

DISTRICT COURT, EL PASO COUNTY, COLORADO  
Court Address: 20 East Vermijo Street, Colorado Springs, CO 80903

FILED IN THE DISTRICT AND COUNTY COURTS OF EL PASO COUNTY, COLORADO

NOV 27 2009

M.V. PEHLY  
CLERK OF COURT

People of the State of Colorado  
VS.

Defendant: Aylais Clay Oliver

Defendant DOB: [REDACTED]

▲ COURT USE ONLY ▲

Case #: 09CR4491

Division #: 3

Courtroom #:

**INFORMATION FOR PRELIMINARY PROCEDURE**

The above named Defendant(s) was/were arrested on the 26th day of November, 2009.

On charges of:

18-3-102, 1<sup>st</sup> Degree Murder , a class 1 Felony

PC.  
[Signature]  
11/27/09

The following bonding information is to be considered by the Judge in setting bail on the Defendant(s).

Bond: No Bond

Agency case number 09-16048

[Signature]  
Signature of officer who furnished the above information  
Detective Ralph Losasso # 97027  
El Paso County Sheriff's Office  
Investigations Major Crimes Unit

**NOTE: IF MORE THAN ONE DEFENDANT WAS ARRESTED FOR THE SAME OR SIMILAR ACTS OR SERIES OF ACTS, THEY MUST BE INCLUDED ON THE SAME SHEET.**

## Affidavit of Probable Cause

Agency: El Paso County Sheriff's Office		Case Number: 09-16048	
Affiant: Detective Ralph Losasso		EID: 97027	
Location, El Paso County: 4030 Oberding Drive			
Victim Name: Keith Oliver	DOB: [REDACTED]	Sex: M	Race: B
Victim Name:	DOB:	Sex:	Race:
Victim Name:	DOB:	Sex:	Race:
Defendant Name: Aylais Clay Oliver		DOB: [REDACTED]	
Co-Defendant Name:		DOB:	
Co-Defendant Name:		DOB:	
Co-Defendant Name:		DOB:	

### Charges:

18-3-102, Murder in the first degree, class 1 Felony

### Factual Summary:

Your Affiant is **Detective Ralph Losasso**, a regularly employed Deputy Sheriff for the County of El Paso, State of Colorado and is currently assigned to the Investigations Division Major Crimes Unit of the El Paso County Sheriff's Office.

It was in this capacity that your Affiant had cause to investigate a murder involving a father identified as Aylais Oliver, DOB: [REDACTED] and his son identified as Keith Oliver, DOB: [REDACTED].

Your Affiant learned from Detective Mitch Cooper that on this day at approximately 3:25 p.m. deputies responded to 4030 Oberding Drive in reference to a shooting. Upon arrival deputies discovered the victim Keith Oliver deceased inside of the garage as a result of a single gun shot wound.

Your Affiant learned the suspect identified as Aylais Oliver had been arguing with his son Keith for most of the day in regards to doing chores. Your Affiant learned that at some point the mother identified as Marjorie Oliver, DOB: [REDACTED] had asked her son Keith to leave, however to no avail. Your Affiant was told the father Aylais went to retrieve a revolver and returned to the garage area where he shot his son Keith one time, killing him.

Deputy Karl Herndon contacted Aylais at his home. He was taken into custody. At that time Deputy Herndon stated that he noticed Aylais was breathing heavy and asked him if he was okay. Mr. Alyais responded that he had harmed his son. Deputy Herndon indicated that he was questioning him about his physical health and Alyais responded that he was okay.

Upon arrival at the Law Enforcement Bureau at 101 West Costilla, Alyais was taken to interview room three.

Detective Porter made contact with Alyais upon his arrival in the parking lot. Detective Porter asked Alyais if he needed soda, water, or something to drink and Alyais said no.

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Alyais did indicate he wished to use the restroom. Detective Porter conducted a standard and presumptive gun shot residue kit (isid2) prior to allowing Alyais to use the restroom so that if Alyais washed his hands, evidence would not be lost.

Alyais was advised of his rights under Miranda and agreed to speak with Detective Porter.

During that interview Alyais agreed that he had been arguing with his son, went up stairs and retrieved a Dan Wesson .357 revolver from a nightstand drawer, came downstairs, went into the garage, argued for maybe "5 words" and shot his son once holding the gun with his right hand.

Alyais said that he didn't remember how he held the gun. The bullets he used were ones that he reloaded himself.

He said that after he shot his son he went and sat down on the steps with the gun until his wife asked him to lay the gun down.

Alyais confirmed that he was "pissed" when he went to go get the gun.

Detective Porter asked Alyais about the statements made by his wife that she heard the victim say something in reference to trying to stand up like a man and then he, the suspect, was going to shoot him for it. Alyais agreed that the victim said something to this affect prior to being shot. He could not remember but did not believe he said anything to his son right before he shot him.

Detective Porter confirmed with Alyais that he was not under the influence of alcohol, was only on heart medication, was not receiving care for a psychiatric disorder, was not feeling paranoid or out of his right mind. Alyais indicated that he understood what happened and was not feeling suicidal or psychotic. Alyais indicated he did not suffer from any metal disorders.

Detective Porter confirmed that he Alyais was still working a daily job, had worked in a steel mill for many years, and also served in the military a number of years ago. He supported his family as well as paying the rent and car payment for this twin sons, one of whom is the victim in this case.

Based on the above described facts and admissions, Your Affiant respectfully moves this Honorable Court to find that probable cause does exist to support the arrest of **Aylais Clay Oliver, DOB: [REDACTED]**