

**IN THE MAGISTRATE COURT
COUNTY OF SANTA FE
STATE OF NEW MEXICO**

State of New Mexico

Plaintiff,

Vs.

Number M-49-SW-2021-00001
SFSO CASE #2021007949

IN THE MATTER TO THE ISSUANCE OF A
SEARCH WARRANT-IN REGARDS TO:

A WOODEN FIXED STRUCTURE, GRAY/BROWN IN COLOR WITH A PITCHED ROOF AND A CROSS ON THE ROOF. THE FRONT OF THE STRUCTURE FACES WEST AND HAS FOUR MEDIUM SIZE WINDOWS FACING NORTH, TWO MEDIUM SIZE WINDOWS AND ONE SMALL SIZE WINDOW FACING EAST AND FOUR MEDIUM SIZED WINDOWS FACING SOUTH. THE LOCATION IS IDENTIFIED AS 545 BONANZA CREEK ROAD, SANTA FE, NEW MEXICO 87508. THE GPS LOCATION IS IDENTIFIED AS N35.32.35, W106.5.52.

Defendant(s); Unknown

SEARCH WARRANT

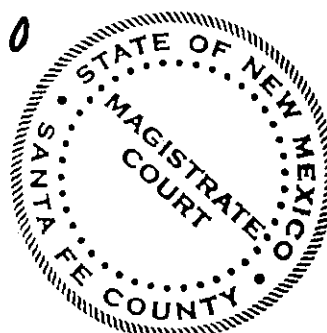
THE STATE OF NEW MEXICO TO ANY OFFICER AUTHORIZED, TO EXECUTE THIS WARRANT.

Proof of Affidavit for Search Warrant, having been submitted to me, I am Satisfied that there is probable cause that the person named or property described in The Affidavit is located where alleged in the Affidavit and I find that grounds exist for the issuance of the Search Warrant. A copy to the Affidavit is attached and made a part of this warrant.

YOUR ARE HEREBY COMMANDED to search forthwith the person of place described in the Affidavit between the hours of 6:00 a.m. and 10:00 p.m., unless I have specifically authorized a night-time search. For the person or property described in the Affidavit. Serving this warrant with a copy of the Affidavit, and making the search and if the person or property to be found there, to seize the person or the property and hold for safekeeping until further order of this court.

You are further directed to prepare a written inventory of any person of property seized. You are further directed to file the return and written inventory with the Court promptly after its execution.

OCT 22 2021 @ 0720
DATE



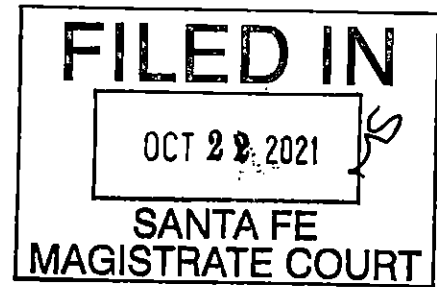

JUDGE

John A. Rysanek

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Defendant(s); Unknown

AFFIDAVIT FOR SEARCH WARRANT

Affiant, being duly sworn, upon his oath, states that I have reason to believe that on the following described premises.

Residence to be searched: A WOODEN FIXED STRUCTURE, GRAY/BROWN IN COLOR WITH A PITCHED ROOF AND A CROSS ON THE ROOF. THE FRONT OF THE STRUCTURE FACES WEST AND HAS FOUR MEDIUM SIZE WINDOWS FACING NORTH, TWO MEDIUM SIZE WINDOWS AND ONE SMALL SIZE WINDOW FACING EAST AND FOUR MEDIUM SIZED WINDOWS FACING SOUTH. THE LOCATION IS IDENTIFIED AS 545 BONANZA CREEK ROAD, SANTA FE, NEW MEXICO 87508. THE GPS LOCATION IS IDENTIFIED AS N35.32.35, W106.5.52.

And that the facts tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

Affiant is a full-time, certified peace officer in the State of New Mexico, currently commissioned and salaried by the Santa Fe County Sheriff's Office, where he serves as a detective within the Criminal Investigations Division of the Santa Fe County Sheriff's Office. Affiant has four years of law enforcement training and experience investigating criminal matters.

ITEM(S) TO BE SEIZED:

1. Photographs of the exterior and interior of structure
2. Video camera(s), video tape(s), DVD(s), DVR's that captures, documents and records any video. Video captured/recorded during the filming of the movie, "Rust."
3. All computer hardware equipment and connector cables, (including: central processing units, monitors, modems, routers, keyboards, printers, computer scanner equipment and or video transfer equipment and storage devices [including: external and internal hard drives, cell phones and PDA's capable of sending and receiving images and/or text messages, thumb drives, magnetic tapes, optical and digital storage devices, digital cameras, CD's, DVD's, memory cards, Micro SD Cards, iPods, iPads, all other computerized Tablets, X-Box, PSP players, floppy disks or other media capable of storing data].
4. Firearm(s), Firearm(s) components, documentation that establishes ownership of said firearm(s). Ammunition(s), used or unused whether it be live ammunition or prop ammunition, projectiles, casings whether spent or unspent.
5. All cameras, digital cameras, and film or memory cards used by cameras.
6. Clothing including but not limited to shirt(s), pant(s), hat(s), to include Old Western Style clothing worn by the actor/staff during the incident that may still be in the structure/building.

INVESTIGATION CONDUCTED:

On Thursday, October 21, 2021, Santa Fe County Sheriff's Office deputies were dispatched to 545 Bonanza Creek Road, Santa Fe, New Mexico, in reference to an incident regarding a "Gunshot Trauma," Santa Fe Regional Emergency Communications Center (SFRECC), advised a male was accidentally shot by a prop gun and it was unknown if it had been a live round used.

Upon arrival, Deputy Nicholas LeFleur, advised one female had been shot in the chest and one male was shot in shoulder area. The female was identified as Cinematographer (Halayna Hutchins) and she was transported via helicopter to the University of New Mexico Hospital (UNMH), located in Albuquerque, New Mexico, for further medical care. The male identified as Joel Souza (Director), who sustained a gunshot wound to the shoulder, was transported via ambulance to Christus St. Vincent Hospital, located in Santa Fe, New Mexico.

Upon arrival, Affiant learned, the location of the incident was inside of a structure located at 545 Bonanza Creek Road and the GPS location being N35.32.35, W106.5.52. Affiant learned the firearm used during the incident was secured by arriving deputies along with the ammunition.

During the filming of the movie, the Assistant Director (Dave Halls,) grabbed one of three "prop-guns" that was set-up by the Armorer (Hannah Gutierrez), which was on a cart. The cart is a gray in color rolling table with two layers and was left outside of the structure due to COVID19 restrictions. Affiant learned one of the prop-guns was then grabbed by the Assistant Director (Dave Halls) and he took it to the actor identified as Alec Baldwin who was inside of the structure. As the Assistant Director (Dave Halls) handed the gun to the Actor Alec Baldwin, (Dave Halls) yelled, "Cold Gun," indicating the prop-gun did not have any live rounds. The prop-gun was fired by the Actor Alec Baldwin, striking the Cinematographer identified as (Halayna Hutchins) and Joel Souza (Director) who was behind the Cinematographer (Halayna Hutchins).

Affiant later learned, the Assistant Director (Dave Halls) did not know live rounds were in the prop-gun, when he had given to the prop gun to the Actor Alec Baldwin.

Affiant learned what had happened to the prop-gun once it was fired. The prop-gun was handled by the Armorer identified as (Hannah Gutierrez) and given to the Assistant Director (Dave Halls). The Armorer (Hannah Gutierrez) was given the prop gun after it was fired by Actor Alec Baldwin, she then took the spent casing out of the prop-gun. When deputies arrived on scene, the prop-gun was handed to arriving deputies by Armorer (Hannah Gutierrez).

Affiant learned the Actor Alec Baldwin was wearing Old Western style clothing during the filming of the movie. Given the fact the Actor Alec Baldwin was wearing Old Western style clothing during the filming, he changed into "street clothes" prior to leaving the scene and the items were turned over to the Santa Fe County Sheriff's Office evidence Technician, these clothes appear to have blood stains. Santa Fe County Sheriff's Office Evidence Technician learned a western style coat was left inside of the structure. It

is important to gather any trace evidence, residue or biological specimens that might be related to the incident. Affiant learned the incident occurred in close proximity which can lead to transfer of evidence.

Affiant was informed the prop-gun was properly secured in a marked patrol unit along with other prop-ammunition. The grey in color two tier cart, contained a western style belt and additional prop-ammunition which was secured by responding deputies.

The Cinematographer (Halayna Hutchins), who sustained a gunshot wound to the chest area, was later pronounced deceased at UNMH.

Affiant is aware additional evidence might be located on the prop-gun used while the filming of the movie. Additional review will be required of the film captured during the scene as well as cameras, digital cameras, and film or memory cards used by cameras. Affiant learned a rehearsal was taking place and equipment for filming was at the scene. Due to filming equipment being at the scene, Affiant would like to confirm if the incident that took place was or wasn't recorded

Based on the aforementioned information and investigation, Affiant believes there are sufficient grounds sought for the issuance of a Search Warrant for the aforementioned structure, 545 Bonanza Creek, Santa Fe, New Mexico 87508 (GPS Location N35.32.35, W106.5.52.).

Affiant has not included every fact related to this investigation, but has included only those facts, Affiant believes are necessary to establish probable cause, for the issuance of a Search Warrant.

Affiant is aware through training and experience that before, during and/or after the commission crime(s) there is often transfer of evidence between suspect(s), victim(s), witness(es) and/or their environment. This evidence may not be visible to the naked eye.

Affiant is aware people involved in the commission of crime(s) often attempt to conceal, tamper with and/or dispose of evidence, including but not limited to the herein-described item(s), to be seized.

At this time it is unknown if any weapons are within the structure.

Affiant, respectfully requests the issuance of a search warrant regarding the aforementioned location. It is important to document the condition and/or location of items found at the scene and/or their context within the scene. Based on the foregoing information believes there is probable cause that items of evidentiary value may be identified within the home, which could corroborate or refute the statements that have been provided at this time.

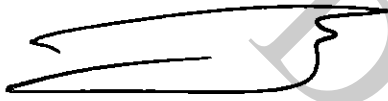
Joel cano

Name of Affiant: Det. Joel Cano
Santa Fe County Sheriff's Office

 #7242
Signature of Affiant

Detective / CID
Title of Affiant

Subscribed and sworn to or declared and affirmed to before me in the above-named county of the State of New Mexico this 22 day of October, 2021.


Judge, Notary or other officer
Authorized to Administer oaths.

Magistrate Judge

Official Title

Approved for legal sufficiency and format
By: ADA Kent Wahlquist
On: October 21, 2021