

IN THE DISTRICT COURT OF THE FOURTEENTH JUDICIAL DISTRICT OF
THE STATE OF OKLAHOMA SITTING IN AND FOR TULSA COUNTY

STATE OF OKLAHOMA, 2016 OCT 24 AM 9: 39

Case No. 2016-5670

Felony Information

SALLY HOWE SMITH
COURT CLERK

DISTRICT COURT
FILED

OCT 24 2016

Vs.

Luis Alberto Molina

Defendant(s).

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

INFORMATION

BE IT REMEMBERED:

That **STEVE KUNZWEILER**, the duly elected and qualified District Attorney for Tulsa County, Oklahoma, who prosecutes in the name and by the authority of The State of Oklahoma, comes now into the District Court of Tulsa County, State of Oklahoma, and gives the Court to understand and be informed that:

(COUNT 1)

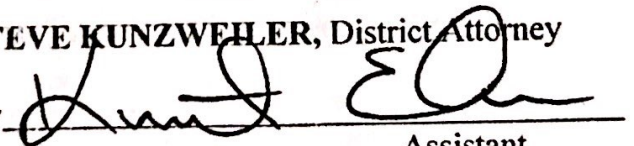
21 O.S. 1114 (B)

LUIS ALBERTO MOLINA, on or about 10/7/2016, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of **RAPE BY INSTRUMENTATION- SECOND DEGREE**, a Felony, by unlawfully, feloniously, willfully, with the use of force and violence and by means of threats of immediate bodily harm, to one H.C., a female person not the spouse of the said defendant, overcome all resistance on the part of the said H.C. and did then and there insert a cigarette into H.C.'s vagina without her consent,

Contrary to the form of the statutes in such cases made and provided, and against the peace and dignity of the State.

STEVE KUNZWEILER, District Attorney

By



Assistant

WITNESS(ES) ENDORSED FOR THE STATE OF OKLAHOMA

Det.Cpl. Eric B Leverington
01924

Det. Scott J Murphy 01832

Tulsa Police Dept.
600 Civic Center

Tulsa Police Dept.
600 Civic Center

Tulsa County District Attorney's
Office

Tulsa, OK 74103

Tulsa, OK 74103

Tulsa, OK 74103

H.C.

Intake Attorney: KAE
Prepared by: JH

ORIGINAL

DEFENDANT DISCHARGED (OKLA.STAT.Tit.22, Sec. 262)

CF-2016-5670

There being no sufficient cause to believe the within named _____

guilty of the offense within mentioned, I order him to be discharged.

Dated this _____ day of _____, 20 _____.

Judge

DEFENDANT HELD FOR TRIAL (OKLA.STAT.Tit. 22, Secs. 264, 267)

It appearing to me that the offense named in the within preliminary information, or that the offense of _____ has been committed, and that there is sufficient cause to believe the within named _____ guilty thereof, I order that _____ he _____ be held to answer the same and that _____ he _____ be admitted to bail in the sum of \$ _____ each and be committed to the David L. Moss Criminal Justice Center of Tulsa County until said bail is given.

Dated this _____ day of _____, 20 _____.

Judge

ORIGINAL

Defendant(s).

**DISTRICT COURT
FILED**

OCT 24 2016

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

AFFIDAVIT

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

The undersigned, of lawful age, being first duly sworn, upon oath deposes and states as follows:

1. He is a detective for the Tulsa Police Department.
2. He has read certain official investigative reports and statements of witnesses regarding the above named Defendant(s) and, from these statements and reports it appears as follows:

- A) That on 10/07/2016, the victim, twenty-two-year-old HC, was in the care and custody of the defendant, identified as Luis Alberto Molina, after she was dropped off at the Mayo Village Apartments while unconscious and in a state of intoxication. That victim HC became extremely intoxicated while drinking several alcoholic beverages at the buccaneer bar located at 1120 S. Harvard Avenue in Tulsa prior to being dropped off at 2800 E. 8th Street Apt. on the University of Tulsa Campus. That while in the care and custody of the defendant, the defendant took the victim's clothing off while she was unconscious and without her consent. That the defendant then rubbed victim HC's vagina with his hand and he penetrated the victim's vagina by inserting a cigarette into her vagina while filming himself carry out these nonconsensual sexual acts. That this occurred at the Mayo Village Apartments located in the are of 2000 E. 8th Street, Apartment in the City of Tulsa, Tulsa County, State of Oklahoma.
- B) That from February 18th 2016 to October 7th 2016 a series of similar events have occurred on the campus of the University of Tulsa involving repeated, serial intrusions of the rooms of female students. Most of the students are female athletes or are roommates of female athletes at the University of Tulsa Women's Athletic Department.
- C) On Feb 18th 2016 HK reported that at 0515-0520 hrs an intruder came into her dorm room through an unlocked and closed door and touched her buttocks as she slept. She woke up and the person left the room and came back. He returned within a minute she and chased him out of the room. This occurred near 2800 E. 8th St. (Fisher Hall Residence)
- D) On April 8th 2016 SH reported that at 0415-0430 hrs an intruder entered her dorm room through an unlocked but closed door and tickled her upper thigh as he crouched at the end of her bed. She woke up and he exited the room. This occurred near 2800 E. 8th St. (Fisher Hall Residence). This victim related that underwear may have been taken by the intruder as she was inexplicably missing some.
- E) On April 26th 2016 GJL reported that at 0230-0245 an intruder entered her apartment through an unlocked and closed door and stood over her as she slept. She woke up to see him standing over her and he fled. This happened near 2800 E. 8th St. (Mayo Village Apartments)
- F) On April 26th 2016 AS reported that at 0245-0300 hours an intruder entered her apartment through an unlocked and closed door and stood in the doorway of her bedroom. She woke up and the culprit fled. This happened near 2800 E. 8th St. (Mayo Village Apartments) .
- G) On September 10th 2016 AB reported that at 0245-0300 hrs an intruder entered her apartment through an unlocked and closed door and opened her bedroom door. She was already awake because she noticed someone was moving around in her apartment area. When the intruder saw her lift her head he fled the residence. 2800 E. 8th St. (Mayo Village Apartments).
- H) On October 7th 2016 BD reported that at 0200-0250 hours an intruder entered her apartment through an unlocked and closed door and entered her bedroom where he asked about her roommate.

All of these events occurred in the City of Tulsa and within Tulsa County, State of Oklahoma

- J) A review of Network data provided under subpoena by the University of Tulsa IT department shows that at the time of the incidents on September 10th and October 7th there was only one common device that was accessing the network from Wireless Access Points (WAP's) assigned to the apartments where the incidents occurred. Those records show that a device name "TheMolinazo" was accessing the network from those WAP's. Records further show that the device is registered with a network user ID of lam254@utulsa.edu and a MAC (Media Access Card) number of .6C 8DC1 4C 95 F0
- K) According to documents provided under subpoena by the University of Tulsa IT department: Luis Alberto Molina has a registered user identity for use on the TU Network. The User Identity is lam254@utulsa.edu. A device registered with lam254@utulsa.edu is an Apple device which carries Media Access Card (hereinafter referred to as MAC) 6C 8DC1 4C 95 F0. This MAC number is a unique identification assigned to the hardware of a device upon build. No other device by design will have the same MAC .
- L) The University of Tulsa records database shows Luis Alberto Molina as a student with an entry date of 11/12/14. It further shows that he is an occupant of student housing at 2850 E. 8th St. #3634.
- M) **September 10, 2016- 0240hrs-0340hrs**
- The address 2838 E. 8th St #3433 is assigned a wireless access point (WAP) number of 3433. That number is unique to that apartment within the TU wireless network. The WAP receiver is attached to the wall in the living area. The WAP will receive signals from recognized devices in and around the assigned apartment. During the above referenced period of time the receiver 3433 was accessed by MAC 6C 8DC1 4C 95 F0. At 0244:07 and 0244:22. Thus the device, which is associated with Luis Molina is identified as having pinged the WAP stationed in apartment 3433. The receiver was accessed twice at 0244:07hrs and 0244:22 hrs. The MAC then left WAP 3433 at 0244:51 and did not return.
- N) **October 7, 2016 0150hrs-0250 hrs**
- The address 2846 E. 8th St. #3515, is assigned a wireless access point (WAP) number of 3515. That number is unique to that apartment within the TU wireless network. The WAP receiver is attached to the inside wall just above the front door. The WAP will receive and transmit signals to and from recognized devices in and around the assigned apartment. During the above referenced period of time the receiver 3515 was accessed by MAC 6C 8DC1 4C 95 F0. The receiver was accessed twice at 0208:15 , and 0212:07. The MAC then left WAP 3515 at 0216:59 and did not return. Based on the above, it is apparent that a device associated with Luis Molina was in some degree of proximity to the apartments referenced above on the dates and times of the alleged crimes referenced herein.
- O) On October 19th 2016 a six person lineup was presented to BD by Detective Scott Murphy. BD selected Luis Alberto Molina as the person who came into her bedroom. She indicated she was "80%" sure the intruder was Molina. **As a result of the foregoing.** Your Affiant received a Tulsa County District Court search warrant which was signed by the Hon. Owen Evans, Special Judge of the District Court, Tulsa County. That warrant was served at 2850 E. 8th Street, Apartment #3634, Tulsa Oklahoma on Wednesday October 19th 2016. As a result of that warrant service, officers seized an Apple I-phone identified as belonging to Luis Molina.
- P) During an examination of the phone, a number of images and videos were identified. Among those of interest was a video which appeared to show a nude female laying in a bed. The video depicts a person insert a cigarette into the vagina of the nude female and the video then pans up to show the females face. It is evident that the female is unconscious. The time stamp and EXIF data associated with the image indicate that it was taken with the I-phone 6 that was seized and that it was taken on 07OCT2016 in the the 3700 building of the Mayo Village Apartments on the campus of the University of Tulsa at 02:31:12 CDT at GPS coordinates 36.1483N -95.9480W
- Q) Records provided to the Tulsa Police by the University of Tulsa indicate the I-phone was connected to the Wireless Access Point associated with Apartment 3718 at the Mayo Village Apartments. Records further indicate that Apartment 3718 is occupied by Martin Escandan and Kevin Gomez, who are also students at the University of Tulsa.

through witness interviews, apartment registrations and student records, detectives surmised that the female depicted in the video was HC a 22 year old student, and former athlete, at the University of Tulsa. Det. Scott Murphy contacted HC in person face to face and she confirmed that she was in the video, that she was unconscious, and did not consent to any of the conduct depicted in the video. Det. Murphy confirmed HC's full identity as the same 22 year old student that we were seeking to talk to, and the same person depicted in the video.

- S) As a result of the interview with the victim HC, Detective Murphy met with Joe Brett, a student at the University of Tulsa. Brett gave a statement to police that he became aware through Kevin Gomez that Luis Molina took the video described above and he confronted Luis Molina. According to Brett, Luis showed him a portion of the video, which conforms to the description of the video as seen by investigators, whereupon Brett pushed Luis Molina and told him to delete the video. He believed from Luis Molinas actions that he deleted the video.
- T) That on 10/19/2016, the defendant refused to be interviewed by Det. Murphy at the Tulsa Police Department. The defendant denied having any knowledge of any of the first degree burglaries on the TU campus.
- U) That the defendant is identified as Luis Alberto Molina, with a date of birth of 05/19/1997, social security number None, and a physical description of a Hispanic/male, 509/180, and Blk/BRO. The last known address of the defendant was located at 2850 E. 8th Street, Apt. #3634.

(Continued on next page)