

Henderson Police Department

223 Lead St. Henderson, NV 89015

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Declaration of Arrest

DR# 1606377

FH# 16

Arrestee's Name: Kleynen, Brian Kenneth

Date of Arrest: 04/19/2016

Time of Arrest: 1707

Charge	Degree	NRS/HMC
KIDNAPPING, 1ST DEGREE	Felony	200.310.1
CONSP KIDNAPPING, 1ST DEGREE	Felony	200.310.1
CONSP ROBBERY	Felony	200.380
CONSP ROBBERY, E/DW,CG	Felony	200.380
ATT ROBBERY, E/DW	Felony	200.380

THE UNDERSIGNED MAKE THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I, WAYNE NICHOLS am a peace officer with the Henderson PD, Clark County, Nevada, being so employed since 08/02/2004. That I learned the following facts and circumstances which led me to believe that the above named subject committed (or was committing) the above offense/offenses at the location of [REDACTED] Nevada [REDACTED] and that the offense occurred at approximately [REDACTED] hours on [REDACTED].

Details of Probable Cause

On 4/12/16 at approximately 0021 hours, Henderson Police received a 911 call reference a vehicle that had just crashed into the residence of [REDACTED], NV. The vehicle would later be identified as a blue in color Nissan Altima bearing license plate [REDACTED].

Officer Wolff #1464 was first to arrive. As he walked towards [REDACTED], he observed a subject sitting on the curb, later to be identified as Brian Kleynen (DOB [REDACTED]).

Officer Wolff also observed a subject standing next to Kleynen who was wearing a holstered gun on his hip; for the purpose of this arrest report, he will be identified as Victim #1. Officer Wolff began to hear conversation between Victim #1 and Kleynen which included the mention of being kidnapped by two subjects who were still located within the crashed vehicle. It was then that Officer Wolff removed and secured Victim #1's holstered handgun. Kleynen and Victim #1 were then separated as additional officers arrived on scene.

Simultaneous to additional officers arriving, Henderson Fire Engine #81 arrived. Upon fire personnel checking the crashed Nissan, they discovered 2 subjects inside, both of who were unresponsive. Upon extracting the subjects to street, directly in front of 197 Trenier Dr., Engine #81 personnel confirmed both to be deceased. It also appeared that both subjects had gunshot wounds to their bodies. Both would later be identified as Lanard Wilson (DOB [REDACTED]) and Selvy Auston (DOB [REDACTED]).

It was then that numerous investigators from HPD responded to include I, Detective Nichols #1242.

Victim #1 was later interviewed at the Henderson Police Department. He stated on the evening hours of 4/11/16, he began receiving a series of calls and texts from his friend Kleynen. He stated that Kleynen implied it was of dire importance to meet that evening. Victim #1 stated that as he waited outside of his residence, he received a phone call from Kleynen who stated he was in the vehicle (the blue Nissan Altima), which had since pulled up to his residence. It was then that an unknown front passenger exited the vehicle, demanding that Victim #1 get inside the vehicle's backseat. The passenger was determined to be Selvy Auston.

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Details of Probable Cause (Continued)

Victim #1 stated that he initially refused. It was then that Victim #1 was shown his friend Kleynen, who was in the backseat with both of his hands zip-tied. According to Victim #1, during the course of the incident, Auston would also strike Kleynen (who was seated in the rear seat behind the driver) with a small baseball bat.

According to Victim #1, Auston also claimed to have a gun and made motions under his hooded sweatshirt giving the impression of having a firearm. Victim #1 stated that under duress and fear for his life that he got into the backseat. It was then that the driver, later determined to be Lanard Wilson drove away. While driving, Auston patted down Victim #1 for any weapons, during which time, he discovered Victim #1 had a folding knife in his front pocket. Although Auston took away his folding knife, unbeknownst to him, Victim #1 was also carrying a concealed handgun. According to Victim #1, his hands were then zip-tied to the passenger side headrest post by Auston, while his friend Kleynen was sitting next to him with his hands also zip-tied.

While driving, both Wilson and Auston began to ask Victim #1 about accessing the jewelry store that he worked for in Las Vegas. According to Victim #1, he has been a manager of a high-end jewelry store for the past several years. When Victim #1 explained that it would not be possible to access his jewelry store without keys, apparently both Auston and Wilson began to argue - as if unsure how to proceed.

According to Victim #1, it was then that the driver (Wilson) told him that they would be going back to Victim #1's residence to retrieve the store keys. As the driver began making his way back towards the residence, Victim #1 advised that he was in fear of his life and the lives of his family at home. He stated that he was able to break free from the zip-ties and grab his concealed firearm. He then fired upon the driver (Wilson), following which, the vehicle crashed into the aforementioned residence. Following which, he fired upon the passenger (Auston).

The Clark County Coroner's Office would later determine the cause of death for both to be from multiple gunshot wounds.

Brian Kleynen was also interviewed at the Henderson Police Department. During his interview with investigators, he initially claimed that he had been kidnapped from his residence in Las Vegas by Selvy Auston and Lanard Wilson. He stated that although he had invited Auston (described as an acquaintance) over to his apartment on 4/11/16, he was surprised when both Auston and Wilson arrived together.

Kleynen claimed that both told Auston and Wilson informed him that they were targeting Victim #1 because of being a jewelry store manager. According to Kleynen, both then forced him to send a text message to Victim #1, requesting to meet. After which, Kleynen claimed to have been zip-tied and forced into the backseat of an unknown vehicle.

Throughout the initial interview with Kleynen, investigators noted several inconsistencies with his account.

On 4/14/16 at approximately 1300 hours, myself and Detective Watford responded to Kleynen's apartment. Prior to beginning the interview, I advised Brian of his Miranda rights to which he stated he understood.

Brian subsequently admitted to having planned and staged his own kidnapping for the purpose of deceiving and robbing his friend, Victim #1. According to Kleynen, he and Auston had been planning the scheme for several weeks. But because Kleynen and Victim #1 were friends, it had to appear that Kleynen was truly being kidnapped (as well as being battered) to convince Victim #1 to comply.

According to Kleynen, the plan began to fall apart when Victim #1 was not as cooperative as they had expected. Kleynen

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Details of Probable Cause (Continued)

stated that Victim #1 had no prior knowledge of the plot and conceded that he would've felt his life was in danger under the circumstances.

It should also be noted that investigators have also reviewed text messages that were forensically recovered from his Kleynen's phone. Of which, support the conspiracy between Kleynen and Auston.

On 4/19/16 after conferring with the Clark County DA's Office, Brian Kleynen was arrested at his residence. He was transported to the Henderson Detention Center where he was charged with conspiracy to commit first degree kidnapping, first degree kidnapping, conspiracy to commit robbery, conspiracy to commit robbery with a deadly weapon, and attempted robbery with a deadly weapon.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

WAYNE NICHOLS

Declarant's Name