

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

I, Investigator Matthew Hanagan, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:

ALMEDA BETH SULLIVAN
DOB **[REDACTED]**

did commit the crime(s) of:

18-3-102(1)(d) Murder in the First Degree (F1)

on/or between 10/31/07 and 11/03/11, within Arapahoe County, Colorado, and as grounds therefore state as follows:

I am a law enforcement officer with the Arapahoe County Sheriff's Office (ACSO) currently assigned to the ACSO Impact Team and formerly assigned to the South Metro Drug Task Force (SMDTF). The following information was obtained by me personally and from the official records of the Arapahoe County Sheriff's Office, South Metro Drug Task Force and multiple other law enforcement agencies.

I am aware of the following information as it is contained in Arapahoe County Sheriff's Office Incident Report #CT11-35297, which was written by Arapahoe County Sheriff's Deputy Paula Benson #02022, and was subsequently read by me. Information taken from this report has been paraphrased by me.

I was initially assigned SMDTF case # 11-283, which is associated with ACSO case number CT11-35297, written by ACSO Deputy Paula Benson, concerning the death of

CARTER LEE HIGDON
DOB **2/02/90**

at

7250 East Bentley Circle
City of Centennial, Arapahoe County, Colorado

The reporting party and resident of this address was Almeda Beth Sullivan **[REDACTED]**

On 10/04/11, ACSO Lt. Kevin Heaton briefed me about this death investigation and informed me of the following information:

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While on scene during Higdon's death investigation, ACSO Criminalist Diane Cloyd recalled having responded to 7250 East Bentley Circle on a prior suspicious death investigation.

Deputies discovered that since early 2008 the following overdose deaths have been connected to Sullivan:

Carter Lee Higdon: 2/2/90 – 10/1/11 (21 years of age)
Sierra Renee Cochran: 11/15/88 – 1/13/08 (19 years of age)
Lindsey Jo Saidy: 2/5/80 – 2/8/08 (28 years of age)
Martynas "Tez" Simanskas: 1/15/88 – 2/8/08 (20 years of age)

ACSO Death Investigation Case for Carter Lee Higdon (21yrs old at time of death):

Date of discovery: 10/1/11

Location of death: 7250 East Bentley Circle, Centennial, Colorado (Sullivan's residence)

Cause of death: An autopsy was performed by Arapahoe County Coroner's Office Dr. Kelly Lear-Kaul, who estimated the time of death to be approximately 12-18 hours prior to the time of discovery. The initial toxicological analyses completed by the El Paso County Coroner's Office revealed elevated concentrations of Oxymorphone and alcohol, and the presence of Alprazolam (also known as Xanax), Trazodone, and marijuana. Based upon the results of the autopsy and the toxicological results, Dr. Lear-Kaul ruled that Higdon's death was a result of mixed drug toxicity.

Oxymorphone is a narcotic sold under the brand name Opana. It will hereon be listed as Opana in this affidavit. Based on my training and experience, and through consultation with doctors and review of medical reports in this case, Opana is an extremely potent narcotic and is highly lethal when crushed and snorted in order to defeat the drug's internal time-release safety mechanism. An overdose of Opana causes death through respiratory failure.

Initial on scene investigation: Upon arriving on scene, ACSO Deputy Paula Benson located Higdon's step-father, identified as James Donegan (██████████). James led Deputy Benson to the basement of the residence to a bedroom. Deputy Benson observed a male who she subsequently identified as Higdon laying in the bed, on his back, head turned to the right, and foam coming from his mouth.

Deputy Benson spoke to Sullivan, who was present on scene, and Sullivan indicated that Higdon is a long time friend. She picked him up on 9/30/11, at his request, because he was very depressed and needed someone to talk to. She and Higdon talked for a few hours and he told her he had been drinking at a bar, but did not appear to be intoxicated. They went to bed downstairs (Sullivan and Higdon) at about 0300 hours. Higdon fell

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asleep in Sullivan's bed and Sullivan slept on the couch next to the bed. Sullivan stated she woke up on 10/01/11, at approximately 0700 hours, to take her daughter to a track meet. She glanced at Higdon and he appeared to be okay and she did not see any foam coming out of his mouth. Higdon did not look pale and the covers were covering him. Sullivan left to drop her daughter off and returned to the house. Sullivan stated that at approximately 1300 hours, she went downstairs to wake Higdon, saw foam coming out of his mouth, and could not wake him. She called his mother, identified as Sara Donegan [REDACTED]. When Sara and James arrived at Sullivan's residence at about 1300 hours, they insisted Sullivan call 911. Deputy Benson asked Sullivan why she contacted Higdon's parents before 911. Sullivan stated she was unsure who she contacted first. On the 911 phone recording from 10/01/11, Sullivan can be heard saying, "I didn't give him anything" and that Higdon has a Xanax bottle in his pants pocket.

During the 911 call, Sullivan handed the phone to James to provide information to the 911 Operator.

Sullivan also reported to the initial responding Deputies that Higdon had drugs in his left front pants pocket. Investigators discovered his pants pockets contained a prescription bottle for Alprazolam (prescribed to Higdon), a short straw consistent with snorting prescription pills, a wallet, and other miscellaneous items.

During the original on-scene investigation, Sullivan told Deputy Benson and ACSO Investigator Johnnie Turnidge that she had left the house on the morning of Higdon's death to take her daughter, [REDACTED], to a track meet.

[REDACTED] disclosed during a subsequent Sungate interview that she had stayed the night with a friend, [REDACTED], the night preceding Higdon's death. [REDACTED] also stated Sullivan had never attended her track meet on 10/01/11. As a result of this information Investigator Dulmage and I contacted [REDACTED]'s mother, [REDACTED], on 5/22/13 who told me that on 10/1/11, she had been at Sullivan's residence at approximately 0730 hours and she spoke with Sullivan outside the residence. [REDACTED] recalled shortly after 1400 hours she received a call from Almeda's known number in which a female who identified herself as a friend of Sullivan's told her about a death in Sullivan's home and that Sullivan requested [REDACTED] continue to care for [REDACTED] until the investigation is completed. She also recalled Sullivan called her in the evening and told her that she (Sullivan) had discovered Higdon deceased in the residence at 1000 hours. Sullivan's phone records confirm phone calls between Sullivan's known number and [REDACTED] occurred at 1416 hours, 1715 hours and 1716 hours on 10/01/11. [REDACTED] also provided information that Sullivan did not attend the track meet and she, [REDACTED] took [REDACTED] and [REDACTED] to the track meet on the morning of 10/01/11.

Investigator Turnidge also interviewed Sullivan, who told him that on the day prior to Higdon's death (9/30/11), Higdon began calling Sullivan asking her to pick him up. Higdon sounded depressed, stated he didn't want to be alone, and would call every 20-30

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minutes asking if she was close. Sullivan's phone records confirm several phone calls between Higdon and Sullivan between 1256 hours and 1646 hours on 9/30/11.

When she picked him up, he asked her to take him to get some "H" (heroin), but Sullivan declined to take him to a drug dealer. Higdon said it was okay; he had some Xanax to take the edge off. When they arrived at Sullivan's residence, they spent time talking until they went to sleep at about 0300 hours. Higdon stated he did not want to be woken up early; he just wanted to sleep.

Sullivan stated that she left for her daughter's track meet at about 0700 hours and Higdon appeared to be sleeping and looked okay. She stated that when she returned from the track meet, she noted he still appeared to be okay. At about 1235 hours, she attempted to wake Higdon and noted he was not moving, was cold and had foam around his mouth. Sullivan called Sara Donegan using Higdon's cell phone at approximately 1247 hours, they arrived at the Sullivan residence and insisted Sullivan call the police at approximately 1300 hours. Sullivan stated she thought she called 911 from Higdon's phone. Higdon's phone was not located during the initial investigation and Sullivan stated she didn't know where it was.

On-scene investigators searched the residence and located a drinking glass and Mountain Dew can on the coffee table near the couch were Sullivan stated she had been sleeping. Both the glass and can were collected, as were samples of the liquids they contained. There were no items of drug paraphernalia located within the residence with the exception of the short straw in Higdon's pocket (which was collected by Coroner's Investigator Cherry Goodman). Additionally, there was no trash found in the residence or garage, with the exception of a Gatorade bottle and two napkins in the kitchen trash. The normal trash pick up day for this subdivision is Friday according to the Sturbridge Home Owner's Association. Higdon was discovered dead on Saturday afternoon.

The Mountain Dew can and drinking glass were processed for latent prints. Sullivan's fingerprints were developed on the Mountain Dew can and Higdon's fingerprints were developed on the drinking glass. The can, glass and short straw from Higdon's pocket were submitted to the Colorado Bureau of Investigation for DNA testing. DNA profiles from the short straw and the Mountain Dew can match a DNA profile developed from Sullivan. No other DNA profiles were developed on the straw or the Mountain Dew can to include that of Higdon. Chemical analyses revealed the presence of methamphetamine, Oxycodone and Oxymorphone on the short straw. There were no controlled substances found in the liquid samples.

Sara Donegan was interviewed by Investigator Turnidge and me on several occasions and informed us that Higdon had a history of depression and gastrointestinal problems. Higdon had been taking Dexilant (dexlansoprazole), Cymbalta (duloxetine), Abilify (aripiprazole), Lunesta (eszopiclone), Alprazolam, and Trazodone, and had a history of alcohol abuse, cocaine use and had a medical marijuana card. Donegan supported Higdon by paying his bills, but did not give him any money. Higdon was friends with Sullivan for some time and had met her when he went to school with Sullivan's daughter,

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[REDACTED]. Higdon had been arrested for DUI on two occasions and he was worried about his upcoming court dates because he was expecting to receive jail time. Donegan last spoke with Higdon on the morning of 9/30/11.

Donegan also stated that Higdon had a previous overdose in 2007 immediately after leaving Sullivan's residence. On 10/31/07, Higdon contacted Donegan and stated he was on his way home. A short time later, Donegan heard a vehicle crash near their home and found Higdon had crashed his vehicle into several neighbor vehicles. Donegan noted he was stumbling and slurring his words at this time. She took Higdon to Skyridge Medical Center emergency room where he was admitted and monitored for Soma overdose. When Donegan returned home she discovered a message from Sullivan advising she (Sullivan) had just given Higdon some Soma and that Donegan should take Higdon to the hospital.

Carisoprodol is a muscle relaxer sold under the brand name Soma and here and after will be referred to as Soma.

Donegan also detailed a telephone call she received from Higdon on or about 8/3/11 where Higdon begged Donegan to come get him, stating Sullivan was trying to kill him. Higdon later explained to Donegan he had been violently ill at Sullivan's residence and she refused to let him call for medical assistance claiming he would get in trouble. Donegan explained that Higdon told her Sullivan had an unidentified male come to the house and give him an unknown pill which caused his vomiting to stop. The next day, Higdon wrote a note to Donegan stating "no more talking to Ali [Almeda] or [REDACTED] no more contact with Ali [Almeda]".

I checked the SMDTF tip logs and located a tip in 2008 and a tip in 2009 regarding Sullivan's drug distribution activities. I was unable to locate historical information for the 2008 tip. The 2009 tip was a female who stated, in essence, that she used to attend Cherry Creek High School and got drugs from "Ally." She ("Ally") is still dealing drugs to kids at Cherry Creek High School.

On 4/3/09, SMDTF Agents completed a knock and talk at 7250 East Bentley Circle. During the investigation at the residence, Agent Gerson was given permission to complete a consent search of the residence and noted that there were large amounts of prescription medication in the correctly labeled bottles. During the search, a red pill crusher and several straws with a white powder residue inside were collected. At that time, Charles Sullivan ([REDACTED]), Sullivan's husband, advised Agent Gerson that the white powder was all from medications that are prescribed to him and that he crushes the pills to help them enter his system faster. Agent Gerson subsequently submitted the pill grinder to the Douglas County Sheriff's Office (DCSO) Crime Lab. The chemical testing results showed the presence of only cocaine, however there was a small amount of residue not sufficient to substantiate criminal charges.

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In October 2011, I received an e-mail from SMDTF Administrative Assistant, Julie Bilstein-Skowronski, indicating that an individual identified as [REDACTED] left a message on the SMDTF tip line requesting to talk to an Agent. I subsequently met with [REDACTED] and a second female identified as [REDACTED] who relayed the following in part:

They were both close friends of Higdon and were angry over his death. They were not surprised that Higdon died in Sullivan's house as she has been selling prescription pills to Higdon for years. Sullivan is addicted to prescription pills and sells them to everybody that she feels she has control over.

Based on the above information, I conducted multiple interviews and was able to locate two confidential informants to assist in my investigation (CI # 1033 and # 1035). The CI #1033 was identified as [REDACTED] and CI #1035 was identified as [REDACTED].

[REDACTED] and [REDACTED] completed two separate controlled purchases from Sullivan using standard controlled purchase procedures. During the first controlled purchase, Opana was purchased from Sullivan. During the second purchase Percocet and marijuana were purchased from Sullivan.

Based on information provided and follow-up investigation I filed SMDTF case # SM11-283 with the 18th Judicial District Attorney's Office in November of 2011. SM11-283 was accepted for prosecution.

On 10/5/11, I initiated a drug investigation and collected the abandoned trash that was placed outside of Sullivan's residence at 7250 East Bentley Circle. I turned the collected trash over to ACSO Sgt. John Sherrill who completed a subsequent inventory on 10/6/11, who discovered six empty prescription bottles with the following information:

- One bottle with label partially torn (around name and doctor) for Clindamycin HCL / antibiotic
- One bottle labeled Sullivan for Cephalexin 500 mg (Keflex) / antibiotic
- One bottle labeled Sullivan for Lamotrigine 100mg (Lamictal) / bi-polar disorder
- One bottle labeled Sullivan for Bupropion SR 150mg / anti-depressant
- One bottle labeled Sullivan for Opana ER 20mg / schedule 2 narcotic
- One bottle labeled [REDACTED] for Opana ER 40mg / schedule 2 narcotic

During one of the audio taped controlled purchases Sullivan tells [REDACTED] and [REDACTED] that on the night of 9/30/11 she stayed up with Higdon until 0300 hours and woke up at about 0730 hours to get [REDACTED] track uniform ready. Sullivan indicated that she checked on Higdon at that time and he appeared fine. Sullivan further stated she went back to bed and woke up to the doorbell ringing 1230 hours. Sullivan stated that she went to answer the door, bumped Higdon's leg and that's when she first realized he was probably dead. Sullivan described that the unidentified female friend of hers came down to the basement and verified that Higdon was dead before leaving the area.

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On 11/03/11 at about 1100 hours, I executed a search warrant at 7250 East Bentley Circle with the assistance of multiple members of the SMDTF and ACSO. Sullivan and [REDACTED] were both contacted within the home. Both were briefly detained in handcuffs and placed in separate patrol cars for officer safety while the residence was secured.

I briefly spoke to Sullivan, explaining the purpose of the search warrant. I did not ask Sullivan any questions regarding any crimes, but I did ask her if she would be willing to speak to me at ACSO Headquarters. Without any solicitation, Sullivan stated that she had never sold her pills to anyone and would be willing to speak with me if I allowed her to change her clothes. I arranged for ACSO Deputy Candace Nichols (female) to supervise Sullivan while she changed clothes in her residence and obtain some of her personal belongings. Sullivan asked me if she could say goodbye to [REDACTED] and I facilitated a brief conversation between them.

I again asked Sullivan if she was willing to speak with me. She asked, "Should I have an attorney if we're going to talk?" and continually stated that she did not want to go to jail. I told Sullivan that she was going to jail regardless of whether she spoke to me or not, it was her decision to have her attorney present, and these are decisions that she had to make for herself. Sullivan agreed to go to the ACSO Headquarters for an interview. She was transported by ACSO Deputy Michael Pacheco and escorted to an interview room in the Investigations Section.

ACSO Investigator Turnidge and I advised Sullivan of her Miranda rights using ACSO form (AC326 / "waiver of rights"). Sullivan acknowledged both verbally and in writing that she understood her rights and was willing to speak to me without the presence of an attorney. Sullivan subsequently told us the following, in part:

Sullivan stated that she doesn't take any drugs except for what is prescribed to her. She distributed her pills to several individuals in an effort to survive financially and she sold her pills on less than thirty occasions. "These kids" parents knew their kids were addicts and sent them to her. Sullivan also admitted to selling Higdon drugs in the past. She maintains on the day he died they were just talking and all he had consumed was one Xanax. Sullivan stated Higdon's mother had purchased pills from her for Higdon in the past. Sullivan stated she cared for Higdon and would never do anything to hurt him. I asked Sullivan who the unidentified female who came to the house and verified Higdon was deceased and she stated the female was [REDACTED]

I subsequently identified [REDACTED] to be [REDACTED]. [REDACTED] provided information that she was present on the morning of 10/1/11 that Higdon was found deceased and saw him dead in the basement before law enforcement arrived. [REDACTED] stated that she spoke to Sullivan by telephone on 9/30/11 and Sullivan stated that she was at a bar with Higdon and to call her the following morning 10/1/11. [REDACTED] went to Sullivan's house sometime around 1210 hours to obtain Opana pills that Sullivan owed her. She knocked on the door for several minutes. [REDACTED] then began calling Sullivan repeatedly from the front porch and she eventually answered after about five calls and sounded much different, almost frantic. Sullivan told her she would be right there but

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didn't come to the door for approximately fifteen minutes. [REDACTED] stated that Sullivan opened the front door and pulled her into the house and immediately picked up a cell phone in the kitchen. [REDACTED] stated that Sullivan used the cell phone to call Higdon's mother telling Donegan that she needed to come over because something was wrong with Higdon. Sullivan hung up the phone and asked [REDACTED] to go check on her friend in the basement only saying something was wrong with him. While walking down the basement stairs Sullivan said "I didn't do anything" and turned around and said "I don't know how he died". [REDACTED] responded with "he's dead?" Sullivan then stated "I don't know. I need you to check on him."

Once in the basement [REDACTED] stopped a few feet into the room and observed Higdon sitting up with pillows propped behind his head and shoulders. [REDACTED] described Higdon as lying on the right hand side of the bed, on top of the covers wearing shorts and a dark colored shirt. [REDACTED] described Higdon as having at least one sock and shoe on (unable to see the other foot). [REDACTED] described that there was a throw pillow on the left side of the mattress next to Higdon (near Higdon's head) and the sheets on that side of the bed appeared to have been slept in. [REDACTED] said that Higdon was blue in color, his head was leaning forward with his chin on his chest. He had a large amount of foam coming out of his mouth, hanging off of his chin, and onto his shirt. [REDACTED] felt that it was obvious that Higdon was dead and believed that his body position was unnatural, with his legs hanging off the bed. [REDACTED] described Sullivan walking to the left side of the bed and picking up her purse from the floor next to the bed before going to check on Higdon. [REDACTED] said Sullivan touched Higdon's leg and told her it was "stiff" and "cold". Sullivan began touching Higdon's chest putting her ear to it.

[REDACTED] said she told Sullivan "I gotta go" and Sullivan responded with "But I was sleeping on the couch" and "It's not my fault". Sullivan then walked over to one of the couches next to the bed, pointed to it, and said she had slept right there. [REDACTED] noted that there were no blankets or pillows on the couch and that the throw pillows were in perfect order as if no one had been on it.

[REDACTED] stated that Sullivan kept trying to get her to touch Higdon and she began to think that Sullivan was trying to involve her in Higdon's death. [REDACTED] turned around and went upstairs to leave, noting that Sullivan closely followed her. Once upstairs, Sullivan repeatedly tried to get [REDACTED] to take Higdon's cell phone with her from the house. [REDACTED] stated that Sullivan stood in the front doorway to the house and continually begged her (approximately 6 times) to take Higdon's phone which she believed was another attempt to involve her in Higdon's death.

The detailed specific information provided by [REDACTED] about the appearance of the crime scene and Higdon's body are different from the crime scene that was discovered by law enforcement.

Just prior to being transported to the Arapahoe County Detention Facility (ACDF), Sullivan asked to speak to me in private. Sullivan told me that she knew people who were moving large quantities of prescription pills and would help me out.

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The above statements only represent a portion of the interview.

Concurrently during the interview of Sullivan, multiple agents from SMDTF and deputies from ACSO completed a search of the residence at 7250 East Bentley Circle. The following relevant items were discovered at the residence:

- Pill bottle containing "Tetracycline" / 24 / 17.1 grams net
- Pill bottle containing "Lyrica" (pregabalin) / 120 / 21.5 grams net / schedule V
- Pill bottle containing "Bez" unknown pills that were found not to be controlled substances
- Pill bottle containing unknown pills that were found not to be controlled substances
- Pill bottle containing unknown pills that were found not to be controlled substances
- Two "Opana" pills "Oxycontin 80 mg" / 2 / .49 grams net / schedule II
- Seven pills / "Oxycontin 30 mg" / 7 / .7 grams net / schedule II
- Pill bottle containing "Opana" / 54 / 11.4 grams net / schedule II
- Pill bottle containing "Opana" / 54 / 12.8 grams net / schedule II
- Fifty-three pills / "Alzash" / 23 / no weight / unmarked pill bottle / schedule II
- An "owe" sheet and price per pill chart
- Two pills / "Promethazine" / 2 / .5 grams net

Oxycontin is a brand name of the narcotic oxycodone.

In addition, there were very large quantity empty prescription bottles and roughly 100 prescription information sheets found, many of which were for Opana. Other items were found to include straws commonly used in the snorting of pills and cocaine, grinders commonly used to crush pills for ingestion with needles or snorting, multiple doctor prescriptions for "Opana" (not filled).

I conducted interviews with several of Higdon's known friends and associates to include the following:

██████████ stated that Higdon hung out at Sullivan's residence "thousands of times" and that she personally saw Higdon overdose there at least three times.

██████████ stated he saw Higdon at Sullivan's house within a few days of his death, possibly the night before he died. ██████████ purchased pills from Higdon as a back up to Sullivan if she was out of pills. He noted Sullivan and Higdon's relationship was very touchy-feely and stated that they were always flirting and groping each other.

██████████ all revealed to me that Higdon used and/or bought drugs at Sullivan's house.

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██████████ provided information that she had observed Sullivan often trying to push people to the brink of what their bodies could physically handle for drug use and then would try to "bring them back". ██████████ stated that Sullivan knew Higdon did not have the "filter" or ability to say no to the amount of drugs that Sullivan was giving him. ██████████ further stated that Sullivan "obviously wasn't good at bringing people back". In addition, ██████████ stated that Sullivan's son ██████████ told her that he warned Higdon several months prior to Higdon's death to stay away from Sullivan and that she (Sullivan) was going to kill him (Higdon).

Based on the information that there had been other deaths relating to Sullivan and her distribution, I researched the following three deaths:

ACSO Death Investigation Case for Sierra Renee Cochran (19 yrs old at the time of her death):

Date of discovery: 1/13/08

Location of death: 7250 East Bentley Circle, City of Centennial, Colorado (Sullivan's house)

Cause of Death: An autopsy was performed by Arapahoe County Coroner's Office (ACCO) Coroner, Dr. Michael Dobersen, who estimated Sierra's time of death to be approximately 24-36 hours prior to the time of discovery. The initial toxicological analyses completed by the El Paso County Coroner's Office revealed acute intoxication due to the combined effects Cocaine, Oxycodone, Diazepam, and Nordiazepam. Based upon the results of the autopsy and the toxicological results, Dr. Dobersen ruled that Sierra's death was a result of mixed drug toxicity.

Subsequent specialized toxicological analyses completed by NMS Labs revealed the presence of Oxymorphone in Sierra's liver tissue.

Initial on scene investigation: Upon arriving on scene, ACSO Deputy Robert Bratsch spoke with Sullivan and learned Cochran had been found deceased in an upstairs bedroom bed by ██████████ after Sullivan requested she check on Cochran. ██████████ told Sullivan she thought Sierra was dead. ██████████ father (and Sullivan's ex-husband) ██████████ then checked on Sierra and called 911.

Sullivan told Deputy Bratsch that Cochran arrived at Sullivan's house on 1/11/08 at approximately 0600 – 0630 hours. Other than a short trip to the grocery store Friday night (1/11/08), Cochran was present in Sullivan's home until the time of her death (approximately 36 hours).

Following Cochran's death, Sullivan insisted that the only thing she knew Cochran took was Valium, Percocet, and possibly cocaine. Sullivan admitted to seeing Cochran ingest one pill, but also stated that she did not know Cochran to normally ingest pills; only crush and snort them. Sullivan admitted to having a cocaine addiction, but stated that she had

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been off of cocaine for 5-6 months. Sullivan stated she knew about Cochran's prescription pill addiction and that she had set Cochran up with her doctor to obtain prescription medications.

Percocet is the narcotic Oxycodone combined with acetaminophen.

Sullivan continued that on Saturday (1/12/08), she "peeked in" on Cochran at about 1100 - 1130 hours and Sierra looked ok. She saw "nothing odd-looking about her. Nothing coming out of her nose. No bruising. She looked fine." Sullivan did not leave the house from the time Cochran arrived until the time she was found dead.

During the on scene investigation, two empty prescription bottles for Oxycontin and Oxycodone with the listed patient as [REDACTED] and an address of [REDACTED] were found in the kitchen trash by ACSO Criminalist Diane Cloyd.

Based on my training and experience, I know that individuals who distribute prescription narcotics often use other people known as "runners" in an effort to obtain significant amounts of prescription pills that they wouldn't otherwise be able to obtain as they are not dispensed in large quantities to prevent abuse.

During ACSO Investigator Gregory's initial investigation, he spoke with Sullivan and she stated that she did not know how the [REDACTED] prescription bottles ended up in her trash. Investigator Gregory later responded to [REDACTED] in Centennial and spoke with [REDACTED] who denied having a prescription for the medication and referred Investigator Gregory to speak with his father, [REDACTED]. [REDACTED] stated that he had no idea how his prescription bottles could have ended up at Sullivan's house. He stated he has had a brief relationship with Sullivan, but didn't know Cochran.

Investigator Gregory repeatedly attempted to contact Sullivan for an additional interview regarding Cochran's death. On 2/4/08, Sullivan contacted Investigator Gregory and stated that she had heard Cochran had been doing heroin on Thursday 1/10/08, the night before she came over to Sullivan's house. She stated that she had heard this information from Cochran's friend, "Lindsey". Sullivan stated she didn't know Lindsey, but provided the phone number of [REDACTED].

On 2/20/08, Investigator Gregory attempted to contact "Lindsey", but received a message that the number was not valid. Investigator Gregory searched for [REDACTED] in the ACSO records system and determined that it was associated with Lindsey Jo Saily DOB 2/5/80.

Investigator Gregory discovered that Saily had been found deceased in her apartment on 2/12/08 and this death investigation was being handled by ACSO Investigator Scott Sickafoose. Investigator Gregory contacted Investigator Sickafoose and learned that Saily had a history of drug abuse, specifically prescription medications and cocaine. Saily had an older friend known only as "Ally" who may have supplied her with drugs.

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One of Saily's 19 year old friends lived with "Ally" and recently died of a drug overdose.

Investigators Gregory and Sickafoose both realized that "Ally" was in fact Sullivan, and made several attempts to interview her without success. Investigator Sickafoose noted that Sullivan continually failed to appear for interviews claiming that she had multiple doctor appointments and was unable to come in.

ACSO Death Investigation Case for Lindsey Jo Saily (28yrs old at time of death)

Date of discovery: 2/12/08.

Location of death: 9110 E. Arbor Circle Unit # F, Englewood, Colorado

Cause of death: An autopsy was performed by Arapahoe County Coroner's Office Dr. Kelly Lear-Kaul, who estimated the time of death 36-48 hours prior to discovery (late 2/10/08-early 2/11/08). The initial toxicological analyses completed by the El Paso County Coroner's Office revealed an acute Fluoxetine intoxication with a possible trace of Oxycodone. Based upon the results of the autopsy and the toxicological results, Dr. Lear-Kaul ruled that Saily's death was a result of acute Fluoxetine intoxication.

Fluoxetine is an antidepressant commonly known as Prozac.

Subsequent specialized toxicological analyses completed by NMS Labs revealed the presence of Oxymorphone in Saily's liver tissue.

Initial on scene investigation: Upon arriving on scene, ACSO Deputy Ronald Luton spoke with the reporting party/Saily's step-mother, Barbara Jean App [REDACTED] and Saily's father, Ronald Azize Saily [REDACTED].

App stated that she found Saily deceased, face down on her living room couch. App noted skin discoloration and purge around Saily's mouth and nose. She went to Saily's apartment after Ronald was unable to reach her. Saily returned from Tulsa, OK on 2/10/08 and her sister Natalie Lynn Fletcher [REDACTED] picked her up at Denver International Airport (DIA). While at DIA, Saily contacted Ronald on the phone and asked for \$60. Ronald agreed and concealed the money outside his residence in their normal hiding spot (the meter box).

On 5/2/08, Saily's Aunt Kathleen "Kathy" Saily [REDACTED] contacted Arapahoe County Coroner's Office Investigator Ivor Hansen. During the conversation, Kathy relayed concerns about the recent deaths of two of Saily's friends, Cochran and Martynas "Tez" Simanskas (DOB 1/15/88).

Kathy explained that Cochran and Simanskas had also recently died from drug overdoses who all had recent contact with Sullivan just prior to their deaths. Kathy also relayed that Sullivan had told her that Simanskas had died from a concoction of drugs. Kathy shared

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phone records from Saidu's cell phone that showed (5) phone calls between Saidu and Sullivan on 02/10/08 (1713, 1854, 1906, 2223, and 2224 hours) and a phone call to Ronald at about 1705 hours in which Saidu asked him for \$60.00. Kathy told Investigator Hansen that Saidu then drove to Sullivan's residence to deliver a present for Sullivan's daughter and borrow some video games and movies. Sullivan left a voicemail message on Saidu's cell phone 2/10/08 at 2224 hours asking if she was OK.

Kathy also told Investigator Hansen that Saidu's mother, Paulette Kay Tyma [REDACTED] had found three Tylenol with codeine, one Opana pill, and Styptic powder with Benzocaine when going through Saidu's belongings (Investigator Hansen identified the markings on the pills to determine what they were). Kathy was alarmed that Sullivan had requested the return of the movies and video games during Saidu's funeral. Ronald returned the movies and video games the day after the funeral, but Sullivan complained of one missing movie.

During my interview of Sullivan on 11/3/11, she stated that someone gave pills to Saidu the night she died, but it wasn't her. She further stated Saidu came to the house and she picked up pills, possibly from [REDACTED]. She was present when the pills were given to Saidu in a movie (CD) case. She doesn't remember what movie it was. \$60.00 would have gotten Saidu about (6) pills. She doesn't remember what the pills were. She called her and left the recording on Saidu's voicemail because Saidu brought flowers over and was upset about Sierra's death.

It should be noted that App, while unsure, thought perhaps she saw Saidu alive 2/11/08 at 0900 hours picking up the money from her house. Even App thought this was odd since Saidu was not known for being up early. Additionally, the coroner's time of death estimation would not be consistent with Saidu being alive at this date and time

Kathy indicated that Simanskas was found deceased on the same day (2/12/08) and that not only did Simanskas know Sullivan, but believed he was purchasing prescription pills from her.

ACSO Death Investigation Case for Martynas "Tez" Simanskas (20yrs old at time of death)

Date of discovery: 2/12/08

Location of death: 6697 S. Forest Way Unit # D, Centennial, Colorado (Austin Bonham's father's residence)

Cause of death: An autopsy was performed by Arapahoe County Coroner's Office Dr. Kelly Lear-Kaul, who estimated the time of death to be approximately 0-5 hours prior to the time of discovery. The initial toxicological analyses completed by the El Paso County Coroner's Office revealed mixed drug intoxication to include Oxycodone, Alprazolam, Benzoyllecgonine, and THC (marijuana). Based upon the results of the autopsy and the toxicological results, Dr. Lear-Kaul ruled that Simanskas' death was a result of

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complications of mixed drug intoxication to include Oxycodone, Alprazolam, Benzoyllecgonine, and THC (marijuana).

Of note, private toxicological analyses completed by NMS Labs upon the request of Simanskas' mother, Giedre Simanskiene [REDACTED] revealed the presence of Oxycodone, Oxymorphone, Alprazolam, Caffeine, Cotinine, THC, and Benzoyllecgonine.

Benzoyllecgonine is a metabolite of cocaine. Cotinine is a detoxification product of nicotine.

Upon arriving on scene, ACSO Deputy Brett Robson spoke with Austin Bonham [REDACTED] who stated that he and Jeremy Chase Volkman [REDACTED] were at the residence of Bonham's father and they located Simanskas deceased in the living room so they called 911. Friends and responding officers moved him to the floor and attempted CPR.

ACSO Investigators Richard Sheets and Jason Bacon responded to the scene and continued the investigation. They spoke with Volkman and Bonham and learned that they had been with Simanskas for approximately the last twelve hours of his life. Both Volkman and Bonham admitted that the three of them snorted multiple prescription drugs and marijuana throughout the evening the night before Simanskas' death. The drugs included Xanax, Oxycontin, and Opana.

The investigators learned that Volkman and Simanskas went to the Walmart located at E. County Line Road and S. Quebec Street at approximately 2200 hours and Simanskas purchased prescription pills, specifically Alprazolam, from an unknown individual. Volkman stated that he went inside the store before and during the drug deal and was unable to identify whom Simanskas made the purchase from.

On 2/21/08, Investigator Sheets responded to the residence of Simanskas' mother, Giedre Simanskiene for an interview. Simanskiene indicated to Investigator Sheets that she discovered prescription drugs in Simanskas' room weeks earlier and confronted him over it. During that confrontation, Simanskas admitted to selling the prescription drugs.

Simanskiene granted permission to Investigator Sheets to examine Simanskas' cell phone [REDACTED] and noted that Simanskas made a call to Sullivan's known number [REDACTED] on 2/11/08 at 1947 hours, the evening prior to his death. Investigator Sheets also noted that Sullivan made a call from her known number to Simanskas' phone at 2112 hours. Simanskas' cell phone records also indicate calls with Volkman's known phone number [REDACTED] at 2125 and 2137 hours.

Investigator Sheets subsequently contacted Sullivan. She denied knowing Simanskas and told the investigators that Simanskas must have been trying to contact her son, [REDACTED].

I noted that Sullivan's known phone number was saved in Simanskas' cell phone as "Ally" not [REDACTED].

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During an interview, Sullivan admitted she sold Simanskas unknown drugs the night of 2/11/08 (within 15 hours of his death) at her residence. Jeremy stated the drug deal occurred at Walmart but doesn't know with whom.

Prescription Drug Monitoring Program History:

During the course of this investigation I received information that Sullivan obtained excessive amounts of schedule II prescription pain pills from various sources including multiple doctors and various individuals to circumvent allowable prescription pill limits. I am aware based on my training and experience that a Prescription Drug Monitoring Program (PDMP) has been in existence in the state of Colorado since 7/1/07 and is designed to track individuals and doctors who obtain narcotics. I subsequently obtained production of records warrants for the Colorado Department of Regulatory Agencies (DORA). I obtained PDMP's for Sullivan, Higdon, Saigy, Simanskas, and Cochran. I confirmed none of the decedents were ever issued prescriptions for Opana. In addition, I confirmed Sullivan was receiving excessive amounts of schedule II narcotics, specifically Opana, from multiple doctors at the same time. Based on the PDMP records I determined Sullivan received the following controlled substance prescriptions:

- In 2007 (partial year) / 24 schedule II-V filled for a total of 2070 pills
- In 2008 / 45 schedule II-V filled for a total of 4084 pills
- In 2009 / 43 schedule II-V filled for a total of 4890 pills
- In 2010 / 47 schedule II-V filled for a total of 5430 pills
- In 2011 / 57 schedule II-V filled for a total of 5106 pills

In addition to the known prescriptions Sullivan had filled, [REDACTED] told me that he sold Sullivan approximately 120 schedule II pain pills a month for a five or six month period from the latter part of 2007 until Cochran's death in January of 2008 totaling approximately 700 additional pills.

I also determined Sullivan used the name of Danita Renee Evans to obtain schedule II prescription pills in January, February, and March of 2011 obtaining approximately 200 pills per month totaling approximately 600 additional pills.

Statements were made to me by [REDACTED] and [REDACTED] that Sullivan controlled Charles Sullivan's prescriptions and at times diverted those for her own personal benefit. I also determined that Sullivan had filled two rounds of prescription narcotics for Charles after his death in January and February of 2010 (SM12-393 / previously filed) obtaining an additional 420 schedule II controlled substances.

Lastly, I received information from [REDACTED] that according to Sullivan, one of Sullivan's doctors would provide her (Sullivan) with additional Opana pills for cash payments off the books.

During the course of reviewing the evidence items recovered during the search warrant (11/3/11) of Sullivan's residence, I learned that there were a number of names on the

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prescription sheets that are not Almeda Sullivan's. I ran several database checks on the names found ([REDACTED]) and determined their current locations. I learned that [REDACTED] was currently incarcerated in the Arapahoe County Detention Facility (ACDF).

I requested that SMDTF Agent Dan Johnson respond to the jail and interview [REDACTED]. On 11/26/11, SMDTF Agents Dan Johnson and Johnie Evans responded to the ACDF and identified [REDACTED] as Lisa Renee Greene ([REDACTED]).

Lisa told Agents Johnson and Evans the following in part:

She used to stay overnight at Sullivan's house at 7250 East Bentley Circle about one or two nights a week from 2009 to 2010 and Sullivan was like a second mother to her. Greene stated that she had kidney stones and was receiving about 90 Oxycodone 30mg pills a week from Dr. Javier in Englewood. Sullivan would drive her to Dr. Javier's office, then to the pharmacy to receive her Oxycodone pills. Dr. Javier got in trouble for some kind of bad practice. Sullivan would let her take a couple of pills. Sullivan would place a couple of pills in her mouth, and then she (Sullivan) would hold onto the pill bottle and only give her (Greene) pills when she thought she needed them. Sullivan would sell her pills to "white college preppy boys" out of the front door of her residence. Sullivan in turn would give her \$10.00 a pill from selling each pill. There have been a number of times that Sullivan would give her Oxycodone pills to take that would cause her to get so high that she would not remember anything, and thought she was going to overdose. Sullivan would also give Greene pills to take that were prescribed to her (Sullivan). Sullivan would not let her leave the house when she was high. Sullivan had Opana pills prescribed to her. It was not uncommon for Sullivan to call her doctor to get a prescription without having to go to an appointment. She has not spoken to Sullivan in over a year.

Additional relevant cases filed on Sullivan:

During our investigation, I learned from [REDACTED] that Sullivan had used a co-worker's name, [REDACTED], to fraudulently obtain prescription medications, specifically Opana. I subsequently identified and interviewed Danita Rene Evans [REDACTED] who confirmed that Sullivan did not have permission to fill prescriptions using her name. Based on information provided and follow-up investigation I filed SMDTF case # SM12-24 with the 18th Judicial District Attorney's Office in May of 2012. SM12-24 was accepted for prosecution.

During our investigation I received information from [REDACTED] that Sullivan had forged the last will and testament and insurance forms for Charles Sullivan after his death. Based on information provided and follow-up investigation I filed SMDTF case # SM12-318 with the 18th Judicial District Attorney's Office in September of 2012. SM12-318 was accepted for prosecution.

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During our investigation I discovered four schedule II prescriptions for Charles Sullivan that had been filled after his death (filled on 1/17/10 and 2/8/10). Based on information provided and follow-up investigation I filed SMDTF case # SM12-393 with the 18th Judicial District Attorney's Office in December of 2012. SM12-393 was accepted for prosecution and is available for reference (see full Affidavit for further).

Investigator Dulmage and I conducted numerous follow up interviews with individuals associated with Sullivan, the four decedents and/or the above listed cases. Below is a summary of the information we gained during these interviews:

Arapahoe County Coroner's Office Review:

On 4/15/13, I met with the Drs Dobersen and Lear-Kaul at the Arapahoe County Coroner's Office. During the meeting we discussed the autopsies and associated toxicology results for Cochran, Simanskas, Saidy, and Higdon. I learned that Oxymorphone was not part of the standard drug panel that was completed during the Cochran or Saidy death investigations. I determined that neither Cochran nor Saidy had been screened for the presence of Opana at the time of their deaths.

I learned that liver tissue samples were still being maintained for both Cochran and Saidy, and Opana testing was possible. I requested that those samples be analyzed for the presence of Oxymorphone.

On 4/26/13, I received lab analysis results from NMS labs that indicated the presence of Oxymorphone in Cochran's liver tissue, with a value of 1900 ng/g. I also received lab analysis results from NMS labs that indicated the presence of Oxymorphone in Saidy's liver tissue, with a value of 510 ng/g.

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As part of the investigation into the deaths of Carter Higdon, Sierra Cochran, Lindsay Saily, and Martynas Simanskas I consulted with forensic pathologists, physicians and Sarah Urfer, a forensic toxicologist. I learned that based on the known effects of Opana, the cause of death through respiratory failure as a result of mixed drug toxicity, and all other attendant circumstances, Opana was a significant and contributing factor in all four deaths.

Cherry Creek Schools / Employment

During the investigation into Sullivan I learned from multiple people that Sullivan was previously employed by the Cherry Creek School District. I subsequently subpoenaed Sullivan's employment records from the Cherry Creek School District and learned the following from known records and conversations with Cherry Creek Schools General Counsel Sonja McKenzie that Sullivan was employed with the school district from 09/29/2003 until 05/18/2005 as a bus driver and Para Educator.

Sullivan's Knowledge of Prior Deaths

During this investigation I learned from R [REDACTED]
M [REDACTED]
A [REDACTED]
S [REDACTED] and other witnesses that Sullivan was aware of each of the four deaths that occurred. From these witnesses it is unquestionable that Sullivan not only had knowledge of the deaths of Cochran, Simanskas, Saily, and Higdon, but the circumstances surrounding their deaths as well. The investigation showed Sierra Cochran died in Sullivan's residence and Sullivan was contacted during the initial investigation; Sullivan provided the name of Lindsey Saily to investigators and subsequently attended her funeral after she was discovered deceased; Sullivan initially lied to the police about knowing Simanskas then admitted to dealing to him, and Carter Higdon was also discovered deceased in Sullivan's residence after she notified his mother and then called 911. It is clear that Arapahoe County Sheriff's Office Investigators communicated with Sullivan shortly after each of the deaths. I also learned during my investigation that Sullivan inquired about the toxicology results for Cochran and Higdon shortly after their deaths.

Sullivan's Medical Education

Through records collected during the search warrant executed on 11/3/11 at Sullivan's residence and later confirmed through Jackson State Community College, I know that between roughly 1994 and 1998 Sullivan attended Jackson State Community College to earn an Associate of Applied Science in Respiratory Care and also attended Southern Illinois University where she apparently earned a Bachelor's degree in Health Care Administration.

I know through her transcripts and course description information obtained from Jackson State Community College that Sullivan received specialized training in Anatomy and Physiology, Pharmacology, Respiratory Care, Respiratory Pharmacology, Comprehensive Advanced Cardiac Life Support, and Cardiopulmonary Anatomy &

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Physiology. Sullivan also completed Clinical rotations as a part of her training and education.

I know based on my training and experience, and from having consulted expert forensic toxicologists and pharmacologists regarding the drug Opana in this case, that both Opana (Oxymorphone) and Oxycodone are schedule II controlled substances, and are illegal to possess in Colorado without a prescription. They are controlled because they have a high potential for abuse and abuse of the substance may lead to severe psychological or physical dependence. Opana is a time-released medication because it is so powerful a narcotic. Addicts who grind and snort the pills do so in order to defeat the built-in time release medication. Ingestion of Opana after defeating the time-release is extremely dangerous and can be lethal.

The investigation has revealed Almeda Sullivan distributed the drug Opana to Carter Higdon and many habitual drug users and that she instructed Carter Higdon - and the others to whom she dealt Opana - how to intentionally defeat the drug's internal safety mechanism causing it to be immediately intoxicating and extremely dangerous to ingest. The investigation shows that Almeda Sullivan knew of the fatal consequences of ingesting Opana through snorting the pills after grinding them.

Given all of the evidence yielded in the investigation about Sullivan's awareness and conduct from 2007 through the end of 2011, Almeda Sullivan's final act of supplying Opana to Carter Higdon on October 4th, 2011 following her involvement in the overdose deaths of three other young adults to whom she supplied Opana, and in light of her experience and knowledge from her training as a respiratory therapist, evidenced an attitude of universal malice manifesting extreme indifference, created a grave risk of death to anyone to whom she distributed Opana, and caused the death of Carter Higdon.

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Based on the above information, I respectfully request the court to issue an arrest warrant for Almeda Sullivan for the charge of Murder in the First Degree - Extreme Indifference for causing the death of Carter Higdon.

Therefore, this Affiant respectfully requests that an arrest warrant be issued for:

**ALMEDA BETH SULLIVAN
DOB: [REDACTED]**

did commit the crime(s) of:

18-3-102(1)(d) Murder in the First Degree (F1)

This Affiant has read the foregoing statement and the matters stated therein are true to the best of my knowledge and belief:

[Signature]
Matthew Hanagan, Affiant

SUBSCRIBED AND SWORN TO before me on Tuesday, July 02, 2013.

[Signature]
Notary Public

My Commission Expires:

**KRISTIN R. PEZANO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20014011155
MY COMMISSION EXPIRES APRIL 14, 2017**