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10:51

State of Colorado, County of Mesa  
Affidavit In Support Of Warrantless Arrest

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I, \_\_\_\_\_, of the Mesa County Sheriff's Dept. \_\_\_\_\_, a Colorado peace officer, being duly sworn and under oath states that probable cause exists for warrantless arrest of the person named below, and that the following facts are true and correct to the best of my knowledge, information, and belief, and support the arrest of the defendant. All locations are in Mesa County, State of Colorado unless otherwise noted.

Name of person arrested: ADAM G THESING DOB: 11/16/89  
Date of arrest: 05/07/08 Time: 18:44:00  
Place of arrest: 28 1/4 RD / TEXAS AV

Offense	Date/Time	Statute Code	CC
DIST/MANU/SALE/POSS-CONT SUB	18:44:00 05/07/08	18-18-405	3F
POSS OF DRUG PARAPHERNALIA	18:44:00 05/07/08	18-18-428	2P
MARIJUANA/USE/SELL/DIST/MANUF	18:44:00 05/07/08	18-18-406	2P
IMPROPER SIGNALING	18:44:00 05/07/08	42-4-903	A

On 05/07/2008 at approximately 1837 hrs, I was in a marked patrol car, driving north on 28 1/2 Road from the intersection of 28 1/2 Road and North Avenue in Mesa County, Colorado.

I was driving directly behind a blue Mazda sedan bearing Colorado plate 867 MVE.

I saw the blue Mazda sedan turn from northbound 28 1/2 Road onto westbound Elm Avenue. I saw the Mazda activated its left turn signal only after it entered the intersection and initiated the turn onto Elm Avenue. The driver failed to activate the turn signal at least 100 feet before the turn as required by 42-4-903(2), CRS.

I followed the Mazda sedan westbound on Elm Avenue and activated my patrol car's overhead emergency lights as the sedan approached the intersection of Elm Avenue and Compton Street. The Mazda sedan continued driving west on Elm to the intersection of Elm Avenue and 28 1/4 Road. I saw the Mazda sedan stop at the intersection, then slowly turn right onto northbound 28 1/4 Road without yielding to my emergency lights.

I followed the Mazda sedan north on 28 1/4 Road until it turned right onto eastbound Texas Avenue where the driver pulled to the right shoulder.

I saw the Mazda sedan was occupied by a white male driver and a white female passenger.

The driver identified himself using a Colorado Driver Licenser as Adam Gerald Thesing (dob: 11/16/89). The passenger was identified as Thesing's girlfriend of two months, Heather Rene Smith (dob: 02/26/92).

I asked Thesing if he could provide his driver license, registration, and proof of insurance. Thesing handed me his driver license and no other documents. I reminded Thesing I had asked for three documents and asked him again if he had valid registration and a proof of insurance.

Thesing handed me what was apparently a record of a claim submitted to his insurance company, and still no registration.

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I again asked Thesing for a proof of insurance. He began thumbing through various papers he found in the passenger compartment of the vehicle and eventually he told me he could not find his owner's manual and was therefore unable to produce a proof of insurance. Thesing stated the vehicle was insured. I stood beside Thesing's vehicle for several minutes and he was unable to locate a proof of insurance.

While Thesing searched for his proof of insurance and registration, I asked him if there was anything in his vehicle that would cause me concern. I specifically asked if he had any weapons including guns or knives, or illegal drugs in the vehicle.

Thesing answered "Yes" and reached his left hand down into the map pocket on the interior of driver's side door. I told Thesing not to reach for the item, but to tell me what he was reaching for. Thesing stated there was a "weed pipe" in the door.

I asked Thesing to step out of the vehicle. As he did so I saw a glass pipe of the type commonly used to smoke marijuana. The pipe was clearly visible in the map pocket of the driver's side door.

I walked with Thesing to the rear of his car. There I asked if he had any weapons on his person or any other objects that might compromise my safety, including weapons, needles, or any object that might cut or injure me. Thesing did not answer my question so I instructed him to place his hands on top of his head in order that, for reasons of officer safety, I could pat him down for weapons.

While I patted him down, Thesing several times reached down to the area of the front of his pants, but did not answer me when I asked him if he had anything concealed on his person.

As Thesing had been unable to provide a proof of vehicle insurance, I was aware there was drug paraphernalia in his vehicle, and his behavior caused me to be concerned for my safety, I placed Thesing in handcuffs and completed my pat down.

After the pat down, Thesing turned to his right and took a step, as he did so, I saw a plastic Zip-Lock bag fall to the pavement from inside his left pants leg. I saw the bag contained several items which appeared to be candy. Upon closer inspection, I saw the bag contained gumdrops.

I asked Thesing what it was that fell from his pants leg and he responded "microdots" and that he was "fucked."

I asked Thesing if he had anything more concealed in his pants, and he replied he may as well tell me since he was fucked anyway. Thesing told me there were more in his other pants leg. Thesing shook his leg and I saw a second Zip-Lock bag fall from Thesing's right pants leg. The second bag contained gumdrops as well.

I took Thesing into custody at 1844 hrs and placed him in my patrol car.

I searched Thesing's vehicle incident to his arrest and found a multi-colored glass pipe of the type commonly used to smoke marijuana in the map pocket in the driver's side door. The pipe had residue in the bowl that had a strong odor

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of what I knew from my law enforcement training and experience was burned marijuana. Also in the driver's side door were several plastic bags containing a small amount of a green leafy substance which I knew to be marijuana.

Deputies West and McClellan assisted me with the search of Thesing's vehicle. Deputy West found a multi-colored glass pipe of the type commonly used to smoke marijuana between the front seats of the vehicle and a black fabric zippered container in the passenger side front door map pocket. Inside the fabric container was a glass pipe of the type commonly used to smoke marijuana. In the bowl of the pipe I saw residue which had a strong odor of what I knew, from my law enforcement training and experience, was burned marijuana.

Deputy West also found a plastic prescription medication container on the floorboard in front of the front passenger seat. The label on the container indicated it had been filled with medication prescribed to Adam Thesing. The container had no medication in it, but held a small amount of a green leafy substance I knew, from my law enforcement training and experience, to be marijuana.

In the pocket of a pair of white men's style shorts on the rear seat of Thesing's vehicle, Deputy McClellan discovered a cellophane wrapper which contained a small amount of a green leafy substance I knew to be marijuana.

I Thesing's vehicle was a white plastic container whose label indicated it held "Wal-Zan 75", which was apparently a generic stomach acid control medication.

The container held 14 tablets of the acid controller and an additional 9 tablets which were labeled "alza 54." Upon my return to the Mesa County Sheriff's Office, I was able to determine the alza 54 tablets were the prescription medication which should have been in Thesing's prescription bottle. Thesing advised me the medication was to treat "A.D.D."

The items seized from Thesing's person and his vehicle were booked into evidence at the Mesa County Sheriff's Office.

While searching Thesing's vehicle, I did locate a proof of insurance card in a black plastic folder located under the driver's seat. The card indicated Thesing's vehicle was insured at the time of my stop.

After searching Thesing's vehicle, I returned to my patrol car to speak with Adam Thesing. I advised him of his rights per Miranda. He stated he understood his rights.

I asked Thesing what specifically he meant when he told me the items in the plastic bags in his pants were "microdots." He replied "LSD"

I transported Thesing to the Mesa County Sheriff's Office. At the sheriff's office, Deputy West again advised Thesing of his rights per Miranda. Again,

Thesing stated he understood his rights and he signed an Advisement of Rights and Waiver form.

Thesing told Deputy West each of the six gumdrops he possessed had been treated with an amount of LSD equal to two hits of the drug. Thesing stated it had been his intention to share the LSD with friends that night in celebration of their graduation. Thesing told Deputy West he purchased the twelve hits of LSD for \$70.00.

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It should be noted that LSD (lysergic acid diethylamide) is a Schedule I Controlled Substance.

Thesing was booked in to the Mesa County Jail, charged with:

Possession of a Schedule I Controlled Substance, a Class 3 Felony in violation of 18-18-405, CRS

Possession of Less than One Ounce of Marijuana, a Class 2 Petty Offense in violation of 18-18-406, CRS

Possession of Drug Paraphernalia, a Class 2 Petty Offense in violation of 18-18-428, CRS

Improper Signaling, a Class A traffic Infraction in violation of 42-4-903(2), CRS

\_\_\_\_\_  
Officer

State of Colorado  
County of Mesa

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary

Probable Cause Determination

( ) Approved ( ) Rejected

\_\_\_\_\_  
Judge