE EXPLOSIVE OR INCENDIARY DEVICE, POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICE and WILLFUL WANTON DISREGARD WITH SUBSTANTIAL BODILY HARM OR DEATH

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

Executed on this 9th day of November, 2009.

DECLARANT: *Bobby P. 3462*

WITNESS: *[Signature]* #4777 DATE: *11-09-2009*