

THE PEOPLE OF THE STATE OF COLORADO



County/District Court  
City and County of Denver, Colorado

Offense Case No. 2015-116121

**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT  
AND THE ARREST WARRANT FOR THE PERSON(S) OF:**

**Robert Wayne FELDMAN, dob: 03-09-1964, a white male, 5'10", 200 pounds with black hair and green eyes, DPD number 744686, SSN [REDACTED], CO DL [REDACTED], SID 2436711, FBI 998040MA1, for one count of Murder in the First Degree, C.R.S. 18-3-102 (1) (a), a Class 1 Felony**

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I, Detective Randal Denison, 96007, Your Affiant states under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed, and that the offense was committed by the above named person(s), are the following:

Your Affiant, Detective Randal Denison, 96-007, a Police Officer for the City and County of Denver, currently assigned as a Detective in the Homicide Unit relates the following in establishing probable cause to obtain a search warrant for the listed property:

On, Sunday March 1<sup>st</sup>, 2015 Your Affiant was assigned to investigate the death of Stacy Feldman, dob 09-22-1970, who was reportedly discovered deceased in a shower at her residence, 3601 South Pontiac Way, in the City and County of Denver, by her husband, Robert Feldman, dob 03-09-1964.

On that date at 4:10 p.m., Your Affiant was contacted by Homicide Unit Supervisor Sergeant Ed Leger and advised of the situation. Your Affiant responded to 3601 South Pontiac Way, arriving at 4:50 PM on that date.

Your Affiant observed that at this time the outside temperature was very cold with new snow on the ground from the previous day and icy conditions on the roads.

Your Affiant met with Denver Police Officer Tara Moxon at that location. Your Affiant learned that Denver Fire and Paramedics had responded to that location and that Stacy Feldman had been pronounced deceased on that date 3:56 PM by Doctor Reno of Denver Health Medical Center, (DHMC). Officer Moxon advised that the deceased female was in the master bedroom on the second floor. Officer Moxon said that when Officers arrived on the scene, they had to escort Robert Feldman from the room where his wife was located because he was interfering with the paramedics.

Officer Moxon said that she had spoken to Robert Feldman and he told her he and his wife had gone to a party the previous night. He told her she had consumed some edible marijuana and had not been feeling well this morning. Robert Feldman told her he had left the house around 8:30 am to take their

children to a church carnival and returned home about 3:00 PM and found his wife unresponsive in the shower with the water running.

Your Affiant learned that Stacy Feldman's parents were at the residence along with her uncle and two members of the clergy.

Your Affiant observed a Denver Police Officer outside the door to the master bedroom on the second floor to prevent unauthorized entrance.

Your Affiant personally spoke with Robert "Bob" Feldman. Robert Feldman said that his wife Stacy has a history of medical problems and takes medications. He said the previous night she had consumed some edible marijuana prior to going to a party. He said she had consumed some alcohol at the party. When they returned home she had consumed more edible marijuana, but he did not see her, or know the amount. He said he had left the house in the morning and had gone to a church carnival with their children. When he returned home around 3:00 pm he found his wife in the bathtub with the shower running and the water cold. He said he was unable to see if she was face up or face down. He pulled her out of the tub and to the floor of the bathroom and called 911. His children were with him, so he instructed them to go to the neighbor's house.

Your Affiant observed that Robert Feldman appeared to be acting as if shock or confused and when asked, he said he could not remember details of how he found his wife. At one-point Robert Feldman walked away from Your Affiant as if he was confused, giving Your Affiant the impression he was over acting in an effort to avoid speaking with him.

Personnel from the Denver Police Department Crime Laboratory, Crime Scene Unit responded to the scene. The scene was documented with photographs and measurements.

Your Affiant observed the deceased female lying on her back on the floor in the master bedroom. The female was naked with towel covering her [REDACTED]. Her hair appeared to be wet. Your Affiant observed equipment and related supplies from an attempted medical resuscitation. Your Affiant observed that one window and the sliding glass door in the master bedroom to small balcony were open. The balcony was covered with snow and no foot prints or other disturbance visible in the snow. There were no signs of forced entry. Your Affiant did not observe any signs of a forced entry to the residence or of a struggle or fight.

Your Affiant observed the bathroom attached to the master bedroom was equipped with what appeared to be a standard size, jetted bathtub equipped with shower head and with sliding doors with towel racks on the doors. Your Affiant observed a towel neatly hung on shower door rack. There was no standing water in the bathtub at that time. Your Affiant observed a wash cloth in the bathtub covering the drain that appeared to be wet. Your Affiant observed one metal rack from a corner shelf and bottles of personal hygiene products on the floor of the bathtub that gave the appearance the shelf rack and contents had been knocked down. Your Affiant did not observe any other signs of what might have been the result of a fight or assault in the bedroom or bathroom.

Investigator T.C. Whitley with the Denver Office of the Medical Examiner, (DOME) responded to the scene. Your Affiant was present when Investigator Whitley conducted an initial external examination

of Stacy Feldman. Some abrasion and contusion type injuries were noted on the body, but none that appeared significant enough to have caused her death. The body was transported to the Denver Office of the Medical Examiner for further examination and testing.

Your Affiant was present when Investigator Whitley spoke with Robert Feldman and asked him what position he found his wife in. Robert Feldman said he could not remember and walked away from the Investigators. Robert Feldman said he didn't think he wanted an autopsy conducted.

On Monday, March 2, at 9:40 am Your Affiant personally attended the post-mortem examination of Stacy Feldman at the Denver Office of the Medical Examiner. The examination was conducted by Forensic Pathologist Dr. Kelly Kobylanski, supervised by Dr. Meredith Frank. Your Affiant observed numerous injuries on the body. Your Affiant spoke with Doctor Kobylanski after the completion of the internal examination portion of the autopsy. Doctor Kobylanski said she had not observed any internal injuries that would indicate the cause of death and that the results of testing would be required to help establish as cause of death.

On March 13<sup>th</sup>, 2015 Your Affiant spoke with Stacy Feldman's sister, [REDACTED] by telephone. [REDACTED] told Your Affiant that she had spoken to Bob Feldman and that he told her Stacy's death had been ruled an accident. Robert told her that his physician said Stacy had slipped on conditioner and drown. [REDACTED] said the director of the children's school had called Bob when there was no one there to pick up the children. [REDACTED] said Bob had told other family members that he had gone home at noon to walk their dog.

On March 24<sup>th</sup>, 2015 Your Affiant received an anonymous letter via the US Postal Service. This letter expressed a list of concerns of the unidentified author about inconsistent stories regarding Stacy Feldman's death. The letter says the author had learned Stacy had texted an unidentified friend about meeting at the Temple at noon and that the Temple Religious school had been calling to ask why the children had not been picked up.

On May 4<sup>th</sup>, 2015 Your Affiant spoke with Doctor Kobylanski. Doctor Kobylanski told Your Affiant that the autopsy report on Stacy Feldman was completed that date. Doctor Kobylanski said that they were unable to determine the cause and manner of death.

Your Affiant received a copy of the autopsy report on Stacy Feldman, signed 05-05-2015. The report indicates their opinion at that time was the cause and manner of Stacy Feldman's death could not be determined. The Toxicology section of the report does not indicate a presence of THC/Cannabinoids, (marijuana). Your Affiant spoke with Doctor Kobylanski who confirmed tests for THC were negative and had Stacy Feldman consumed marijuana within the reported time frame, the test would be expected to show positive.

Your Affiant made several attempts to contact Robert Feldman with follow up questions regarding the autopsy report.

On May 14<sup>th</sup>, 2015 at approximately 9:30 am Your Affiant received a telephone call from Robert Feldman. He said he had last talked to Stacy about 8:30 am on the day she died and that she had told him she was tired. He said she was sleeping when he left. Robert Feldman said he had gone to Temple

Sinai and they had a service for the opening of the new school. He said he was there until about 9:30-10:00 am. Robert Feldman said he came home about noon and went to the park and worked out. He said that he was only home for about ten minutes when he changed clothes in the laundry room. He said he never heard Stacy and had called out, but got no response. He said he did not hear any water running and that he would have if the shower had been running. He said he cleaned the garage before going to work out because a shelf had fallen. Feldman said he had seen Stacy consume edible marijuana the night before going to the party and that she told him she was going to take some or smoke some when they got home, but he did not witness her use any. Feldman denied any involvement in his wife's death.

Your Affiant researched the distance and estimated drive time between the Feldman residence, 3601 S. Pontiac Way and Temple Sinai, 3509 S. Glencoe Street. The distance is shown as 1.4 miles with an estimated drive time of 5 minutes.

On May 12, 2015 Your Affiant met with members of Denver Firefighters, Engine 22 crew who had responded on the medical call to the Feldman residence. The consensus of the of the crew was that Robert Feldman was acting odd and, "over dramatic". The Firefighters provided written statements In Firefighter Howard Johnson's statement, he relates that he and Engineer Hannason made numerous attempts to talk to the husband to gather patient history and information and that the husband was, "purposely not cooperative" and made a concentrated effort to not answer questions. Firefighter Johnson noted that the husband was acting extremely hysterical, yelling and wailing and getting so close to the patient he interfered with their duties and they had to request Police assistance.

On June 11<sup>th</sup>, 2015 the Denver Police Department received information on this investigation through a telephone call to Metro Denver Crime Stoppers. The female caller reported that in February 2015 she had met Robert Wolfe Feldman online. Feldman visited her at her house and "blew her off" the next day. She researched Robert Feldman and learned his wife to be Stacy Feldman and located an email address for her. She emailed Stacy Feldman on March 1<sup>st</sup>, 2015, after which Stacy Feldman called her and she told Stacy about the affair.

On June 11<sup>th</sup>, 2015 Your Affiant contacted the Crime Stoppers caller, [REDACTED] by telephone. She confirmed details of her call to Crime Stoppers and that she met Robert Wolfe Feldman online. [REDACTED] agreed to meet with Your Affiant.

On June 12, 2015 Your Affiant personally interviewed [REDACTED] at Denver Police Department Headquarters. [REDACTED] told Your Affiant that she had met the man known to her as "Robert Wolfe Feldman" on Tinder, an online dating site. They had communicated through the messaging application on Tinder and then switched to communicating through email and phone text messaging. [REDACTED] said that Robert Feldman told her that he is employed as a wholesaler of meat products and provided her with his business telephone number as 303-[REDACTED]. He told her that calls to this number would be forwarded to his cellular telephone. [REDACTED] said Robert seemed reluctant to tell her his last name and when asked about that, he eventually gave her his last name as Wolfe. They met in person for coffee on February 23<sup>rd</sup>, 2015. Feldman told her he was divorced. [REDACTED] was suspicious and later researched Robert online and learned his last name to be Feldman and that it appeared Stacy Feldman also lived at the same address. When she confronted Robert Feldman with this information, he said that he and Stacy are divorced and alternate staying at the house for the children's sake and

because they could not afford two homes. On March 26<sup>th</sup>, 2015 Robert had come to her home for dinner and they had sex that night. They planned to spend time together the coming weekend. She did not hear from Robert after that to confirm their plans. When she contacted him, he told her he would not be able to meet with her and she believed he was, "blowing her off". [REDACTED] located an email address for Stacy Feldman. On March 1<sup>st</sup>, 2015, the date of Stacy's death, she sent an email to Stacy Feldman and asked if she and Robert were divorced. Stacy told her that they were not divorced. [REDACTED] then forwarded copies of emails between her and Robert to Stacy and supplied Stacy with her telephone. Stacy called her that morning and she told Stacy about what had occurred between her and Robert. Stacy had told her Robert cheated on her before and that she was, "done with him". [REDACTED] supplied Your Affiant with copies of the emails exchanges between her and Robert and which she had forwarded to Stacy Feldman. Ms. [REDACTED] supplied Your Affiant with a copy of the AT&T Wireless Statement for her personal cellular telephone during the time period in which she had been involved with Robert Feldman. These records show an incoming telephone call from Stacy Feldman's cellular telephone number, [REDACTED] on Sunday, March 1<sup>st</sup>, 2015 at 8:52 am. Ms. [REDACTED] viewed an unmarked copy of a photograph from Colorado Driver License, number [REDACTED], issued to Robert Feldman, dob 03-09-1964. Ms. [REDACTED] identified this as the man known to her as Robert Wolfe, aka Robert Feldman who she met on Tinder and who she had been speaking about.

On June 15, 2015 Your Affiant personally spoke with Stacy Feldman's sister, [REDACTED] by telephone. Ms. [REDACTED] told Your Affiant that her [REDACTED] was told by Robert Feldman that he was waiting on a "large" life insurance settlement from American General Insurance on Stacy Feldman. Ms. [REDACTED] told Your Affiant the no family member she had spoken to were aware of the existence of a life insurance policy.

On July 15, 2015 Your Affiant personally spoke with [REDACTED] at American General Life Insurance, Huston, Texas. Ms. [REDACTED] confirmed their company had a life insurance policy on Stacy Feldman in the amount of \$750,000.00, that had been purchased in October 2010. A claim was filed in June 2015 and paid to Robert Feldman. She said they had no record of a policy on Robert Feldman.

On July 15, 2015 at 3:27 pm Your Affiant personally spoke with [REDACTED], the Director of the religious school a Temple Siani. Ms. [REDACTED] said she been the director of the school for six years. She said the day Stacy Feldman died there had been a carnival in the Temple. She said the religious school runs from 9:00 am until 12:00 noon Sundays. She said that Bob Feldman had dropped off the children for class that day. Ms. [REDACTED] said that when school is over, if parents haven't arrived by 12:15 pm to pick up their children, calls are made to the parents. The Feldman children had not been picked up, and she allowed Bob and Stacy's daughter, [REDACTED] to call her father from a temple phone. Ms. [REDACTED] said that after [REDACTED] got off the phone she told Ms. [REDACTED] that her father said they were going to the carnival and that he would be there shortly. By 12:30 pm Bob Feldman hadn't arrived. The children, [REDACTED] and [REDACTED] were getting nervous, so she took them into the carnival and got them some food. Ms. [REDACTED] said that when Bob had still not arrived by about 12:35-12:40 pm she called Bob's cellular telephone phone, the home phone and Stacy's cell phone from a Temple phone. She did not get any answers and left messages at all three phone numbers. At about 12:50 pm she called Bob's cell phone again from her personal cell phone. Bob answered and when she told him she still had the children, he said he thought they were going home with [REDACTED] a family friend and mother of another student. Ms. [REDACTED] said there had been no prior arrangements made for the

Feldman children to be picked up by someone else. Ms. [REDACTED] said Bob arrived at the temple around 1:05 pm. She said Bob was dressed in gym shorts, a sweater with tennis shoes and she recalled this as being a cold day. Ms. [REDACTED] described Bob as looking, "disheveled" and he told her he had just come for the gym. She said he seemed abrupt, not friendly, and talkative like he normally was. She said he took the children into the carnival and they stayed for about an hour. Ms. [REDACTED] said she had been in the carnival also and that Bob came over to her to later and thanked her for taking care of the children. Ms. [REDACTED] confirmed her personal cellular telephone number and telephone numbers assigned to the Temple.

On August 10, 2015 Your Affiant spoke with [REDACTED] by telephone. Ms. [REDACTED] is a neighbor and friend of the Feldman's and they and their children are also members of Temple Siani. Ms. [REDACTED] said that she had been texting with Stacy Feldman the day she died. She said they began texting around 9:30-10:00 am and there were possibly 2 or 3 texts back and forth. Stacy told her she was picking up her children at 12:00 pm and would meet [REDACTED] at the carnival. She said the last text was probably around 10:30-10:45 am. Ms. [REDACTED] said she picked up her children just a few minutes before noon. She saw Stacy and Bob's children there and told them their mom was coming to get them and she would see them at the carnival. Ms. [REDACTED] said she never saw Bob or Stacy at the carnival and that she left around 12:45 pm. She said she texted Stacy around 1:00 to see where she was and never heard from her. Ms. [REDACTED] said that if Bob had told the school director he thought his children were being picked up by [REDACTED] that it would have been her he was referring to, but there was never any plan or conversation about her picking up the children that day and she had planned to meet Stacy at the carnival. [REDACTED] supplied Your Affiant with a screen shot of the text messages between her and Stacy Feldman.

Your Affiant obtained call detail records for and Stacy Robert Feldman's cellular telephones by Search Warrant. Your Affiant met with Denver Police Department Intelligence Analyst Christopher Gray and reviewed the cellular telephone records. Your Affiant observed that the records for Robert Feldman's phone reflect numerous calls from the Temple and Ms. [REDACTED] phone to Robert Feldman's phone and that messages were left. Your Affiant observed that Stacy Feldman's phone records reflect a phone call to [REDACTED] phone number, communication with [REDACTED] phone and calls from the Temple.

On July 23, 2015 Your Affiant personally spoke with Doctor Frank at the Denver Office of the Medical Examiner. Doctor Frank told Your Affiant that Robert Feldman had contacted their office by telephone and asked that a letter be sent to AIG Insurance in reference to the policy on his wife, indicating there was nothing suspicious about her death.

Your Affiant is aware that calls maybe to the 911 system are electronically recorded. Your Affiant obtained and reviewed the 911 call made by Robert Feldman. Robert Feldman reports he found his wife and the shower and she is not breathing. The call taker requests information on the location and to confirm the phone number he is calling from. The noise of what sounds to be a toilet being flushed and possibly items being dropped can be heard in the background. The call taker instructs Robert Feldman in the performance CPR. Mr. Feldman confirms he is attempting CPR. Your Affiant did not note any obvious changes in respiration or other indicators that Mr. Feldman was performing CPR.

Your Affiant has reviewed the 911 call with fellow Homicide Detectives, all of whom believe the sound of a toilet flushing can be heard.

Your Affiant has received training in the analysis of 911 calls where the caller is suspected of being involved in a crime that is being reported. Your Affiant noted numerous actions and statements that could be considered, "guilty indicators" made by Mr. Feldman during the 911 call.

On June 24, 2016 at approximately 11:30 am Your Affiant and Detective Marty Smith went to Robert Feldman's residence, 3601 South Pontiac Way in an attempt to conduct a follow-up interview. On arrival the Detectives observed a Fedex delivery truck parked in front of the residence and a driver carrying a package to the front door. The Detectives drove past the residence to wait for the driver to leave. When the Detectives returned, and went to the door, no package was visible on the porch and or placed out of view close to the porch. There was no response to the working doorbell or knocks on the door. The Detectives returned to Denver Police Department Headquarter and shortly after, Your Affiant received a telephone call from Investigator Whitley with the Denver Office of the Medical Examiner. Investigator Whitley told Your Affiant that one of the clerks, [REDACTED] had received a call from Robert Feldman that date and he had asked if there had been any changes to the autopsy report.

On Tuesday, October 24, 2017 Your Affiant and Chief Deputy District Attorney Maggie Conboy met with Doctor [REDACTED], a nationally recognized expert in domestic violence related strangulation and suffocation injuries and Medical Director for [REDACTED]. Doctor [REDACTED] had previously reviewed the autopsy report on Stacy Feldman. Doctor [REDACTED] reviewed photographs of Stacy Feldman taken at the scene and during autopsy. Doctor [REDACTED] said based on this preliminary review, he believed that Stacy Feldman's cause of death was strangulation or suffocation and the manner would be homicide. Doctor [REDACTED] agreed to further review the autopsy and report and photographs and provide a written opinion on the cause and manner of death.

On December 22, 2017 Your Affiant received a written report from Doctor [REDACTED]. In his report Doctor [REDACTED] indicates that in his opinion is that Stacy Feldman died as a direct result of asphyxia and/or suffocation and that her injuries are the result of an assault, which included blunt force trauma, strangulation and suffocation. Doctor [REDACTED] noted numerous injuries, including bilateral scleral and conjunctival hemorrhages, venous congestion of the eyes bi-laterally, venous congestion of the face and neck, intraoral contusions and abrasion of the right lower lip, bilateral parietal subgaleal hemorrhages, bilateral occipital subgaleal hemorrhages, multiple areas of facial blunt force trauma and extensive contusions of the medial aspect of the upper extremities consistent with knee pressure being applied from a straddled assailant, to base his opinion on.

Based on the foregoing information, Your Affiant requests that a warrant be issued for **Robert Wayne FELDMAN, dob: 03-09-1964, a white male, 5'10", 200 pounds with black hair and green eyes, DPD number 744686, SSN [REDACTED], CO DL [REDACTED] SID 2436711, FBI 998040MA1, for one count of Murder in the First Degree, C.R.S. 18-3-102 (1) (a), a Class 1 Felony**

Pursuant to Rule 41 of the Colorado Revised Statutes, the Affiant listed herein has requested and received approval to have this Affidavit sealed from public release of the information herein contained due to the

**media coverage of this case, to assure that this case is not compromised, that witnesses mentioned in this warrant can be protected from any type of early reprisals, so that this investigation can continue.**

I affirm this information to be true and correct

\_\_\_\_\_  
Signature of Affiant

Subscribed under oath before me on

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Judge or Notary Public

My commission expires: \_\_\_\_\_