STATE OF INDIANA
MARION COUNTY, ss:

IN THE MARION SUPERIOR COURT
CRIMINAL DIVSION

THE STATE OF INDIANA

vs.

Mark Leonard
W/M DOB: 03/02/1969
CAUSE NO. 49G03 1212 MR 085547
(AS TO COUNT(S) I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XL, XLI, XLII, XLIII, XLIV, XLV, XLVI, XLVII, XLVIII, XLIX)
Monserrate Shirley
W/F DOB: 10/03/1965
CAUSE NO. 49G03 1212 MR 085548
(AS TO COUNT(S) I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XL, XLI, XLII, XLIII, XLIV, XLV, XLVI, XLVII, XLVIII, XLIX)
Bob Leonard, Jr.
W/M DOB: 12/12/1958
CAUSE NO. 49G03 1212 MR 085549
(AS TO COUNT(S) I, II, III, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XL, XLI, XLII, XLIII,

INFORMATION
COUNT I
MURDER, I.C. 35-42-1-1(2)
COUNT II
MURDER, I.C. 35-42-1-1(2)
COUNT III
CONSPIRACY TO COMMIT ARSON, CLASS A FELONY I.C. 35-41-5-2 I.C. 35-43-1-1
COUNT IV
CONSPIRACY TO COMMIT ARSON, CLASS B FELONY I.C. 35-41-5-2 I.C. 35-43-1-1
COUNT V
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT VI
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT VII
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT VIII
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT IX
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT X
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XI
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XII
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XIII
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XIV
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XV

XLIV, XLV, XLVI, XLVII, XLVIII, XLIX)

ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XVI
ARSON, CLASS A FELONY I.C. 35-43-1-1
COUNT XVII
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XVIII
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XIX
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XX
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XXI
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XXII
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COUNT XXIII
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COUNT XXVI
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COUNT XXVIII
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COUNT XXIX
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COUNT XXX
ARSON, CLASS B FELONY I.C. 35-43-1-1

COUNT XXXI
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COUNT XXXII
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COUNT XXXVIII
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COUNT XXXIX
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COUNT XL
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COUNT XLI
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XLII
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43-1-1
COUNT XLVII
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XLVIII
ARSON, CLASS B FELONY I.C. 35-43-1-1
COUNT XLIX
ARSON, CLASS B FELONY I.C. 35-43-1-1

On this date, Det. Sgt. Jeffrey L. Wager came before the Prosecuting Attorney of the Nineteenth Judicial Circuit and, being duly sworn (or having affirmed), stated that in Marion County, Indiana

COUNT I

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, while committing or attempting to commit the offense of Arson, which is to by means of fire, explosive, or destructive device, knowingly or intentionally damage property of any person under circumstances that endangered human life, kill another human being, namely: John D. Longworth;

COUNT II

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did while committing or attempting to commit the offense of Arson, which is to by means of fire, explosive, or destructive device, knowingly or intentionally damage property of any person under circumstances that

endangered human life, kill another human being, namely: Jennifer Longworth;

COUNT III

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 4-10, 2012, did, with the intent to commit the felony of Arson, agree with by and between Mark Leonard, Monserrate Shirley and/or Bob Leonard to commit said felony of Arson, which is to by means of fire, explosive, or destructive device, knowingly or intentionally damage property of any person under circumstances that endangered human life, and Mark Leonard and/or Bob Leonard and/or an as yet unidentified person performed the following overt act in furtherance of the agreement, that is: removed the step-down regulator to the manifold to the gas lines coming into the house, opened or removed the fireplace valve to allow for the flow of gas into the residence and/or set a timing device to cause an ignition of the gas;

COUNT IV

Mark Leonard and Monserrate Shirley, on or about December of 2011 through November 4, 2012, did, with the intent to commit the felony of Arson, agree with Mark Leonard and/or Monserrate Shirley to commit said felony of Arson, which is to by means of fire, explosive, or destructive device, knowingly or intentionally damage property of any person under circumstances

that endangered human life, and Mark Leonard performed the following overt act in furtherance of the agreement, that is: leaked gas into the residence with the intent to cause an explosion or fire;

COUNT V

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Glenn and Gloria Olvey, located at 8343 Fieldfare Way, without the consent of Glenn and Gloria Olvey, and which resulted in bodily injury, that is: puncture wounds to the back and/or complaint of back pain, to Glenn Olvey;

COUNT VI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Glenn and Gloria Olvey, located at 8343 Fieldfare Way, without the consent of Glenn and Gloria Olvey, and which resulted in bodily injury, that is: broken middle finger on left hand, to Gloria Olvey;

COUNT VII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Glenn and Gloria Olvey, located at 8343 Fieldfare Way, without the consent of Glenn and Gloria

Olvey, and which resulted in bodily injury, that is: laceration to the left knee, mouth and neck, to Katherine Olvey;

COUNT VIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Glenn and Gloria Olvey, located at 8343 Fieldfare Way, without the consent of Glenn and Gloria Olvey, and which resulted in bodily injury, that is: contusions and bruising to the back of the head, to Amojean Olvey;

COUNT IX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steve and Lori Lambert, located at 8338 Alcona Dr., without the consent of Steve and Lori Lambert, and which resulted in bodily injury, that is: laceration to the right eye, to Steve Lambert;

COUNT X

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Vera Sittler, located at 4008 Towhees Dr., without the consent of Vera Sittler, and which resulted in bodily injury, that is: pain, to Vera Sittler;

COUNT XI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Ryan Cox, located at 8313 Fieldfare Way, without the consent of Ryan Cox, and which resulted in bodily injury, that is: smoke inhalation, to Ryan Cox;

COUNT XII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steven and Peggy Pridemore, located at 8404 Alcona Dr., without the consent of Steven and Peggy Pridemore, and which resulted in bodily injury, that is: lacerations to the back of the left leg and ankle, to Steven Pridemore;

COUNT XIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steven and Peggy Pridemore, located at 8404 Alcona Dr., without the consent of Steven and Peggy Pridemore, and which resulted in bodily injury, that is: laceration to the back of the left leg, to Peggy Pridemore;

COUNT XIV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive,

knowingly damage the dwelling of Daniel and Janda Able, located at 8354 Fieldfare, without the consent of Daniel and Janda Able, and which resulted in bodily injury, that is: lacerations to the foot, to Brooke Able;

COUNT XV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Daniel and Janda Able, located at 8354 Fieldfare Way, without the consent of Daniel and Janda Able, and which resulted in bodily injury, that is: scratches to the back and pain, to Janda Able;

COUNT XVI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Gerrett and Sara Schout, located at 8307 Fieldfare Way, without the consent of Gerrett and Sara Schout, and which resulted in bodily injury, that is: bloody nose, to Ethan Schout;

COUNT XVII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Glenn and Gloria Olvey, located at 8343 Fieldfare Way, without the consent of Glenn and Gloria Olvey;

COUNT XVIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Patrick and Lori Crosley, located at 8337 Fieldfare Way, without the consent of Patrick and Lori Crosley;

COUNT XIX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Chad and Abbey Jackson, located at 8331 Fieldfare Way, without the consent of Chad and Abbey Jackson;

COUNT XX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Edgar and Regina Salas, located at 8325 Fieldfare Way, without the consent of Edgar and Regina Salas;

COUNT XXI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Mark and Michelle Karnes, located at 8319 Fieldfare Way, without the consent of Mark and Michelle Karnes;

COUNT XXII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Ryan and Andrea Cox, located at 8313 Fieldfare Way, without the consent of Ryan and Andrea Cox;

COUNT XXIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Gerrett and Sara Schout, located at 8307 Fieldfare Way, without the consent of Gerrett and Sara Schout;

COUNT XXIV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Rachna and Vishnubhai Patel, located at 8324 Fieldfare Way, without the consent of Rachna and Vishnubhai Patel;

COUNT XXV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Lance Gregoire, located at 8342 Fieldfare Way, without the consent of Lance Gregoire;

COUNT XXVI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Tony and Lauri Burnett, located at 8348 Fieldfare Way, without the consent of Tony and Lauri Burnett;

COUNT XXVII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Daniel and Janda Able, located at 8354 Fieldfare Way, without the consent of Daniel and Janda Able;

COUNT XXVIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Nicholas Hlavaty, located at 8406 Fieldfare Way, without the consent of Nicholas Hlavaty;

COUNT XXIX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Alex Pflanzer, located at 8415 Fieldfare Way, without the consent of Alex Pflanzer;

COUNT XXX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive,

knowingly damage the dwelling of Brett and Nicole Cocherell, located at 8409 Fieldfare Way, without the consent of Brett and Nicole Cocherell;

COUNT XXXI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Kevin Cole, located at 8403 Fieldfare Way, without the consent of Kevin Cole;

COUNT XXXII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of John and Jennifer Longworth, located at 8355 Fieldfare Way, without the consent of John and Jennifer Longworth;

COUNT XXXIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Bryan and Heather Hollingsworth, located at 8414 Alcona Dr., without the consent of Bryan and Heather Hollingsworth;

COUNT XXXIV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steven and Peggy Pridemore,

located at 8404 Alcona Dr., without the consent of Steven and Peggy Pridemore;

COUNT XXXV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Chad Skelton, located at 8352 Alcona Dr., without the consent of Chad Skelton;

COUNT XXXVI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Ryan and Sabrina Konecky, located at 8344 Alcona Dr., without the consent of Ryan and Sabrina Konecky;

COUNT XXXVII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steve and Lori Lambert, located at 8338 Alcona Dr., without the consent of Steve and Lori Lambert;

COUNT XXXVIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of John and Vicky Koerner, located

at 8332 Alcona Dr., without the consent of John and Vicky Koerner;

COUNT XXXIX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Steve and Pamela Belt, located at 8333 Alcona Dr., without the consent of Steve and Pamela Belt;

COUNT XL

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Daniel and Cindy Mattox, located at 8347 Alcona Dr., without the consent of Daniel and Cindy Mattox;

COUNT XLI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Vera Sittler, located at 4008 Towhees Dr., without the consent of Vera Sittler;

COUNT XLII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Jeff and Sara Vitaniemi,

located at 3956 Towhees Dr., without the consent of Jeff and Sara Vitaniemi;

COUNT XLIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Elizabeth McClellan, located at 3936 Towhees Dr., without the consent of Elizabeth McClellan;

COUNT XLIV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Jason and Stephanie Gifford, located at 3930 Towhees Dr., without the consent of Jason and Stephanie Gifford;

COUNT XLV

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Benjamin and Autumn Chrastain, located at 8355 Andrusia Lane, without the consent of Benjamin and Autumn Chrastain;

COUNT XLVI

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Roy and Doris Jarnagin, located

at 8339 Andrusia Lane, without the consent of Roy and Doris Jarnagin;

COUNT XLVII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Tony Quakenbush, located at 8320 Alcona Dr., without the consent of Tony Quakenbush;

COUNT XLVIII

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Patricia Blechl, located at 8326 Alcona Dr., without the consent of Patricia Blechl;

COUNT XLIX

Mark Leonard, Monserrate Shirley and Bob Leonard, Jr., on or about November 10, 2012, did, by means of explosive, knowingly damage the dwelling of Bank of America, located at 8349 Fieldfare Way, without the consent of Bank of America;

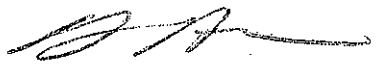
all of which is contrary to statute and against the peace and dignity of the State of Indiana.

I swear or affirm under penalty of perjury as specified by I.C. 35-44-2-1 that the foregoing representations are true.

Affiant

12/20/2012
Date

TERRY R. CURRY
Marion County Prosecutor
19th Judicial Circuit



Deputy Prosecuting Attorney

State's Witnesses:

J Wager W2470 - IMPD
D Kinsey K9652- IMPD
M Mitchell M9755 - IMPD
A Rolinson 20725 - IMPD
T Kaser X6541 - IMPD
J Albin A5755 - IMPD
A Carter C1803 - IMPD
D Pearson P1165 - IMPD
A Englart E8736 - IMPD
R Brown 27186 - IMPD
S Fitzpatrick F7018 - IMPD
C Cavanaugh C1322 - IMPD
S Campbell C4588 - IMPD
E Williams 20294 - IMPD
M Hess H6756 - IMPD
L Vanbuskirk V9625 - IMPD
M Garza - IFD
M Eggleston - ATF
D Sheppard - ATF
P Hand - ATF
G Heicrt - ATF
D Coulson - ATF
T Hudson - ATF
K Whitaker - ATF
D Shirley - ATF
E Jensen - ATF
D Salmon - ATF
D Neie - ATF
S Roehring - ATF
Dr. Joye Carter
Lisa Liebig - MCCL
Lisa Prater - MCCL
Dave Lucas - MCCL
Kevin Winks - MCCL
Mark Wallace - MCCL
Don Toth - MCCL
Tonya Fishburn - MCCL
Dirk Shaw - MCCL
Mike Putzek - MCCL

(183) FILED
DEC 20 2012
Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

Glenn Olvey
Gloria Olvey
Katherine Olvey
Amojean Olvey
Steve Lambert
Vera Sittler
Ryan Cox
Steve Pridemore
Peggy Pridemore
Brooke Able
Janda Able
Ethan Schout
Sara Schout
MD
John A Shirley
Justin Leonard
JG
GG
Tony Burnett
AK
Tony Quakenbush
Patricia Blechl
John Koerner
Vicky Koerner
Stephen Belt
Pamela Belt
Lori Lambert
Ryan Konecky
Sabrina Konecky
Daniel Mattox
Cindy Mattox
Chad Skelton
Bryan Hollingsworth
Heather Hollingsworth
Roy Jarnagin
Doris Jarnagin
Benjamin Chrastain
Autumn Chrastain
Gerrett Schout
Sara Schout
Andrea Cox
Mark Karnes
Michelle Karnes
Rachna Patel
Vishnubhai Patel
Edgar Salas

Regina Salas
Chad Jackson
Abbey Jackson
Patrick Crosley
Lori Crosley
Lance Gregoire
Tony Burnett
Lauri Burnett
Daniel Able
Kevin Cole
Nicholas Hlavaty
Brett Cocherell
Nicole Cocherell
Alex Pflanzer
Jason Gifford
Stephanie Gifford
Elizabeth McClellan
Jeff Vitaniemi
Sara Vitaniemi

AFFIDAVIT
FOR PROBABLE CAUSE

FILED
DEC 20 2012
Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

STATE OF INDIANA, COUNTY OF MARION, SS:

Detective Sgt Jeffrey L. Wager swears (affirms) that:

On Saturday, November 10, 2012 at 11:11 p.m., an explosion occurred in the residence located at 8349 Fieldfare Way, City of Indianapolis, County of Marion, and State of Indiana. The residents of 8349 Fieldfare Way were identified as Mark Leonard W/M DOB 03-02-1969 and Monserrate Shirley W/F DOB 10-03-1965. This explosion ignited a fire at the next door residence at 8355 Fieldfare Way which caused the death of John D. Longworth and Jennifer Longworth, injured twelve (12) other individuals residing in the surrounding residences and damaged numerous other residences resulting in approximately four (4) million dollars of damage.

Once the Indianapolis Fire Department extinguished the fires at 8355 Fieldfare Way and the adjoining residences, I (Det. Sgt. Jeffrey Wager) examined the fire scene with Indianapolis Metropolitan Police Department Arson investigator David Kinsey. I observed the residence at 8349 Fieldfare Way to have suffered total deconstruction which is a common result in a large explosion of natural gas inside a residence. The sudden expansion of the igniting gas creates a huge pressure wave to the outside walls of the residence which forces the house to come apart at the construction joints. The fire of the igniting gas spread to the surrounding objects such as the neighboring houses setting them on fire. I observed that 8355 Fieldfare Way (the house directly south of 8349 Fieldfare Way and home of the John D Longworth and Jennifer Longworth) showed evidence of being struck by the large pressure wave from the explosion. This was evident because the walls of the house, debris and objects were forcibly pushed away from 8349 Fieldfare Way. Igniting gas from the explosion set the north side of 8355 Fieldfare Way on fire. This resulting explosion and fire caused extensive damage which prevented John D Longworth and Jennifer Longworth from escaping their home. I observed 8343 Fieldfare Way also suffered similar damage but to a much lesser degree.

Michael Eggleston is an ATF Certified Explosive Enforcement Officer and is a certified expert in explosion investigations. He has testified as an expert in more than thirty-five (35) Federal Court trials. Mr. Eggleston examined the explosion scene and, particularly, the Shirley residence at 8349 Fieldfare Way, on Monday, November 12, 2012. Mr. Eggleston noticed several abnormalities during his examination. First, Mr. Eggleston observed that the microwave

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

AFFIANT

DATED: December 20, 2012

DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

Sheila A. Carlisle
JUDGE

oven from the Shirley residence had sustained an enormous amount of internal blast pressure damage combined with incendiary thermal effect (high intense heat). Secondly, Mr. Eggleston found an exploded cylinder in the kitchen near the microwave that also showed effects of blast pressure damage and incendiary thermal effect. According to Mr. Eggleston, neither the microwave nor the cylinder should appear in this condition. Mr. Eggleston explained that in a natural gas explosion these items would not be blown apart and burned to the great degree that they were. They should have been crushed, but were intact and only partially burned. Based on his examination of the blast pressure wave evidence, Mr. Eggleston determined that the kitchen area to be the location of the initial blast and determined that the microwave oven was the specific point of ignition for the blast. Mr. Eggleston advised that the blast pressure wave followed the path of least resistance and was bounced upward from the concrete floor of the residence. This is consistent with blast injuries sustained by Jennifer Longworth who would have been the closest person to 8349 Fieldfare Way and the most exposed to the blast.

On Sunday November 11, 2012 I interviewed Shannon Ridenour and learned the following:

Approximately three (3) weeks ago Shannon Ridenour was at Mark Leonard's house at 8349 Fieldfare Way when Mark Leonard told him that the weekend before he "lost a ton of money at the casino" amounting to approximately $10,000, and then ran up the debt on Monserrate Shirley's credit cards. Mr. Ridenour advised that Mark Leonard would surf online dating sites, especially "Plenty of Fish" and locate older, heavier woman, wine and dine them, and then convince them to give him money that he would never pay back. One scenario would involve winning the confidence of older wealthier women by dressing nice and driving a nice car thereby making them think he had money. He would set his alarm on the cell phone, and when it went off he would then pretend to answer it and hold a bogus conversation in which he needs money to repair equipment to finish a good paying construction job. Once the female was interested in helping he would borrow the money from her with the intention of never paying it back. Mr. Ridenour advised that Monserrate Shirley was aware of what he was doing and was ok with it so long as he did not sleep with the women. Another scheme was Mark Leonard would take the older women to the casino and then tell them he forgot his wallet at home and ask them to make an advance on their credit card and gamble with it.

On Monday, November 12, 2012, Detective David Kinsey and I attended the autopsies of John D. Longworth and Jennifer Longworth which were conducted by Dr. Joye Carter. Dr. Carter determined that John D. Longworth (who was found in the south east corner of the

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

AFFIANT

DATED: December 20, 2012

DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

JUDGE

basement of 8355 Fieldfare Way) died from injuries from the fire; showing a 34.6% carbon monoxide level in his blood and severe thermal injuries that covered 95% of his body surface area. Dr. Carter determined that Jennifer Longworth (who was found face down on her bed which had collapsed through the upstairs floor into the basement) died as a result of the explosion and the ensuing fire. Mrs. Longworth suffered blast injuries to the head that caused multiple fractures to her skull and severe thermal injuries that covered 80% of her body surface area.

The following is a list of all other persons known to be injured in the explosion:

Glenn Olvey, 8343 Fieldfare Way – puncture wounds to back and complaint of back pain; Gloria Olvey, 8343 Fieldfare Way – broken middle finger on left hand, bruised right eye, lacerations and abrasions to legs; Katherine Olvey, 8343 Fieldfare Way – laceration to left knee, mouth and neck; Amojean Olvey, 8343 Fieldfare Way – contusions and bruising to the back of the head; Steve Lambert, 8338 Alcona Dr – laceration to right eye; Vera Sittler, 4008 Towhees Dr – complaint of pain to right shoulder; Ryan Cox, 8313 Fieldfare Way – smoke inhalation; Steven Pridemore, 8404 Alcona Dr – lacerations to the back of the left leg and ankle; Peggy Pridemore, 8404 Alcona Dr – laceration to the back of left leg; Brooke Able, 8354 Fieldfare Way – lacerations to foot; Janda Able, 8354 Fieldfare Way – scratches to back and complaint of pain; Ethan Schout, 8307 Fieldfare Way – bloody nose.

The following is a list of all the properties that were damaged beyond repair and which are being demolished:

Glenn and Gloria Olvey, 8343 Fieldfare Way - $200,000; Patrick and Lori Crosley, 8337 Fieldfare Way - $200,000; Chad and Abbey Jackson, 8331 Fieldfare Way - $200,000; Edgar and Regina Salas, 8325 Fieldfare Way - $175,000; Mark and Michelle Karnes, 8319 Fieldfare Way - $175,000; Ryan and Andrea Cox, 8313 Fieldfare Way - $175,000; Gerrett and Sara Schout, 8307 Fieldfare Way - $150,000; Rachna and Vishnubhai Patel, 8324 Fieldfare Way - $200,000; Lance Gregoire, 8342 Fieldfare Way - $200,000; Tony and Lauri Burnett, 8348 Fieldfare Way - $150,000; Daniel and Janda Able, 8354 Fieldfare Way - $150,000; Nicholas Hlavaty, 8406 Fieldfare Way – $175,000; Alex Pflanzer, 8415 Fieldfare Way - $175,000; Brett and Nicole Cocherell, 8409 Fieldfare Way - $225,000; Kevin Cole 8403 Fieldfare Way - $200,000; John and Jennifer Longworth, 8355 Fieldfare Way - $175,000; Bryan and Heather Hollingsworth, 8414 Alcona Dr - $150,000; Steven and Peggy Pridemore, 8404 Alcona Dr - $175,000; Chad Skelton, 8352 Alcona Dr - $175,000; Ryan and Sabrina Konecky, 8344 Alcona Dr - $150,000;

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Steve and Lori Lambert, 8338 Alcona Dr - $175,000; John and Vicky Koerner, 8332 Alcona Dr - $175,000; Steve and Pamela Belt, 8333 Alcona Dr - $225,000; Daniel and Cindy Mattox, 8347 Alcona Dr - $175,000; Vera Sittler, 4008 Towhees Dr - $175,000; Jeff and Sara Vitaniemi, 3956 Towhees Dr - $125,000; Elizabeth McClellan, 3936 Towhees Dr - $150,000; Jason and Stephanie Gifford, 3930 Towhees Dr - $150,000; Benjamin and Autumn Chrastain, 8355 Andrusia Lane - $175,000; Roy and Doris Jarnagin, 8339 Andrusia Lane - $150,000; Tony Quakenbush, 8320 Alcona Dr – $175,000; Patricia Blechl, 8326 Alcona Dr – $150,000; and State Farm Insurance and/or Bank of America (residence owned/occupied by Monserrate Shirley) - $175,000. All the above dollar amounts are estimates of residential damage provided to the Affiant by Department of Code Enforcement, City of Indianapolis.

On Monday November 12, 2012, Detective David Kinsey interviewed Mark Leonard who stated the following:

On Sunday, November 4, 2012, Mark Leonard and Monserrate Shirley arrived home and the furnace was not working properly. Leonard stated that it was blowing cold air so they stayed at a motel for a night. Leonard stated that he purchased a Honeywell slide-switch thermostat from Menards (on Emerson Ave) for $16 and replaced the Hunter digital $300 thermostat. The furnace began working but Leonard stated that he only kept the new thermostat on for a day. He stated that he changed the thermostat back to the old one because Monserrate liked the $300 thermostat. The furnace continued to work. Monserrate Shirley, however, when questioned denied that she requested that the thermostat be changed back.

Mark Leonard stated that he and Monserrate Shirley were together at the Hollywood Casino located at 777 Hollywood Blvd., City of Lawrenceburg, County of Dearborn, State of Indiana, at the time of the explosion. Mark Leonard stated that on Friday, November 9, 2012, he spent part of the day visiting with his 90 year old grandmother (near State Street and Troy Ave) in the afternoon and then he stopped by his sister's boyfriend's (Chad's) house. After Chad's house he picked Monserrate's daughter, age 12, up from school at Our Lady of Greenwood and then had couple of drinks while waiting for Monserrate to get off work. Mark Leonard stated he did not remember at what businesses he drank.

Mark Leonard met Monserrate Shirley at S. Keystone Ave. and E. Hanna Ave. in the parking lot of Rock House Bar. Mark Leonard stated that he left his white Ford van in the parking lot and they left together in their maroon/ burgundy Ford Taurus for the Hollywood Casino at approximately 7 p.m. They had a 9 or 10 p.m. reservation at the casino hotel and just

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made it before the reservation would have been cancelled. They did not gamble that night. On Saturday, November 10, 2012, they got up at about 11 a.m. and Mark Leonard gambled by playing blackjack for about hour to an hour and a half on low limits – he stated he lost a couple hundred bucks, then watched football games, and Monserrate Shirley played a bar game. However, casino records from Hollywood Casino have been obtained and show Mark Leonard gambling for approximately nine (9) minutes, on November 10, 2012 from 12:28 pm to 12:37 pm. He lost $100. Thereafter, Leonard and Shirley went to "Hollywood on the Roof" where they stayed for approximately 11 and ½ hours. According to casino records, Shirley was observed playing slots for three (3) minutes on November 10, 2012.

Mark Leonard stated that , Monserrate Shirley's daughter, stayed at Glenn Hults' house with his girlfriend Sharon and their daughters. Glenn Hults lives in the area of Hanna Ave. and Sherman Ave. Glenn Hults' phone number is

Mark Leonard, Monserrate Shirley and have a white Persian cat named "Snowball" that they boarded at a groomer's behind Lowes on Madison Ave on the weekend of the explosion. For three (3) weekends in row they took the cat to different groomers who boarded Snowball, but didn't cut his hair. The first boarding place was Sugar Grove on Morgantown Road, but Sugar Grove indicated they could not cut the cat's hair. Mark Leonard stated that the next place couldn't cut the cat's hair either; however, he stated he was not sure of the name of the place because Monserrate took Snowball there. Mark Leonard stated that on November 9, 2012 he took Snowball to the groomer's behind the Lowes at about noon. Through investigation this has been determined to be Barkefellers, 8808 S. Madison Ave. Also during the course of investigation, while under surveillance on November 23, 2012, Leonard and Shirley were observed going to two (2) kennels where they had boarded Snowball. Officers made contact with each of those places and were advised that Leonard and Shirley were attempting to obtain copies of receipts for the boarding transactions and at the Arbor Lane kennel Shirley requested the receipt be changed by adding a note to the effect that grooming was requested and not performed. Arbor Lane kennel was the place Snowball was taken on November 3, 2012 and boarded to November 5, 2012.

Mark Leonard stated that he does not have a key to the house on Fieldfare, but uses the garage door opener. Monserrate has the only keys and she did not loan them out to anyone. Leonard stated that the front door was locked when they left. There are no alarms on the house. Mark Leonard advised that he never smelled gas but he stated that Monserrate's daughter said she smelled gas a couple times in the last week and half after coming home from school. He

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stated that the house was not being foreclosed on and that payments were up to date. Leonard also advised that they own a couple of laptops and an HP, all in one desktop. He stated that no one has any access or keys to their vehicles which consist of the white Ford cargo van E250; 2006 Cadillac STS; 2011 Harley Davidson motorcycle; and 2000 Ford Taurus.

Mark Leonard stated he runs a business and he is project manager for demolishing the hotel at Thompson and 31 for Amerx receivers out of North Carolina. Monserrate Shirley is owner of the business, Mastercraft Restoration, which Mark Leonard started. Leonard stated that there is only one key for the white van and indicated the van was parked over at the hotel. During Saturday night, November 10, 2012, Monserrate Shirley began receiving multiple phone calls and text messages advising them the neighborhood had blown up. They immediately returned to the neighborhood and got back about 12:30 – 1:00 a.m. Leonard stated that they talked with police and then stayed at his sisters. Mark Leonard and Monserrate Shirley picked up Monserrate's daughter from Glenn Hults' home. Before the end of the interview Mark Leonard advised that he remembered that Monserrate Shirley said that the first text message she got about the explosion was from a guy she used to date a year and half ago, and that she has a restraining order against that person.

Mark Leonard advised that his cell phone is – service provider AT&T.

On Monday November 12, 2012, Detective Aaron Carter interviewed Monserrate Shirley and was advised of the following:

Monserrate Shirley stated that on November 9, 2012, she went to work at Community South Hospital as a nurse at the ICU and worked a 7 a.m. to 7 p.m. shift. She got off work and went to babysitter's house on Ewing Street at Hanna Ave to change clothes. was spending the weekend there while Monserrate and Mark Leonard went to the casino. She met Mark Leonard at the Rock House to go to the Hollywood Casino. Mark Leonard left the van at the Rock House with the intention of picking it up on Sunday when they got back from the casino. They had to check in by 10 p.m. and arrived right before 10 p.m. They checked into the room. Monserrate Shirley then went and played slots machines for about hour and won $60 dollars. Mark Leonard was not feeling well and stayed in the room. Monserrate Shirley got up the next morning about 8:00 a.m., showered, and had lunch. She stated that she and Mark Leonard went to the casino to drink and eat at the bar; saw a show of Elvis impersonators; and gambled.

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Affidavit for Probable Cause

From: Detective Sgt Jeffrey L. Wager

Shirley stated that the first phone call she got about the explosion was from John Duncan, a guy that she used to date over a year ago. She stated that Duncan used to send texts and call and harass her frequently. John Duncan said that there is a fire in your neighborhood and asked her if she was all right. Shirley stated that her neighbor Regina called so she hung up on John Duncan. Regina told her that her house was gone. However, this is refuted by both Regina Salas and by the phone records which show that Shirley called Regina.

Monserrate Shirley stated that she told Mark Leonard about the fire and they got into their car (red 2000 Ford Taurus) and left for the neighborhood. She stated that John Duncan continued to call over and over and she did not answer. John Duncan also sent her a text message on November 11, 2012 texting, "Hey Sunshine, Guess what, you were right your neighbors had a meth lab, was your X involved?" John Duncan was calling from He drives a red Toyota.

Monserrate Shirley stated that she never smelled gas but that said she has smelled gas in the past in the garage and laundry room. Shirley stated that last week when they came home from the casino the house was cold, so decided to stay in a hotel that night. Monserrate Shirley stated she called two (2) heating and cooling repair companies and learned that a service call would cost $100 dollars. She stated that she could not recall the names of the places she called. Mark Leonard said the thermostat was not working, so he bought a new one from Menards and the furnace worked properly after that. She did not indicate that she requested the thermostat be changed back, as stated by Leonard. Shirley indicated that there were no smells of gas on Thursday and Friday at all.

Shirley stated that every time they leave for the weekend, Monserrate Shirley boards her cat Snowball and it gets a haircut. She stated that the last three (3) weekends she has boarded the cat. The first of the three (3) weekends she boarded the cat at Sugar Grove and left the cat to get a haircut, he got shots but the groomer was on vacation. The next weekend, she took him to Arbor Lane Kennel with plans for grooming, but no one was able to groom him. The third weekend Monserrate Shirley called Barkefellers and set-up a grooming appointment. Monserrate Shirley advised that she never leaves her cat alone because he gets nervous and vomits on the carpet so she always boards him. She advised she boarded Snowball several times at Valley Vista, but the business is now known as Sugar Grove. Records were obtained from Valley Vista (now Sugar Grove) dating back to 2004. Records from 2004 indicate a cat named "Tinky" was boarded by Shirley over a period of several days; however, Snowball only shows boarded the weekend of the explosion and the two (2) prior weekends which were at other

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kennels. Records were also obtained from Arbor Lane Kennel and Barkefellers and no prior history of boarding for Snowball was found at either of those locations.

Monserrate Shirley only has one (1) set of keys to the residence and does not allow anyone to have a key. Mark Leonard uses the garage door opener.

Monserrate Shirley advised that her ex-husband, John A Shirley, had changed the all gas fireplace to a gas/wood burning fireplace several years ago. John Shirley's cell phone number is

Monserrate Shirley advised that her cell phone is – service provider AT&T.

Monserrate Shirley advised she has known Mark Leonard for a year and that this was their first anniversary. However, a check was found dated January 27, 2011 written on the Mastercraft Restoration account made payable to Mark Leonard in the amount of $4,000 and signed by "M. Shirley."

Indianapolis Fire Department Arson Fire Analyst Mario Garza, Arson investigator Detective David Kinsey, ATF Senior Engineer Dr. David Sheppard and assisting detectives have determined the explosion to be the result of ignition of natural gas in 8349 Fieldfare Way. The utility company tested the gas lines exterior to the structure and determined that there were no leaks. Examination of the gas meter by the utility company has shown an extremely large volume of gas was introduced into the home preceding the explosion. Utility company engineers have confirmed that the volume for ignition would not be possible from loose connections and would require a large opening to deliver gas in a few hours of time. Dr. Sheppard examined the records of the volume of gas dispensed by the gas meter, he also determined the cubic feet of air space inside the residence, and he determined the working ratio of the gas/air mixture that would allow for combustion, and then he began looking at the gas lines in the house.

Investigators found the normal 0.5 inch diameter gas lines leading from the gas meter (outside the residence) to gas manifold (located in the utility room in the house) which distributes the gas to the appliances. At the manifold, Dr Sheppard discovered the first irregularity; the step-down regulator was missing. The step-down regulator reduces the gas pressure from 2 psi to 0.5 psi (which all gas appliances require to operate properly). The incoming gas line is attached directly to the manifold which is a code violation. Dr. Sheppard examined each line from the manifold. The gas line to the furnace appeared to be intact and proper. The flexible gas line to the water heater appeared

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to be intact and proper. The hard pipe that the attached to the water heater was broken off at the threads and preliminary examination indicated that this was a result of the explosion. The water heater and furnace are equipped with additional flow controllers which would handle the extra gas pressure created by the missing step-down regulator. The gas line to the fireplace is a different matter. The gas line leading to the gas fireplace set should have an on/off valve which is missing and examination of the gas fireplace set shows an extremely high rate of discharge outside the norm for a gas fireplace set.

An extensive and diligent search for the missing valve was conducted and no valve was found. Investigators determined the valve should be a HearthMaster valve, manufactured by Sioux Chief. Investigators searched the heavily fire damaged home at 8355 Fieldfare Way and quickly located the valve with little effort. A lengthy process of examination of the gas line is being conducted to determine if the gas line was cut. This evaluation may take several more weeks. According to Michael Sullivan, Director of Energy Distribution Engineering at Citizens Energy Group, the calculated time for the fireplace gas line to discharge gas with a fully open valve or no valve with a completely cut gas line is approximately six (6) to nine (9) hours to reach gas/air ratio of combustibility with the volume of gas dispensed as shown on the meter. Therefore, the calculated time the gas was turned on would be middle to late afternoon on Saturday, November 10, 2012, with the explosion occurring six (6) to nine (9) hours later at 11:11 p.m.

Arson Fire Analyst Mario Garza also examined the microwave oven and the stove directly below it. Mr. Garza observed a downward blast pressure dent on the surface of the stove, indicating the initial blast was above stove in the microwave oven which confirms Michael Eggleston's opinion that the blast originated at the microwave oven. The door of the microwave oven was found in the debris on the other side of the residence indicating it was blown off. Arson investigators have determined that the microwave oven in the residence of 8349 Fieldfare Way to be a General Electric SpacemakerXL. An examination of the instruction manual for the GE microwave showed that the oven has the capability of programming a time up to twenty four (24) hours in advance to begin cooking. The exploded cylinder (approximately fifteen (15) inches in size) was located in the kitchen area next to the stove and remains of the microwave. The exploded cylinder is undergoing extensive testing to determine its type and brand of container, if the surface of the cylinder shows arcing and whether it once contained ignitable liquids. After an exhaustive investigation of possible sources of ignition no accidental ignition source has been found at this time and the damage to the microwave suggests that it could have been used as timer to arc and/or ignite a flammable item.

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DATED: December 20, 2012

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Affidavit for Probable Cause

From: Detective Sgt Jeffrey L. Wager

On Sunday, November 11, 2012, Tony Burnett who resides at 8348 Fieldfare Way advised Detective Aaron Carter that he observed Mark Leonard's white Ford Cargo Van pull up outside Leonard's residence at approximately 2-3 p.m. on Saturday, November 10, 2012, and two (2) white males with dark hair, one 6'2"-6"3" tall and the other approximately 5"10"tall and both with a stocky build, exited the van, went to the front door, knocked loudly, and then entered the house. A few minutes later, Mr. Burnett observed the two (2) men exit the residence and hurriedly get in the van and drive away. Mr. Burnett is very familiar with the white Ford van since it's parked in front of his house every day. Mr. Burnett is certain that Mark Leonard was not one of the two men, but he stated that he may be able to identify them. However, the description Mr. Burnett provided of one of the men (the taller one) is consistent with Bob Leonard.

On Monday, November 12, 2012, Dan Able, who resides at 8354 Fieldfare Way, told Lt. Tammy Kaser of the Indianapolis Metropolitan Police Department that on the day of the explosion he noticed the blinds closed and that he could not see into the residence that day. Mr. Able advised that was unusual for 8349 Fieldfare Way and that the blinds have always previously been open.

On Tuesday November 13, 2012 Detective James Albin interviewed Sharon Keen and learned following:

Sharon Keen is the girlfriend of the Glenn Hults. Hults is a friend of Mark Leonard. Keen stated that on the weekend of the explosion and her daughter, Laura, were babysitting Monserrate's daughter for Mark Leonard and Monserrate Shirley while Leonard and Shirley went to the casino. Ms. Keen advised that she has been babysitting the daughter for about six (6) months. Up until the last three (3) weekends the babysitting has taken place at Monserrate Shirley's residence at 8349 Fieldfare Way, but the last three (3) weeks in a row the daughter has been coming to Ms. Keen's house. Usually the babysitting would start on Saturday, but the weekend of the explosion Monserrate Shirley asked if her daughter could stay Friday night. Ms. Keen stated that Monserrate Shirley brought her daughter over at about 5 p.m. and she was picked-up on Sunday after the explosion. Ms. Keen stated that Monserrate Shirley told her daughter about the explosion when she picked her up. On the weekend before the explosion, when Monserrate Shirley picked up her daughter she told Keen that they would have to stay at a motel because the furnace was not working. When Ms. Keen asked "why don't you just call a repairman" Monserrate Shirley stated because they charge too much on the weekends.

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Affidavit for Probable Cause

From: Detective Sgt Jeffrey L. Wager

On Tuesday, November 13, 2012, Detective David Kinsey and I interviewed MD, a subject who is known to law enforcement and who is a good friend and associate of Mark Leonard and learned the following. MD's cell phone number is and the service provider is Revol.

MD advised that on Friday, November 2, 2012 (which was the week prior to the explosion), in the evening hours he was coming home from work when he called Mark Leonard to see what was going on and Mark Leonard told him "the house blew up." Leonard also stated that "the tsunami winds came down the chimney, blew out the fire in the fireplace and the gas kept running and the house blew up." Leonard told him he and Shirley were staying in an efficiency apartment. During a separate phone call later that day Mark Leonard said that he was surfing on "Craig's list looking for a Ferrari to buy" and when asked how he could do that he said, "Moncy (Monserrate Shirley) has jewelry insured and they expect to get $300,000 and he would get $100,000" of it. MD advised that Mark Leonard has done many schemes in which he has gotten money out of men and women. These schemes would involve giving false information to a person who would come to know Mark Leonard as a wealthy and reputable person. Mark Leonard then would convince them to give him money which he would never pay back. MD advised that Mark Leonard has a work job site at the "Holidome" at Thompson Road and 31 in which Mark Leonard has control of the building to recover valuables from the building before demolition. MD has cut large pieces of copper pipe out of the building for Leonard and packed them in a white Ford cargo van that Mark Leonard owns. MD advised that he last saw Mark Leonard's white cargo van November 13, 2012 and the van was parked at the building at Thompson and 31 in front of the door.

The Affiant believes the conversation between MD and Mark Leonard indicates a failed attempt to commit the offense of Arson on the weekend of November 2-3, 2012. This is based upon Leonard's statements regarding the house blowing up, the comments about the fireplace leaking the gas, and the expectation of receiving an insurance payout. Further, as indicated in this Affidavit, the Affiant has corroborated that the weekend before the explosion Mark Leonard and Monserrate Shirley left the residence on Fieldfare and stayed at the Hollywood casino, left Monserrate's daughter with Hults, and boarded Snowball the cat at Arbor Lane Kennels. These actions are identical to their actions the weekend of the actual explosion. Additionally, after the failed attempt the investigation shows that Leonard changed the thermostat in the house from a digital to a slide switch thermostat. Unlike a digital thermostat, a slide switch thermostat will produce a spark when the thermostat reach's a specified temperature. The slide switch

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thermostat was purchased by Mark and Bob Leonard at Menards on November 4, 2012 for sixteen (16) dollars. Finally, the investigation shows that on November 9, 2012 Mark Leonard and Bob Leonard had a conversation with a known individual about natural gas and what would be required to introduce a sufficient amount of natural gas to cause an explosion.

On Wednesday November 14, 2012, Detective James Albin interviewed Chad Skelton and learned the following. On the day of the explosion, Chad Skelton and his wife Sherry Skelton noticed for the first time in memory that the blinds on the rear of the residence of 8349 Fieldfare Way were shut and they could not see into the residence. They have often noticed especially at night the blinds being open and having a clear view into the residence.

On Wednesday, November 14, 2012, Detective Kinsey and I went by the location at Thompson and 31 and observed Mark Leonard's white Ford cargo van sitting in front of the doors of Cavalier's Resort & Conference Center at 520 East Thompson Road, Indianapolis, IN. I observed it to be a 2006 White Ford F-250 cargo van bearing IN-12 plate 134AYF; VIN: 1FTNS24W36HA34115. I observed Mark Leonard's Mastercraft restoration card stuck on the driver's side door window. I observed that the doors of the Cavalier's Resort & Conference Center were boarded up with a construction lock on the doors. I impounded the van and towed it to MECA at 47 S. State Street for safekeeping while I obtained a search warrant for it.

On Thursday, November 15, 2012, Detective David Kinsey and I interviewed Joshua Leonard (brother of Mark Leonard) with his attorney present and learned the following. Mark Leonard has conducted numerous frauds and scams in order to obtain money and Joshua Leonard participated in the insurance frauds with him in 2009. Joshua Leonard advised that Mark Leonard is addicted to money and has been conducting frauds since 1995. He would do these frauds with Dave Gill and his other brother Bob Leonard. One fraud repeated several times, is where an insurance company claim is made and the insurance pays for an airbag to be replaced after deployment in a crash; however, the airbag is not actually replaced. In another fraud David Gill swindled an old man out of his black Dodge Ram truck to pay a gambling debt and that truck was put into Joshua Leonard's name. The truck was supposed to be involved in a fraudulent crash scheme but Joshua Leonard claimed he would not do it because the chance of someone else getting seriously hurt with the big truck. Joshua Leonard advised that one night Mark Leonard stole the truck from him and Joshua reported it stolen. A couple of days later it was found burned up. Mark Leonard told Joshua that he burned the truck to get the money for it. I located the two (2) police reports, one relating to the truck being stolen (DP090139713) and the

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other being an Arson Investigation (DP090141252). This shows a pattern of arson in conjunction with insurance fraud.

On Friday November 16, 2012 Crime Lab specialist Lisa Prater and I served a search warrant on Mark Leonard's 2006 White Ford F-250 cargo van bearing IN-12 plate 134AYF; VIN: 1FTNS24W36HA34115 and recovered the following items: red gas can, funnel and tube, Pelonis 1500 electric heater box, Chicago Electric reciprocating saw, 19 packs of cigarettes, two (2) water bottles, a circular saw, Mark Leonard's card from the driver's window, security jacket, photographs, latent prints, and swabs of possible DNA.

On Sunday, November 18, 2012, Detective James Albin interviewed April Hall who is David Gill's ex-girlfriend and learned that David Gill's cell phone number is and research shows the service provider is Sprint/Nextel. During review of the Mark Leonard's cell phone records (the number is I determined that Mark Leonard called David Gill's cell phone on November 10, 2012 at 12:52 p.m., approximately one hour before the white van arrived at Mark Leonard's house. Then on November 10, 2012, at 4:58 p.m., David Gill sent a text message to Mark Leonard's cell phone. April Hall also advised that David Gill was helping her do some renovations to her house when she was short of funds to complete the work. David Gill advised her that she could burn the house down and collect the insurance on it. David Gill told her that he has done it before so it would work. April Hall advised that David Gill came to her after the explosion and asked for $500 for a lawyer. Ms. Hall advised David Gill that she did not have the money.

On Tuesday November 20, 2012, Detective Andrew Rolinson and Detective James Albin interviewed JG, who is known to law enforcement and learned the following. JG is ex-girl friend of Justin Leonard who is Mark Leonard's nephew and son of Bob Leonard, Mark Leonard's brother. On Sunday, November 11, 2012 at 6:20 p.m., JG received a call on her cell phone from Bob Leonard who called from his cell phone and asked to speak with Justin Leonard. JG handed the phone to Justin and they had a nine (9) minute conversation. Shortly after this conversation Justin Leonard and JG drove over to Bob Leonard's mobile home at 4115 S Rybolt Street. Justin drove JG's Ford Ranger pick-up truck and when they arrived she observed a white long cargo van with three windows along the side and a set of double doors, which matches Mark Leonard's van. Bob Leonard and Justin Leonard began unloading items which include a large green tote (approximately 3'X 4' in size), six (6) or seven (7) brown cardboard boxes of various sizes with smallest being 12" X 12" out of the white cargo van and placing them into the back of the Ranger pick-up. Once the loading of the boxes was complete,

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Sheila L Carlisle
JUDGE

From: Detective Sgt Jeffrey L. Wager

Justin Leonard and Bob Leonard had a conversation by the front door of the mobile home. Justin Leonard got back into the truck, and they begin to drive away. JG asked Justin Leonard what the boxes were for, and Justin said he would tell her later. After Justin Leonard got out of the trailer park, Justin Leonard said to JG, "you know that explosion at stop 11" and she said "yes," Justin Leonard said, "we think my uncle Mark had something to do with it." JG asked, "What do you mean, he killed somebody?" and Justin Leonard said, "That's questionable." Justin Leonard and JG drove to (Justin Leonard and JG's residence) and Justin carried the boxes and tote to the basement for storage. On Sunday November 18, 2012 in the early morning hours at 2:20 a.m. (verified by police run history) JG and Justin Leonard were involved in a domestic disturbance in which the police were called and Justin Leonard was asked to leave. Three (3) to four (4) hours later Bob Leonard called and asked to pick-up some personal property from her house which included the tote, boxes, golf clubs and a $700 driver that belonged to Mark Leonard and him. The golf clubs had been given to Justin Leonard by Bob Leonard a short time after the first trip with the boxes, and Justin Leonard put them in the basement with the other things. Bob Leonard arrived a short time later driving JG'S Ford Ranger pick-up truck. When Bob Leonard came in he asked for help and JG told him no. Bob Leonard retrieved all the boxes and the tote from the basement and loaded them into the pick-up truck. Justin Leonard told JG not to look in the boxes, but he (Justin) did and told her that he saw family photo albums, clothes and personal items that belonged to Monserrate Shirley. He also told her that the items were taken out of Mark Leonard's house a week before the explosion and not to say anything to anyone. JG was told by Justin Leonard that Mark blew the house up on purpose to collect on the insurance.

This statement was confirmed by GG, who is known to law enforcement and is JG'S mother who observed Justin Leonard carrying the boxes to the basement on November 11, 2012 and Bob W. Leonard carrying the boxes and golf clubs out of the basement after her daughters domestic with Justin Leonard on November 18, 2012.

On Tuesday November 20, 2012, Arson Detective David Kinsey and I advised Justin Leonard of his Constitutional rights and he agreed to speak with us. Justin Leonard stated that he was sitting at home at with JG, her mother and several others when breaking news came on TV advising of the explosion. He stated that he did not know it was his uncle's house (Mark Leonard). On November 11, 2012, Justin Leonard received a call to come to his dad's (Bob W. Leonard) mobile home, located at 4115 S Rybolt Ave., and when he arrived he saw a white van sitting in the driveway. Bob Leonard told him that the van belonged to Mark Leonard and that Mark Leonard's house had blown up and they were staying in a motel. Bob

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AFFIANT

DATED: December 20, 2012

DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

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From: Detective Sgt Jeffrey L. Wager

Leonard went to the white van in the driveway and showed him some totes (green and gray plastic totes), a leather briefcase with a strap, and card board box, and told him that it was stuff salvaged from the fire. This would be impossible because of the extent of fire damage and the fact that police had control of the scene and neither Leonard nor Shirley were allowed access to the site. Bob Leonard asked Justin to store the stuff at his house. Justin Leonard agreed to store them and when he looked into the totes he saw photographs of a female unknown to him at the time (but after seeing television known to him as Monserrate Shirley) and others. Bob Leonard advised that the leather briefcase with a strap contained personal papers for Mark Leonard. Bob Leonard also gave him two sets of golf clubs and four (4) foot box with a $500 driver in it to store as well. Justin Leonard transported the property to : and stored the property in the basement. On November 18, 2012 Justin Leonard got into domestic dispute with JG and he was asked to leave. Justin Leonard went to his dad's (Bob Leonard's mobile home) and told him he needed a place to sleep for the night. When Justin Leonard awoke in the morning, Bob Leonard had Justin's keys and he learned Bob Leonard had used the pick-up that morning.

On Tuesday November 20, 2012 Detective David Kinsey and I interviewed Bob W. Leonard Jr. Bob W. Leonard Jr. stated that he lives at 4115 S Rybolt Ave. and his cell phone number is Bob Leonard stated that Mark Leonard is his half brother and that he does not spend much time with him. Bob Leonard advised that he saw on the news that the police are looking for two men in a white van.

Bob Leonard stated that two (2) or three (3) weeks ago Mark Leonard called him to go visit their grandmother, and then Mark took him to the motel that Mark was working on. Mark showed him around the motel and asked him if he wanted to do some work there. Bob Leonard advised that he has been to Mark Leonard's house on Fieldfare Way before (the Tuesday before the explosion) and helped to light the gas water heater. Bob stated that Mark let him use the van a couple weeks ago to haul a TV home for another person. Mark Leonard told Bob Leonard that the van has a messed up title, but if Bob helped him out at the motel Mark would give him the van for payment. Bob stated that two (2) weeks ago Mark gave Bob two (2) sets of golf clubs as a gift. Mark told him the clubs belonged to Monserrate Shirley ex-husband (John Shirley). Bob Leonard also mentioned that he saw Mark Leonard with stacks of money and possibly as much as $50,000. Bob Leonard stated that he took the golf clubs to Justin Leonard's house because he was afraid Mark may have lied to him about the clubs. John Shirley was interviewed and stated that the Wilson set of clubs and the driver in the box were his and were left by him in the

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residence on Fieldfare. However, John Shirley stated that the second set of clubs, Golden Bear, were not his.

Bob Leonard advised that he went with Mark Leonard to purchase a new thermostat and watched while Mark Leonard changed it out. Bob Leonard advised that he smelled a gas type smell that he believes was too sweet to be natural gas but he is not sure what it was. Bob Leonard advised that Mark Leonard is a hustler, he hustles women out of their money and buys and sells cars. When Justin got into a domestic fight with his girl, Bob took Justin's pick-up truck over to pick up the golf clubs and bring them back. Bob Leonard advised that Mark Leonard gave him two plastic tubs and a couple of boxes for safekeeping the week prior to the explosion. Bob Leonard called his son Justin to come and get the property and it was taken over to Justin and Jessica's house and put in the basement. Bob Leonard says that after the domestic he went and got the property out of Justin's and Jessica's basement and threw the totes and boxes into the trash truck on Monday, November 19, 2012 as it came by his house. However, the two (2) trash truck drivers were interviewed. One of them indicated he had previously seen Bob Leonard stand by his trash can area and dump his own trash can(s) into the truck; however, he did not see Leonard on Monday, November 19, 2012 with any totes or boxes. The second truck driver indicated he had not seen Bob Leonard out by his truck.

Bob Leonard advised that Mark Leonard is his half-brother and they do not see each other often and the last time he had seen Mark Leonard was on the Tuesday before the explosion. However, surveillance video shows Mark Leonard and Bob Leonard together on both Thursday night and Friday night before the explosion.

On November 27, 2012 at 1:00 p.m., Detective Sgt. Steven Fitzpatrick and Detective Chris Cavanaugh were conducting surveillance of Mark Leonard and Monserrate Shirley as they drove through the City of Indianapolis in their red 2000 Ford Taurus, when they observed them park at 730 E. Washington Street. The detectives observed Monserrate Shirley exit the Taurus and get into Ford SUV with Indiana license plate CABLE 1. Investigation revealed that Monserrate Shirley was meeting with Suzanna Cable. Detectives observed a conversation take place in the vehicle and then Suzanna Cable dropped Monserrate Shirley off at the City-County Building. Suzanna Cable then drove to the Hardee's restaurant where she met with Mark Leonard. Detective Chris Cavanaugh entered the Hardee's and sat near Leonard and Cable and was able to hear portions of the conversation. Detective Cavanaugh heard Mark Leonard describing a female's state of mind as being paranoid and Suzanna Cable replying we will get through this.

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Affidavit for Probable Cause

From: Detective Sgt Jeffrey L. Wager

On Thursday, November 29, 2012, Arson Detective David Kinsey and I interviewed AK, a person known to law enforcement and an employee with Citizen Energy. AK advised that on November 9, 2012 at approximately 6:30 p.m. he ran into Bob Leonard and his brother Mark Leonard at a business on the south side of Indianapolis. After some friendly chit-chat AK was asked some questions by Mark and Bob Leonard about propane and natural gas. First he was asked "What is the difference between propane and natural gas" to which AK replied the difference is the pressure per square inch that they flow. Next Bob and Mark Leonard began discussing a natural gas regulator that emits gas into a home. They asked each other if a regulator would "shut off" if something was broken in the house. Bob said that the regulator would shut off the gas flow and Mark said the regulator would not shut off. At which time AK advised the regulator does not turn gas flow on and off but restricts it, so if something was broken inside the home the gas would continue to flow. AK advised that Bob and Mark asked him "how much gas would it take to fill a house", to which AK replied that a house is like a balloon which would fill until it popped. AK advised that he is asked questions about natural gas all the time and did not really think much about the conversation at the time.

Upon review of the security video from the above business known to law enforcement, AK met and talked with Mark and Bob W. Leonard. I observed them arrive in Mark Leonard's white 2006 Ford E250 cargo van and walk into the business together. I observed them sit together and observed several instances in which AK spoke to Mark Leonard and Bob Leonard. This is in conflict with statements provided by Mark Leonard and Monserrate Shirley in which they stated they were at the Rock House bar and left the white van in the parking lot. Further, video has been obtained from the Phillips 66 station next door to the Rock House bar which shows the entrance to the bar parking lot; that video has been reviewed and no white van is seen.

During the investigation, the front door to 8349 Fieldfare Way was recovered by Lisa Liebig with the Marion County Crime Lab and was processed for DNA. Tonya Fishburn, a DNA analyst with the lab, analyzed the DNA samples submitted and advised the undersigned that there was a full male DNA profile recovered from the front door which is, as yet, unidentified.

Detectives conducting surveillance have learned that Mark Leonard and Monserrate Shirley were given permission to stay at 566 Leah Way, Greenwood, Johnson County, State of Indiana and they moved in on November 21, 2012 where they resided until December 4, 2012. On December 4, 2012 they moved to 1111 Devonshire E. Dr. (Devonshire Luxury Apartments),

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From: Detective Sgt Jeffrey L. Wager

Apt. I, Greenwood, Johnson County, State of Indiana. The apartment is located in a 4-story maroon brick building with tan vinyl siding. Apt. I is located on the 3rd floor. Mark Leonard and Monserrate Shirley have been utilizing their maroon/burgundy 2000 Ford Taurus during the days to aimlessly drive around and park at different locations. They are just sitting at the locations and are using their cell phones to make texts and calls to others. A review of Mark Leonard's and Monserrate Shirley's cell phone records for the time period of November 1, 2012 to November 15, 2012 shows activity of making or receiving phone calls and sending or receiving text messages to each other seventy-eight (78) times. Mark Leonard has made or received calls and sent or received text messages to MD thirty-five (35) times. Mark Leonard has made or received calls and sent or received text messages to Monserrate's daugther thirty-one (31) times. Mark Leonard has made or received calls and sent or received text messages to Bob Leonard twenty-five (25) times. Mark Leonard has made or received calls and sent or received text messages to David Gill sixteen (16) times. Mark Leonard has made or received calls and sent or received text messages to Glenn Hults ten (10) times. Monserrate Shirley has made or received calls and sent or received text messages to Glenn Hults three (3) times. A review of Mark Leonard's and Monserrate Shirley's cell phone records for the time period of November 15, 2012 to November 28, 2012 shows a dramatic change in the persons contacted by phone and or text. The results are as follows. Mark Leonard has five (5) attempted calls from Bob Leonard and one (1) completed call; Mark Leonard has six (6) texts messages from MD and no replies or calls to him; and Mark Leonard has one (1) attempted call and one (1) completed call to Monserrate Shirley. Mark Leonard does not call or text Glenn Hults or David Gill and they have not called or texted him. Monserrate Shirley has only two calls to her daughter and no texts; Monserrate Shirley has no calls or text messages to Glenn Hults, David Gill, or Bob Leonard.

A financial investigation on Leonard and Shirley to date shows that in 2012 Shirley filed for bankruptcy under Ch. 13 and a payment plan was scheduled. Subsequently, she stopped making payments and the bankruptcy was to be converted to a Ch. 7. However, the proper paperwork for a Ch. 7 was never filed and Shirley failed to appear at a scheduled court hearing in July of 2012. The mortgage to the residence is through Bank of America and records show the original loan on the home was for $161,000 but that there are currently two mortgages on the home. The second mortgage is for $65,000. In addition, Shirley owes $63,000 in unsecured credit card debt.

A review of Monserrate Shirley's State Farm Homeowners Insurance policy (Policy number – obtained by subpoena) reveals an increase in coverage limit on

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personal property to $304,000 from the standard seventy-five (75) percent on December 20, 2011. This is in addition to the insurance coverage amount Shirley had on the residence.

It is a crime for two or more persons to agree or conspire to commit any offense. A conspiracy is a kind of criminal partnership. In order to establish a conspiracy, the State must prove four (4) elements: first, that two or more persons agreed to commit a criminal offense; second, that each person named is a party to or member of that agreement; third, that each person joined the agreement or conspiracy knowing of its objective to commit an offense and to join in together with at least one other alleged conspirator to achieve the objective, that is, that the conspirators shared a unity of purpose and the intent to achieve a common goal or objective to commit a criminal offense; and fourth, that at some time during the existence of the agreement or conspiracy, at least one of its members performed an overt act in order to further the objectives of the agreement.

The State also does not have to prove that all the members of the conspiracy directly met, or discussed between themselves their unlawful objective, or agreed to all the details, or agreed to what the means were by which the objective would be accomplished. What must be proven is that two or more persons in some way or manner arrived at some type of agreement, mutual understanding, or meeting of the minds to try to accomplish a common and unlawful objective.

The existence of a conspiracy may be based on reasonable inferences drawn from the actions and statements of the alleged members of the conspiracy, from the circumstances surrounding the scheme, and from evidence of related facts and circumstances which prove that the activities of the participants in a criminal venture could not have been carried out except as the result of a preconceived agreement, scheme, or understanding. Agreement is the essential element of conspiracy and the evil at which the crime of conspiracy is directed.

A conspiracy ends when the objectives of the conspiracy have been achieved or when all members of the conspiracy have withdrawn from it. However, a conspiracy may be a continuing conspiracy and if it is, it lasts until there is some affirmative showing that it has ended or that all its members have withdrawn. A conspiracy may have a continuing purpose or objective and, therefore, may be a continuing conspiracy.

Indiana Rule of Evidence 801 provides: "(d) (Statements which are not hearsay) A statement is not hearsay if– (2) Admission by party-opponent. The statement is offered against a

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party and is ... (E) a statement by a coconspirator of a party during the course and in furtherance of the conspiracy."

In the instant case, the conspiracy is ongoing. The intent of the conspiracy was to commit arson for financial gain. That objective has not yet been attained and the private insurance company insuring the Monserrate Shirley residence is investigating the matter to determine if the company is liable to pay for damage to the residence and vehicles.

Further, in this Affiant's experience conspirators tend to contact one another on a regular basis prior to the performance of an overt act in furtherance of the conspiracy and/or prior to completion of the conspiracy. However, after the overt act has been committed or the conspiracy completed, it is to their benefit to distance themselves from one another so as not to link themselves together or to the crime that has been committed. However, after a period of time has passed or upon some event such as the questioning of one of them by police or the arrest of one of them or even the perception that one of the members of the conspiracy may be talking to police or being investigated by police, then in this Affiant's experience they tend to resume communications. This is a pattern evidenced by the phone records obtained in this case.

All of the above events relating explosion occurred in Marion County, Indiana.

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FILED
DEC 20 2012
Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

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12. 20. 2012