

STATE OF INDIANA
MARION COUNTY, ss:

IN THE MARION SUPERIOR
CRIMINAL COURT 9
CRIMINAL DIVISION, ROOM E648

STATE OF INDIANA)

vs.)

Weston Gray W/Male
DOB 8/10/1979

Cause No: 49G09-1608-F6-033510

INFORMATION

COUNT I

RESIDENTIAL ENTRY

I.C. 35-43-2-1.5

A LEVEL 6 FELONY

COUNT II

BATTERY RESULTING IN BODILY
INJURY

I.C. 35-42-2-1(b)(1) and I.C. 35-42-2-1(c)

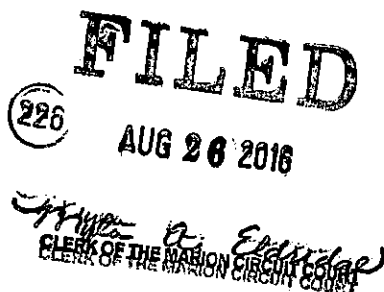
A CLASS A MISDEMEANOR

COUNT III

BATTERY RESULTING IN BODILY
INJURY

I.C. 35-42-2-1(b)(1) and I.C. 35-42-2-1(c)

A CLASS A MISDEMEANOR



On this date, the undersigned 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

On or about August 7, 2015, Weston Gray did knowingly break and enter the dwelling of Jamie Hogan;

COUNT II

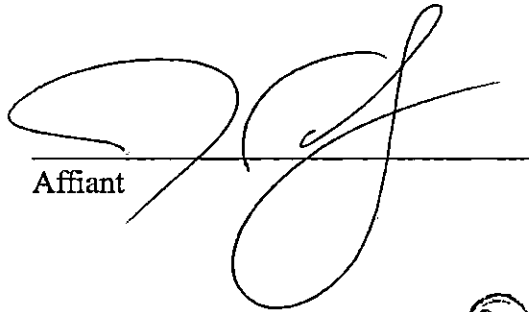
On or about August 7, 2015, Weston Gray did knowingly touch Jordan Hale in a rude, insolent, or angry manner, to-wit: grabbed and/or scratched with hand(s), resulting in bodily injury to the other person, specifically a laceration;

COUNT III

On or about August 7, 2015, Weston Gray did knowingly touch Ian Hale in a rude, insolent, or angry manner, to-wit: punched with a fist, resulting in bodily injury to the other person, specifically pain;

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. 35-44.1-2-1 that the foregoing representations are true.



Affiant

August 26, 2016

Date

State's Witnesses:

A KIBBEY 30427

R LUNDY 30427

J PRENDERGAST 20106

K WILLIS

Jamie Hogan

Jordan Hale

Ian Hale

Bryan Hiatt

Michael Hogan

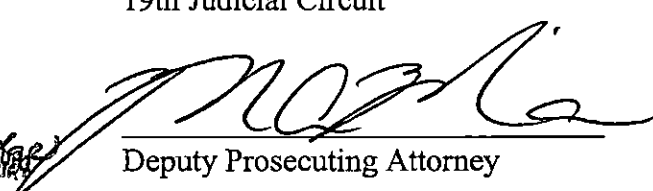
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CLERK OF THE MARION COUNTY CIRCUIT COURT
CLERK OF THE MARION COUNTY CIRCUIT COURT

TERRY R. CURRY

Marion County Prosecutor

19th Judicial Circuit



Deputy Prosecuting Attorney

**AFFIDAVIT
FOR PROBABLE CAUSE**

FILED

AUG 26 2016

STATE OF INDIANA, COUNTY OF MARION, SS:

Detective Jason Prendergast swears (affirms) that:

Handwritten signature
CLERK OF THE MARION CIRCUIT COURT

On August 7, 2015 at 3:50 am, Officers Lundy and Bowles of IMPD were dispatched to the 5300 blk of Bombay Dr. On a person assaulted run. Upon arrival, officers spoke with Michael Hogan, Jamie Hogan and their two teenage children, Ian Hale and Jordan Hale. Ian explained that he heard noises downstairs so he went downstairs, turned on the kitchen and living room lights before pouring a glass of water. Ian stayed in the kitchen drinking the water for approximately 5 minutes and didn't hear anything further so he went back upstairs to his room. Ian stated that maybe 10 minutes later he heard footsteps coming up the stairs and assumed it was his dad so he didn't get up to look. Ian then heard his sister Jordan's bedroom door open soon followed by his sister screaming. Ian ran to his sister's room and observed a bald, heavy set or stocky white male wearing a white button down long sleeve dress shirt and black pants exiting Jordan's room. He was also wearing a black glove on his left hand. Ian began throwing punches as he chased the suspect outside. The suspect also hit Ian at least one time in the nose.

At this moment, the mother, Jamie Hogan was also chasing the male with Ian. They chased him out of the front door and he got into the driver's seat of what Jamie and Ian described as a smaller white SUV with black trim. Jamie Hogan banged on the driver's window as she looked into the vehicle as the male sped off north bound on Bombay Drive.

Jordan Hale stated that she does not remember why she woke up, but that she does not know if the suspect touched her prior to waking up. She recalls waking up to this male standing over her and she immediately began kicking him and screaming. Jordan stated that the suspect began wrestling with her when she started to strike

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

AFFIANT

DATED: August 25, 2016

Handwritten signature
DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

JUDGE

Affidavit for Probable Cause

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From: Detective Jason Prendergast

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him and he left a scratch on her arm. Jordan stated that the suspect ^{Mr. A. Eldredge} began grabbing her arms after she started kicking and swinging at him.

It should be noted that nothing is missing from the home at this time. Michael Hogan stated that they leave their front door unlocked regularly, but will lock it from now on. There are no signs of forced entry. Officer Lundy and Bowles searched the entire home and outside for the other glove but did not locate one.

On August 21, 2015, Detective Karl Willis, of the IMPD, took recorded statements from Jamie Hogan, Ian Hale and Jordan Hale. During those statements, Detective Willis conducted photo arrays with all three. Detective Willis presented photo array 322JCSO, none of the victims made an identification from that photo array. Weston Gray's photo was not in the array and was not a known suspect at the time.

During the statements, Ian Hale stated that he was lying in the loft at the top of the stairway, just outside of Jordan Hale's bedroom at the time of the incident.

On August 20, 2016, Officer Kibbey of the Indianapolis Metropolitan Police Department was contacted by Bryan Hiatt at the 10500 blk of Pintail Lane. Mr Hiatt stated he had video from his front door on two different dates of the same heavy set, bald, w/m, wearing a black glove on his right hand, a white button up shirt and black pants, approaching his door and trying to gain entry by turning the doorknob and pushing the buttons on the keypad. One occurrence was at approximately 9am on July 18, 2016 and the other was at 3:12am on August 19, 2016. In both videos, a white SUV style vehicle can be seen parked in front of the residence. Mr Hiatt stated that he had posted the videos on facebook to alert neighbors of the incidents.

Mr Hiatt stated that he was contacted by Jamie Hogan regarding the same w/m entering her house on August 7, 2015.

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

AFFIANT

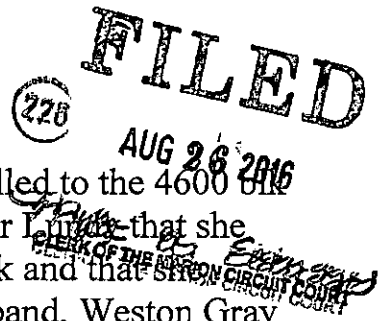
DATED: August 25, 2016

DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

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On August 20, 2016, Officer Ryan Lundy, of the IMPD, was called to the 4600 block of April lane to speak to Emily Gray. Ms Gray informed Officer Lundy that she had seen the video originally posted by Bryan Hiatt on Facebook and that she recognized the person in the video. Ms Gray stated that her husband, Weston Gray (dob 08/10/1979), was the person in the video.

Detective Jason Prendergast of the IMPD, spoke to Jamie Hogan on August 22, 2016. Ms Hogan stated that she and her son Ian Hale had seen a video posted by Bryan Hiatt on Facebook on August 19, 2016. Ms Hogan stated that she and her son Ian recognized the person in the video as the same person who had entered their residence and her daughter's bedroom as she slept on August 7, 2015.

On August 23, 2016, Detective Karl Willis met with Ian Hale, Jordan Hale, and Jamie Hogan at Southeast District. All three were told new evidence had been uncovered on the August 7, 2015 incident at their home. All three were told they would be separated and asked to look at a new set of photographs. The new photo array contained six pictures, one of which was Weston Gray. The photograph was taken in June of 2015 when Mr. Gray had hair and weighed less than the video image taken in August of 2016. Detective Prendergast and Willis confirmed from Emily Gray that Weston Gray has gained approximately one hundred pounds. Ian Hale identified the photograph of Weston Gray as the same subject he chased from his sister's bedroom on August 7, 2015.

Detective Willis then spoke with Jamie Hogan. Ms. Hogan was shown the same six photogtaphs in a different order. Ms. Hogan stated she couldn't be sure but pointed to the photograph of Weston Gray. She stated Mr. Gray had a similar nose and eye brow however his hair was longer. She was confident none of the other five photographs were the suspect. Based on that, Ms. Hogan stated Weston Gray was similar to the person she chased from her daughters room on August 7, 2015.

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

AFFIANT

DATED: August 25, 2016

DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

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Detective Willis then showed the six pictures to Jordan Hale. Ms. Hale stated her room was dark and the suspect woke her up from sleeping. Ms. Hale stated she was unable to make an identification.

Detective Prendergast checked through BMV and located a white 2015 Nissan Murano registered to Weston Lane Gray at 4638 April Lane, with license plate number 248NEW (2017), with VIN# 5N1AZ2MH1FN224830.

All events occurred in Marion County, State of Indiana.

FILED
(226) AUG 26 2016
Walter A. Eldridge
CLERK OF THE MARION CIRCUIT COURT

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

DATED: August 25, 2016

[Signature]
DEPUTY PROSECUTING ATTORNEY
NINETEENTH JUDICIAL CIRCUIT

[Signature]
AFFIANT

[Signature]
JUDGE