Supplemental
Probable Cause Statement
Devon Neff
A21-24066
7/17/21

During a post Miranda initial interview with Devon Neff, Neff stated while in the drive through at Filiberto's an individual pulls up besides him, jumps out, accuses him of owing money and started striking him in the face. He states the individual, later identified as Devon Klein, steps back and pulls out a gun. Neff states "I started shooting, because I had my gun next to me." He further states "I shot him twice in the chest." Neff then states then Klein's girlfriend had a gun so he shot her as well. He explained he looked to the side and said Klein's girlfriend had a "gun pointed right at me." He continued stating "He was holding my girlfriend hostage with the gun." He stated that's why he shot her. He said Klein's girlfriend switched pointing the gun from towards his girlfriend to pointing it towards him (Neff).

After being treated at the Canyon vista Medical Center Neff was further transported back to the Sierra Vista Police Department where he was further interviewed. Neff stated he was involved in a conspiracy with Klein to sell "Pounds" of weed. Neff stated he assumed a debt from his cousin, Xavier Owens, in California with Klein. He stated the original debt he had with Klein was around \$2,000 of which he had paid Klein \$1,500 he withdrew from various bank ATM's using his debit cards. Neff confessed his debt kept changing because he began to be "fronted" marijuana from Klein to sell. Neff stated he sold between 5 and 10 pounds of Marijuana obtained from Klein during their transactions. Neff stated there would be a large quantity which he articulated as being \$100,000 worth of various illegal drugs at the residence of Klein and Garcia.

Kelley Hanczyk was interviewed and stated, while waiting in the parking lot of Filiberto's in the drive-thru line, she noticed Klein's vehicle pull up and Neff turn pale white when he saw the vehicle. Hanczyk stated Klein exited his vehicle and came to the driver's side of their vehicle and began speaking with Neff. She would not elaborate on the conversation. She further stated Neff's gun was on his side with his pinky finger on the gun acting like he was concerned about the conversation.

Hanczyk said after a short discussion, Klein punched Neff several times in the face. She described Neff shooting at least twice, exiting the car, and shooting

several additional times. At one point, she stated she turned her head looking out her tinted window, looking into the tinted window of the other vehicle and was able to see Garcia pointing a small black handgun at her. She then said she saw Garcia turn and point the gun away from her before hearing the gun shots and observing Garcia's head fly back. Hanczyk stated she did not know the two victims whom Neff shot.

It should be noted after Neff shot Klein and Garcia, he Hanczyk drove to their apartment and didn't call police for approximately 30 minutes. This left Neff and Hanczyk time to corroborate their stories.

Detective Nicola authored a search warrant affidavit and was issued a search warrant for the residence of Neff and Kelley Hanczyk for evidence related to the original shooting incident. During the search of the residence, detectives located a large quantity of drugs and drug paraphernalia which indicated they were manufacturing narcotics. Items located and secured from the residence include \$2,790 in U.S. currency, about 17.5 Oz (Just over of 1 pound) of marijuana, numerous small glass jars w/lids used for storing marijuana THC wax, a higher THC content form of marijuana which is manufactured using butane, a heat source, and the extraction of the liquid. A glass baking pan, metal sheet pan and glass jars used in this process were also secured. In addition, other items consistent with the manufacture of the THC oil, oil, wax and shard including 2 empty butane canisters, scales, and packaging material. It should be noted butane is a product that is used in extracting the "honey butane oil" from the marijuana plant.

Detectives located an additional 23 grams of finished wax product inside two jars, as well as 12 cartridges of suspected "Bobby Blue" THC oil which is another manufactured THC product. Additional items of manufacture and transporting of the THC wax and oil products include over 50 syringes with plungers, commonly used in the transfer of the THC oil to other devices to be smoked and jars with marijuana residue. A container with 13 grams of an unidentified packed white powdery substance was located in the residence. Based on the texture, location and packaging of this substance and the training and experience of officers conducting the search, it believed this substance is "Shard" and extremely high potency THC manufactured product. A ledger containing drug sales related including names and dollar amounts was also located.

In addition to the above listed items indicia for Neff and Hanczyk, ammunition, numerous semi-automatic pistol magazines, a .223 rifle cartridge, and an extended ammunition magazine for a pistol.

A further review of the video of the shooting obtained from the Filiberto's restaurant identified Neff firing the weapon twice at Klein, from inside his vehicle as Klein turns and runs away from the vehicle to the southeast. Neff pulls his vehicle several feet forward then exit the vehicle, looking in the direction Klein ran. Neff then turns toward Honeylynne Garcia, whom began to open the passenger door of the vehicle Klein and her arrived in. She was seated in the front passenger seat. Neff turn towards Garcia and shoots twice at Garcia. Neff then squatted down and manipulated the weapon. Neff then stands back up and shoots an additional 4 times at Garcia.

A search of the scene of the shooting at Filiberto's identified seven expended .40 caliber cartridge casings and one unfired .40 Cal cartridge, consistent with Neff's statement that he cleared a jam from the gun.

A search warrant affidavit was completed for the vehicle driven by Neff and a search was issued. A search of the vehicle identified an expended cartridge casing, multiple packs of unused "Wonka" marijuana candy ziplocked pouches commonly used in the storing and transporting of marijuana candies. A Glock 23 .40 Cal pistol with one round in the chamber, an extended .40 Cal ammunition magazine removed from the pistol listed above, and \$149 in U.S. currency.

A search warrant affidavit was authored and a search warrant was issued for the search of the vehicle driven by Klein. Several bullet projectiles were recovered from the vehicle. A pistol was located in a purse located on the floorboard of the passenger seat. The pistol was not visible on an initial inspection on the night of the incident and was not located until the purse was manipulated allowing view of the full contents.

A search warrant was authored and served on the residence of Klein and Garcia. A large number of illegal drugs including marijuana, extracted marijuana THC in the form of oils, wax and shards, an even more THC potent form was located inside and in vehicles outside the residence. Additionally, large bags of mushrooms, scales, packaging material, THC candies, and numerous weapons were secured as evidence. Several bags containing white powder and large rock-like material were also located. The material was not immediately field tested over concerns for fentanyl exposure, however based on training and experience with drug

investigations, the powder appeared consistent with cocaine. There were also 20 plus grey and blue hand pressed pills found in several bags which appear consistent with the dangerous drug known as extasy, based on training and experience with that drug.

On 07/16/2021, Detective Youman received a phone call from Matthew Bursick, who stated he knew all the parties involved. He said Klein and Neff had known each other for years and Landan "bankrolled" Neff's move from California to Sierra Vista to engage in illegal drug sales for Klein.

Based on the information listed above, there is clear evidence Neff and Klein were working together to manufacture, transport, and sell the items they had manufactured from the marijuana extract. In addition, buy placing their manufactured marijuana extract product into the "Wonka" brand named pouches, a legitimately registered company in the sale of THC products, they were fraudulently selling their illegally manufactured product under the "Wonka" product name.

Thomas P. Ransford Detective, PD354

Sierra Vista Police Department