

EXHIBIT B

COPY

15-13817

COUNTY OF LARIMER)
)
STATE OF COLORADO) SS IN THE District COURT

**AFFIDAVIT FOR COURT ORDER FOR
NON-TESTIMONIAL IDENTIFICATION**

Before the Honorable C. Michelle Brinegar
Judge

Affiant, Jason Shutters, a commissioned police officer, being duly sworn, hereby deposes and says that I have probable cause to believe that a crime has been committed, to wit:

Sexual Assault - C.R.S. 18-3-402(1)(h), CLASS 3 FELONY, as amended.

And said crime is punishable by imprisonment for more than one year and reasonable grounds exist to suspect that the person known as:

Name: Chayce Aaron Anderson
Date of Birth: 03/11/1992
Physical Description: 5'10"/ 145/ Brown/ Brown
Last Known Address: 5850 Dripping Rock Lane, Fort Collins, CO.
Driver's License Number: 071521013/ CO

Committed the crime.

I believe that the results of specific non-testimonial procedures, namely:

- 1. **Digital images of tattoos on forearms;**
- 2. **DNA Sample (Buccal Swab);**
- 3. **Male Sexual Assault Kit, to include clothing worn by Anderson.**

Will be of material aid in determining whether or not Chayce Aaron Anderson, named in this Affidavit committed the offense.

The facts establishing probable cause to believe that the offense has been committed and showing reasonable grounds for the issuance of this Non-Testimonial Identification Order are as follows:

On August 28, 2015 at approximately 0946 hours Fort Collins Police were dispatched to 812 City Park Avenue #106 reference a sexual assault. On scene officers contacted the victim, Samantha Will (DOB: 03/09/93), who told them she believed she was raped

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by a male she only knew as "Chayce." Samantha stated the previous evening and into the early morning hours of August 28th, she was in Old Town Fort Collins, drinking with friends. Samantha said she had a lot to drink and was intoxicated prior to going to Old Town. Samantha did not remember how she got home from Old Town. The next thing she remembered was waking up in her bed and feeling someone on top of her with his penis inside of her. She noticed the male had very "well done" and "colorful" tattoos on his arms, and she kicked him off of her. At that time she recognized the male as Chayce. Chayce tried to crawl back on top of her and Samantha crawled out from under him and went into the living room and he followed her. In the living room Chayce began to throw liquor bottles, breaking them. Samantha said she was yelling for her roommate, Katie. When Katie came into the living room Samantha told her Chayce was breaking stuff and that he had raped her. By this time Chayce had fled the apartment. Samantha told officers she did not give Chayce consent to have sex with her.

In speaking with Samantha's roommate Anna "Katie" McQuilkin, she stated she and Samantha were in Old Town drinking. While walking in Old Town they saw a male who they had previously met that they knew by the name of "Chayce." Samantha told Detective Shuttles she and Katie met Chayce on CSU campus Monday August 24, 2015 while walking to class. They spoke to Chayce who was working at a booth and they all exchanged phone numbers.

Samantha later told Detective Shuttles that a few hours after meeting Chayce, he texted her and they exchanged a few texts Monday through Wednesday. Samantha told Detective Shuttles that after Chayce assaulted her she deleted his contact information and all his text messages from her phone because she was upset with him. Katie had Chayce's phone number and gave his number, 970-227-0542, to Officer Natalzia.

Drew Cole, Merit Miller and Khamile (unknown last) were with Samantha and Katie in Old Town. After going to a few bars, Samantha, Drew, Merit and Khamile left Katie and Drew drove Samantha back to her apartment. Drew stated they had to help Samantha into the apartment due to her level of intoxication. This occurred around 1:00 a.m. Drew stated he and Khamile stayed at Samantha's until around 2:20 a.m., at which time they left. Merit told Detective Shuttles that after Drew and Khamile left he called Katie to see when she would be home, because he didn't feel comfortable leaving Samantha alone. Katie told Merit she was on her way home and would be there soon. Merit told Detective Shuttles he went into Samantha's room, kissed her on the cheek and told her Katie would be home soon and he was leaving. Merit left prior to Katie returning home.

Katie spoke with Detective Shuttles and told him Samantha left the bar with other friends and she later took a taxi home. As she was getting into the taxi "Chayce" got into the taxi with her. Katie told Chayce he was not coming into her house and she didn't know why he was going in the taxi with her. When they got to her and Samantha's apartment, 812 City Park Avenue #106, Fort Collins, Larimer County, Colorado, Chayce talked his way into coming into the apartment.

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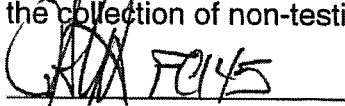
Katie checked on Samantha, and said she was passed out on her bed with the bedroom door open. Katie then went to her bedroom. Soon after Katie went into her bedroom Chayce tried to come into the bedroom and she stopped him. Katie told Detective Shutters she had to lean on her bedroom door, in order to keep it closed due to Chayce trying to get into her room by pushing the door open. Katie said Chayce continued to try to enter her room for a few minutes, and then he stopped. Katie assumed Chayce left or went to the couch to sleep. Katie fell asleep and woke up to glass breaking at around 3:15 and heard Samantha yelling "he's breaking stuff." Katie got up and opened her bedroom door and met Samantha in the hallway at which time Samantha told her "he raped me and he is breaking stuff." Katie went into the living room and Chayce was gone.

Using Fort Collins Police Services computer systems, a search was done of the cell phone number 970-227-0542, which listed as of August 23, 2015 to Chayce Aaron Anderson with the date of birth of 03/11/1992. The description of Anderson that was listed matched the description given by Samantha and Katie, to include tattoos on the both forearms.

A photo array was shown to Samantha and she did not identify anyone from the photo array. Katie was also shown a photo array and she identified Anderson as the male she knew as "Chayce" and was the male who came home with her from Old Town on August 28, 2015.

A Sexual Assault Nurse Examiner (SANE) conducted an exam on Samantha in order to collect physical evidence.

I believe the above facts to be true from official Fort Collins Police Department records, conversations with fellow officers, personal observations and interviews. I am a sworn police officer with the Fort Collins Police Department. I have been trained at the state, and local levels with regard to my duties. I am authorized by law to execute orders for the collection of non-testimonial evidence in the State of Colorado.


Affiant

Dated this 28th day of August, 2015 at 9:45 PM.


Judge

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