

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

STATE OF NEVADA)
_____))
_____))
_____))
Plaintiff,)
_____))
vs. NICOLE WILFINGER)
_____))
_____))
Defendant(s).)

Case No. 16F06868X
Dept. No. 5

MOTION FOR DISCLOSURE OF
NON-PUBLIC INFORMATION

DECLARATION

(1) PLEASE CHECK ONE OF THE FOLLOWING OPTIONS:

This Motion is being brought by:

- A member of the following media organization: KTNV
- The following criminal Defendant: _____
- An attorney for the following client: _____
- OTHER: _____

(2) PLEASE COMPLETE THE LINE BELOW:

Court staff has indicated that the following document(s) currently in the file are deemed to be presumptively non-public and confidential:

ARREST REPORT.

(3) PLEASE EXPLAIN WHY THE COURT SHOULD ALLOW ACCESS TO THE DOCUMENT(S) LISTED ABOVE :

(NOTE: If you need more space, please attach additional pages.)

WE REQUIRE THESE DOCUMENTS IN ORDER TO REPORT THE FACTS OF THE CASE FAIRLY AND COMPLETELY.

(4) PLEASE SIGN BELOW:

Under the penalty of perjury under the law of the State of Nevada, I swear or affirm that the above information is true and correct, and that the Court should allow access to the requested document(s).

Signature: Jerry D Date: 5/2/16

Phone Number: (702) 871-3345

ORDER

This matter will be set for hearing, and all parties will be notified. The hearing date will be at _____ M on the _____ day of _____, 20____.

The motion is denied as to the following documents _____
for the following reason(s):

The motion is granted as to the following documents CR + Arrest report

You may bring a copy of this order to the front counter to obtain the requested information.

OTHER: _____

DATED THIS _____ DAY OF _____, 20____

[Signature]
JUSTICE OF THE PEACE
CYNTHIA CRUZ

DNA REQ

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
TEMPORARY CUSTODY RECORD

I.D. #: 1031252 Event #: 1604-02604

Page 1 of 1 Date of Arrest: 4/29/16 TIME OF ARREST: 0955 I.D. ESTAB. BY: _____

INTAKE NAME (AKA, ALIAS, ETC.) Last: Wilfinger First: Nicole Middle: S TRUE NAME Last: Wilfinger First: Nicole Middle: S

ADDRESS NUMBER & STREET: [REDACTED] BLDG./APT. #: [REDACTED] CITY: NLV STATE: NV ZIP: [REDACTED]


DATE OF BIRTH: 12-9-78 RACE: W SEX: F HEIGHT: 5'6" WEIGHT: 300 HAIR: Brn EYES: Hcz SOCIAL SECURITY #: [REDACTED] Speak English? Yes No PLACE OF BIRTH: Denver, CO

LOCATION OF CRIME #, Street, City, State, Zip: LV, NV [REDACTED] Citizen Arrest: Y N LOCATION OF ARREST: [REDACTED] Sector/Beat: [REDACTED] PCN #: [REDACTED]

BKG. CODE	CHARGE ORD / NRS #	M	GM	F	ARR TYPE*	EVENT NUMBER	WARR / NCIC NUMBER	COURT				
								LV	JC	DC	OTHER	
<u>5015</u>	<u>Sex Act, Adult Sch Seduction</u> <i>by 265.012 at \$5,000.00</i> <u>200.308</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC</u>	<u>S/A</u>	<u>16F06868X</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>51008</u>	<u>Sex Act, Adult Sch Emp w/ pupil</u> <i>14-15 \$5,000</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC</u>		<u>LS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>51061</u>	<u>Sex Act, Adult Sch Emp w/ pupil</u> <i>16-17 \$5,000</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC</u>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>5877</u>	<u>Lewdness w/ Child</u> <i>201.230.5 \$10,000</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC</u>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ARREST TYPE: PC - PROBABLE CAUSE BS - BONDSMAN SURRENDER BW - BENCH WARRANT WA - WARRANT RM - REMAND GJI - GRAND JURY IND.

PC16F06868X
PCAP
Probable Cause Arrest Documents
6455308



Arresting Officer's Signature: [Signature] (Print Name) G. H. P. N. E. 243 P # 5110 Agency CCAPD

Transferring Officer's Signature: [Signature] (Print Name) C. FARNEY P # 5110 Agency CCAPD

APPROVAL CONTROL # FOR ADDITIONAL CHARGES: _____

Time Stamp at BOOKING: 04:29:16 1834 16SDRE

FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.

BENCH WARRANT SERVED ON 4/29/16

WARRANT SERVED ON 4/29/16

GRAND JURY INDICTMENT SERVED ON 2016 APR 29 P 9 29

TYPE OF I.D. FOR VERIFICATION: CONFIDENTIAL

FIRST APPEARANCE: DATE: 4/30/16 TIME: 1PM

COURT: STANDARD BAIL O.R. RELEASE

JUSTICE MUNICIPAL PROBABLE CAUSE

JUVENILE IAD.

JUDGE: [Signature]

PD
I.N
E14
No Hit

CLARK COUNTY SCHOOL DISTRICT POLICE DEPARTMENT
DECLARATION OF ARREST

ID#: 7031252

EVENT: 1604-02604

TRUE NAME: Nicole Wilfinger	DATE OF ARREST: 4/28/2016	TIME OF ARREST: 0955
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OTHER CHARGES RECOMMENDED FOR CONSIDERATION:
Kidnapping

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with the CLARK COUNTY SCHOOL DISTRICT Police Department, Clark County, Nevada, being so employed for a period of 17 years.

That I learned the following facts and circumstances which lead me to believe that Nicole Wilfinger committed (or was committing) the offense of Statutory Sexual Seduction, Lewdness with minor under 16, sexual conduct w/ student at the location of [REDACTED], LV, NV, [REDACTED]

That the offense(s) occurred at approximately unknown time, 23rd day of March.

On 4/22/2016 I received this suspicious circumstances case referencing a teacher at [REDACTED] Middle School, Nicole Wilfinger (DOB [REDACTED]) and a former student that attends [REDACTED] HS, [REDACTED] (DOB [REDACTED]). The Principal at [REDACTED] reported that he had information involving suspicious conversations on social media that occurred between [REDACTED] and Wilfinger. (See initial report)

On 4/27/2016 at approximately 1000 hours, Detective M. Caldwell P#368 and I went to [REDACTED] residence at [REDACTED] Las Vegas, NV, [REDACTED]. Upon arrival to the residence we met with [REDACTED] step father, [REDACTED]. I advised [REDACTED] that we were investigating a report of a possible inappropriate relationship between [REDACTED] and a teacher, Nicole Wilfinger who teaches at [REDACTED] MS.

[REDACTED] said that Wilfinger was a friend of the family and that [REDACTED] assisted her with the [REDACTED] soccer club. [REDACTED] said that Wilfinger had also been at their house for dinner on numerous occasions. Wilfinger also babysits for their seven year old daughter and they also baby sit for her seven year old daughter. [REDACTED] said that he has accompanied them to the movie theater with the seven year old girls on occasion. [REDACTED] said that he felt nothing inappropriate was occurring between Wilfinger and [REDACTED] she was just a close family friend. [REDACTED] said we could talk with [REDACTED] at [REDACTED] HS.

On 4/27/2016 at approximately 1100 hours, Detective M. Caldwell P#368 and I went to [REDACTED] High School to meet with [REDACTED]. [REDACTED] agreed to a recorded interview in reference to his relationship with Wilfinger. [REDACTED] said that Wilfinger was a family friend. Wilfinger became friends with his family about a year ago when he was on the soccer team at [REDACTED] where Wilfinger was his coach for two years. I asked [REDACTED] if he had been asked to leave the [REDACTED] campus by the principal. [REDACTED] said; yes he was in Wilfinger's room waiting for her to go to a soccer game, the principal told him that former students were not allowed on campus. [REDACTED] went outside to wait for Wilfinger by her car.

[REDACTED] was asked why he was at [REDACTED] [REDACTED] said that he was Wilfinger's assistant soccer coach. [REDACTED] was asked if he was ever in Wilfinger's car. [REDACTED] said that he had been in the car; Wilfinger drops him off at his parents' house after soccer, and will sometimes pick him up in the morning and drive him to school.

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Detective Caldwell asked [REDACTED] if he had any text messages from Wilfinger on his phone; [REDACTED] said he did. Caldwell asked how Wilfinger was listed in his phone as a contact. [REDACTED] said Wilfinger was listed as "Best friend." Caldwell asked [REDACTED] if he could look at the messages; [REDACTED] said he could. [REDACTED] gave Caldwell his phone, Caldwell asked [REDACTED] if he messaged Wilfinger other than text messages; [REDACTED] said they used "snap chat" and "Instagram." [REDACTED] said that he would call her if he needed to talk to her because he did not like texting. [REDACTED] said that he would call her about three times a week.

Caldwell asked [REDACTED] if I could see his phone, he handed Caldwell a Samsung phone model Sm-G530T, serial number [REDACTED]. Caldwell started looking through the text messages on [REDACTED] phone, [REDACTED] said he did not feel comfortable letting him do that. Caldwell contacted [REDACTED] mother, [REDACTED] by phone and explained the circumstances of the case and that that he would like to do a forensic exam of [REDACTED] phone. [REDACTED] said she was the owner of the phone and gave Caldwell her verbal consent to search the phone.

Caldwell began to manually search the contents of [REDACTED] phone, he asked how Nicole's name was saved, [REDACTED] replied as best friend. Caldwell read the messages between [REDACTED] and the contact "best friend" which had the following phone number associated to it [REDACTED]. The messages occurred at odd hours, late at night and early in the morning. The messages also contained profanity.

Due to the fact [REDACTED] phone was an Android device, and Caldwell through previous experience with Lantern had experienced difficulty in extracting data, he asked for [REDACTED] mother's consent to bring the phone to Police services for a forensic extraction, by use of Cellebrite.

[REDACTED] was asked about the Instagram messages from the initial report showing selfies of him and Wilfinger calling each other BFF's. [REDACTED] said that he and the other soccer players call each other BFF's and tell each other they love each other. The photographs were taken at different events to include a movie theater where [REDACTED] father was also with them in the theater, according to [REDACTED].

[REDACTED] said that Wilfinger was just a close family friend and he did not see her as a teacher or a soccer coach. [REDACTED] said he thinks of her like an aunt. He said that he felt sorry for her because she had a medical issue and it breaks his heart that she is going through it.

I asked what kind of relationship he had with Wilfinger's husband, [REDACTED] said that he would pick him up and drop him off when he babysat their daughter. Caldwell asked [REDACTED] what was meant by the message to him from Wilfinger that said; don't call me because [REDACTED] is on his way home. [REDACTED] said that he didn't know why she would say that.

On 4/27/2016 at approximately 1230 hours, Detective M. Caldwell and I met with the Principal at [REDACTED] MS, [REDACTED] in reference to [REDACTED] being the assistant soccer coach for the [REDACTED] soccer team. [REDACTED] said that there was no assistant soccer coach position; he didn't know that Wilfinger had [REDACTED] helping her with soccer.

On 4/27/2016 at approximately 1235 hours, Detective M. Caldwell and I met with Nicole Wilfinger at [REDACTED] MS. Wilfinger was told that she was not under arrest, she was free to leave at any time and can stop answering questions at any time. Wilfinger said she understood and would talk to us about the student seen in her car. Wilfinger said that she knew of the incident and that student was a former [REDACTED] student, [REDACTED].

Wilfinger said that [REDACTED] was a family friend and that she was babysitting at his house last night for [REDACTED] father. [REDACTED] and his cousin currently play on her club soccer team and also played for her when they attended [REDACTED]. Wilfinger said that on occasion she would have former students that are on her club team in

CLARK COUNTY SCHOOL DISTRICT POLICE DEPARTMENT
CONTINUATION REPORT

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her car going to their soccer games; they were not current students at [REDACTED] and had their parents' permission.

I asked Wilfinger about her relationship with [REDACTED] Wilfinger said that [REDACTED] is like her son, he babysits her daughter, [REDACTED] mother and her are friends and they are just family friends.

Caldwell asked if she had text messages in her phone from [REDACTED] Wilfinger said that she didn't because she deletes all her messages. Wilfinger said that she did call [REDACTED] because she would take him to school in the morning. Wilfinger said that she and [REDACTED] talked on the phone a lot about soccer. Caldwell asked Wilfinger if he could see her phone, she handed him her iPhone Model number MG4W2, serial number [REDACTED] Caldwell asked if he could look through her phone she said yes and bypassed the locked security screen with her thumb print.

Caldwell asked Wilfinger if she knew her password, she replied no I forgot it a while ago. Caldwell asked if she could guess what it may be, she stated [REDACTED] Caldwell asked Wilfinger if he could search her phone by way of Forensic software, she after some thought said yes and signed a consent to search form for the Apple iPhone 64gb. Caldwell completed a forensic analysis of Wilfinger's phone by way of Lantern 4.5.6.. Wilfinger gave him permission to do the exam.

Wilfinger was wearing a bracelet made of string and plastic block letters "BFF," [REDACTED] had a matching bracelet on when he was interviewed that day. Wilfinger said that the bracelet was given to her by her daughter.

Caldwell told Wilfinger that the exam would take about forty five minutes to complete and she did not have to stay and wait if she needed to go. Wilfinger said that she would wait; she did leave to speak with someone in the main office at one point. Upon completion of the exam, Caldwell returned the iPhone to Wilfinger and told her he would review the information.

Wilfinger was asked if there is going to be we should know about when reviewing the report. Wilfinger said; no.

On 4/27/2016 at approximately 1515 hours, [REDACTED] father, [REDACTED] called to ask if there was any information about the case. I told him that the reports were being reviewed at that time and I would call him with any information.

On 4/27/2016 upon returning to Police Services Caldwell, with the assistance of Troy Cox, attempted to extract the data from [REDACTED] phone by use of Cellebrite. Cellebrite had difficulty recognizing the phone and yielded less information than anticipated. Caldwell then connected [REDACTED] phone to Lantern 4.5.6 and recovered the following information that was relevant to my investigation:

Approximately 317 phone calls between [REDACTED] and Wilfinger.
Approximately 30 images of Wilfinger.
Approximately 566 text messages between [REDACTED] and Wilfinger.

It should be noted further analysis of the data collected will need to be completed at a later time.

Later that same day Caldwell reviewed the data that was collected by Lantern and found the following information that was relevant to my investigation from Wilfinger's phone:

[REDACTED] phone number [REDACTED] saved under the contact [REDACTED] with a photograph of [REDACTED] The contact was created on 1/23/15. It also had his birthday listed as [REDACTED]
Approximately 1972 phone calls exchanged between Wilfinger and [REDACTED]
Approximately 6 voicemails left by [REDACTED]
Two notes, in the note section, one titled "Journal" and the other "BF rules"

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19 videos.

Approximately 156 text messages that were deleted and recovered, it should be noted further analysis will have to be completed to attribute the messages to [REDACTED]

Approximately 325 images of [REDACTED]

It should be noted further analysis of the data collected will need to be completed at a later time.

While reviewing the above information I read the note titled Journal, this entry provided a chronological history of Wilfinger's relationship with [REDACTED] a copy of which is added to this report below.

Journal 04/23/2016 12:53:28 PDT

Journal

- April 17th - first time hanging out outside of soccer - Yogurtland
- May 22 - first time talking and friendship changed forever
- May 31 - first time he said "I love you" - on PrimeTime
- June 2 - first time hanging out alone - Canes
- June 4 - first time coming to him in a crisis
- June 17 - first time calling him my BFF
- June 18 - first time spending day together - [REDACTED]
- June 23 - first time we changed our Instagram bios
- June 25 - first time he came to my house
- June 27 - first time hanging out with the family - baseball game
- June 29 - first time falling asleep together - on my shoulder
- June 30 - first time cuddling on the couch
- June 31 - first time he kissed me - on my bed
- July 3 - first time making out and went to the movies alone
- July 4 - first time I knew I was in love with him
- July 8 - first time he said he was in love with me
- July 10 - first time I was covered in salty glue
- July 11 - first time we had sex
- July 17 - first time he called me baby
- August 10 - first time he kissed me in my classroom
- September 19 - first time going to concert
- October 31 - first time going to his house
- November 4 - first time having make-up sex
- March 23 - first time having sex in his bed
- March 24 - first time he called me his princess
- March 28 - first time staying up all night on the phone
- April 2 - first time watching el Classico together
- April 2 - first time someone called him my boyfriend
- April 4 - first time he was a cowboy for me

Caldwell will complete a more thorough secondary analysis of the data collected at a later time. A copy of the original case file pertaining to the aforementioned devices will be booked into evidence.

On 4/28/2016 at approximately 1250 hours, Detective Caldwell and I went to [REDACTED] HS to meet with [REDACTED] in reference to the Lantern cell phone reports. I contacted [REDACTED] father [REDACTED] by phone and told him I needed to speak with [REDACTED] at [REDACTED] HS about messages recovered from the cell phones. [REDACTED] gave permission to speak with [REDACTED]

[REDACTED] was asked if there was anything he wanted to add about relationship with Wilfinger, [REDACTED] said; no. Caldwell asked [REDACTED] about the information found on Wilfinger's phone. [REDACTED] said that he wouldn't know what he found in the text messages. [REDACTED] was asked about the BFF bracelet he was wearing. [REDACTED] said he and Nicole (Wilfinger) got them together. Caldwell asked about the list of rules for a boyfriend that was sent to him by Wilfinger. Caldwell showed [REDACTED] the snap chat photo with the list. [REDACTED] said that Wilfinger sent him that because of a girl he liked at school.

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Caldwell asked him if he had seen Wilfinger during the months of June or July, [REDACTED] was hesitant on answering. [REDACTED] said that he felt we already knew what had happened but he didn't want it to get out in the open. He was concerned about people at school finding out about what happened. [REDACTED] said that he didn't remember any dates that things happened.

[REDACTED] said that he was at Wilfinger's house one day over the summer and he was on the couch with her, he reached for something and kissed her on the lips. [REDACTED] said it was his fault that he kissed her. On another day he said he and Wilfinger had sexual intercourse at Wilfinger's house, it was the first time he had sex.

[REDACTED] was asked to describe what sexual intercourse meant to him. [REDACTED] said it was putting his penis in her vagina.

[REDACTED] said that there was a second time they had sex, it was at his house in his bedroom. [REDACTED] was asked how that happened. [REDACTED] said it started with a kiss, he started rubbing on her arm, he took off his clothes and he put his penis in her vagina and they had sex.

[REDACTED] said that he and Wilfinger had sex a third time but could not remember where or when that happened but he knew that it was more than three times.

[REDACTED] said that the things that happened between him and Wilfinger were just in the moment, they were not planned. [REDACTED] said that Wilfinger did not force him to do anything.

The principal at [REDACTED] told me on 4/27/2016 that Wilfinger requested approval from the school to bring [REDACTED] to school on bring your child to work day on 4/28/2016. [REDACTED] confirmed that he was going to go with her to school until this happened. The school denied the request when Wilfinger submitted it.

On 4/29/2016 at approximately 0955 hours, Detective R. Troxell P#373 and Detective J. Bernosky P#276 went to Wilfinger's residence at [REDACTED] Las Vegas, NV, [REDACTED]. They made contact with Wilfinger and placed her under arrest. Wilfinger was transported to the CCSDPD main station for further questioning.

On 4/29/2016 at approximately 1055 hours, Detective Caldwell and I met with [REDACTED] in the interview room at the main station. I read Wilfinger her Miranda warning, Wilfinger initially said that she did not wish to talk to us about the incident; she was not sure what to do. Caldwell explained that we wanted her side of the incident. Wilfinger then agreed to talk to us.

Wilfinger stated she met [REDACTED] in 2014 when he was in 7th grade in soccer. She stated it was obvious that the friendship had gotten past the point where it couldn't be taken back. Caldwell asked what she meant by the friendship have got past the point; she stated it just happened in the moment, it wasn't planned, it wasn't thought out. She stated it didn't make sense in her head then, but it makes sense now.

She said she they got to close and comfortable. They were friends and family friends and she let it get out of hand. Wilfinger stated they were friends for 2 years and he played soccer for her, therefore they were together all the time then he started coaching with her. She stated once or twice it went too far, meaning there was kissing and other stuff involved. The first time it happened was last summer when they went swimming at her house. They went back to her house to watch movies which led to cuddling and kissing. [REDACTED] starting kissing Wilfinger on her arm and it moved to the lips which led to making out. Wilfinger was asked to describe making out; kissing with mouth open. She stated nothing happened after that.

Wilfinger stated the next time was pretty much the same by starting off friendly and intensify with emotions. She stated she didn't remember that day because it was a long time ago. Wilfinger stated they had intimate relations which meant they had sex last summer. She was asked to describe that day; she said they would

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swim and then go back to her house. Wilfinger stated they were in the moment which meant they were kissing and it led to intercourse. She said they were in the living room on the couch and goes to the guest bedroom. She was dressed in a skirt and tank top over a swimsuit and he had on swim trunks.

She explained that sex was [REDACTED] penis was in her vagina. She was asked if [REDACTED] had on a condom; she replied "Not that I knew of." She was asked if [REDACTED] ejaculated; she said she didn't know but if he did it would have been on the bed. Wilfinger stated afterwards she couldn't believe it happened and was thinking how we got to this place and she felt like she was stuck and not knowing how to continue. She stated they stayed away from one another and only did soccer stuff together.

The second time was emotional because they were apart for some time. She stated it was recently but didn't remember the exact date. She said it was after a soccer game in the back of her car (minivan) and she had on a skirt, but didn't remember what [REDACTED] was wearing. Wilfinger was asked to explain that day; she said [REDACTED] grabbed her and started kissing her and it led to that. She stated she got out of the van to get in the back and he climbed over the seats.

Wilfinger stated clothes were not removed but moved over and they had sex which means he put his penis in her vagina. Wilfinger didn't think he was wearing a condom and didn't think he ejaculated because there was nothing to clean up. She was asked what she was thinking afterwards; she said she was in the moment and not thinking. She said there were not any other times they were intimate.

Caldwell showed the notes/Journal which were pulled from her phone and was asked her to explain each incident. Wilfinger stated she didn't put the notes in the phone, [REDACTED] did. She stated nothing happened in November. She explained each date, four are listed below;
June 31, 2015- The first time [REDACTED] kissed her on the bed.
July 11, 2015- Wilfinger stated they were at her house and they had sex.
August 10, 2015- She said they kissed in her classroom. They kissed on the lips, a peck.
March 23, 2016- Wilfinger stated they had sex in a parking lot of Vons in the car not at his house.

Wilfinger stated there were no nude images. She was asked if she was told not to have students in her car; she stated she was told not to have current students in her car to go to soccer games. Transporting former students was never discussed. She was asked who she gave rides to the games; she replied any soccer players. She asked about 2 former students who were seen in her car; she assured there was nothing between them, just a coach and they babysat for her a few times.

She was asked who wrote the notes in the journal; she stated her and [REDACTED] wrote them together. Wilfinger was asked if she forgot to tell them something; she stated she could not remember anything. She was asked if they had oral sex; she said once. She was asked to describe oral sex; she replied, "Putting your mouth on their dick." She stated it was sometime last year after the sex between January and March 2016. They had oral sex in her car/van in the front seat, [REDACTED] in the passenger seat and her in the driver's seat in a parking lot of a soccer field.

Wilfinger stated [REDACTED] was trying to convince her to have oral sex by pushing on her head and she eventually did put his penis in her mouth. She stated she stopped because she didn't want to do that, then they started kissing again. She stated she never gave [REDACTED] oral sex.

The facts in this case show that there was a sexual relationship between the minor child, [REDACTED] that started when he was 14 years of age. The sexual relationship continued after he turned 15 on [REDACTED]. Both [REDACTED] and Wilfinger said that they had sexual intercourse at her residence on 7/11/2015. [REDACTED] said they also had sexual intercourse at his residence in his bedroom on or about 3/23/2016. Wilfinger said that incident was not at his house it was in a Von's parking lot on Cheyenne and Jones in her van. Wilfinger also said that she

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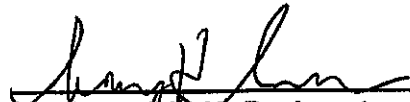
gave [redacted] oral sex in her van sometime between January and March 2016. [redacted] stated that there were three times he and Wilfinger had sex.

There were other incidents of [redacted] and Wilfinger kissing during the interviews and listed in Wilfinger's Journal.

[redacted] attended [redacted] MS and played soccer in seventh and eighth grade. Wilfinger said that was how she met [redacted] because she was the coach of the [redacted] soccer team. [redacted] transferred to Wilfinger's [redacted] class at [redacted] mid-year 2015 and became Wilfinger's [redacted]

Wilfinger was transported to CCDC from the CCSDPD main station and booked for the above charges.

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 misdemeanor).


G. Hibner P#243, Declarant