



IN THE DISTRICT COURT OF CANADIAN COUNTY
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA, Plaintiff,
vs.
JOSHUA STEVEN DURCHO,
W/M, DOB: 02/21/83 [REDACTED]
1955 S. Shepard, #513, El Reno, Oklahoma,
Defendant.

No. CF-2009-20

FILED
MARIE RAMSEY COURT CLERK
CANADIAN COUNTY, OKLA

JAN 13 2009

AFFIDAVIT

By [Signature]
DEPUTY

The undersigned upon oath deposes and states as follows, to-wit:

I, Martin Solorzano, am employed as a Special Agent with the Oklahoma State Bureau of Investigation. I am assigned to investigate a multiple homicide at 1955 S. Shepard, #513, El Reno, Canadian County, Oklahoma.

As part of my investigation, I have been informed by El Reno Police Officers and other OSBI agents, reviewed information and statements of witnesses, and am familiar with miscellaneous documents and items collected at the crime scene pertaining to the incident.

On January 12, 2009, Jared M. Buchanan, a first cousin to Joshua Durcho, notified the El Reno Police Department that he had just discovered the deceased body of Summer Dawn Garas at an apartment complex in El Reno. The body was discovered inside apartment #513 located at 1955 S. Shepard, El Reno, Canadian County, Oklahoma.

Law enforcement officers entered the apartment and discovered the dead bodies of four (4) children and the dead body of Summer Dawn Garas. The children were later identified as Evynn Garas, Teagin Rust, Kirsten Rust, and Autumn Rust. All were the biological children of Summer Dawn Garas.

The Medical Examiner's Office has reported to our agents that the preliminary assessment of the cause and manner of death for all five individuals was Asphyxiation, Suffocation, and strangulation. It was also reported that each body had ligature marks around the neck. The ligature marks were also observed by OSBI crime scene investigators.

As part of the investigation into this matter, OSBI agents contacted and interviewed Christene Nicole Nelson. Nelson told OSBI Agents that Joshua Steven Durcho came by her residence in Edmond on January 12, 2009, at approximately 1430 hours. While Durcho was at Nelson's residence, he told her that he had "choked" Summer Garas until she was dead. Durcho then told Nelson that he was leaving Oklahoma. Nelson asked Durcho about Summer's children and Durcho told her that the children were at their grandmother's residence in Las Vegas, Nevada, while he and Summer worked out their

relationship problems.

After this conversation with Durcho, Nelson called Durcho's mother, Jaime J. Bryan in El Reno, and told her what Durcho had said about choking Summer.

Jaime Bryan was also interviewed by OSBI Agents and she reported that she received a phone call from Nelson between 15:00 and 15:30 on January 12. During this telephone call, Bryan learned about Durcho's confession to Nelson. Bryan then drove to Summer's apartment to check on her welfare. No one answered the door when Bryan knocked, so she left and telephoned her nephew Jared Buchanan to go to the apartment with her, which led to the discovery of Summer's body.

At 18:30 on January 12, 2009, Durcho went to Shelly Putnam's residence in Oakwood, Oklahoma. Putnam is Durcho's first cousin. Durcho told Putnam he was in trouble and that he was headed out of state. Durcho was driving a 1989 white Ford Thunderbird known to belong to Summer. Durcho wanted to swap vehicles with Putnam but she declined. At 21:30 surveillance video showed Durcho was located at a Domino Truck Stop on Interstate 40 in Clinton, Oklahoma driving the same white Ford Thunderbird.

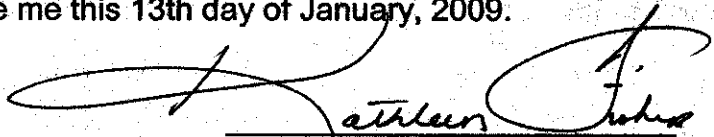
At 01:30 on January 13, 2009, a SMS, (text message) was sent from a Sprint cellular phone in Durcho's possession to a cellular phone belonging to Jamie Bryan. GPS Tracking Records and toll records from Sprint telephone determined the phone was located in the Wichita Falls, Texas, area. Durcho placed a phone call to Bryan at 06:46 that was determined to originate from the Abilene, TX area. Jaime Bryan told OSBI Agents Durcho told her he loved her and had to go.

Based on this information, the undersigned prays that this Honorable Court issue a finding of fact that probable cause exists to believe that a crime has been committed and that there is probable cause to believe that the defendant above named committed that crime.

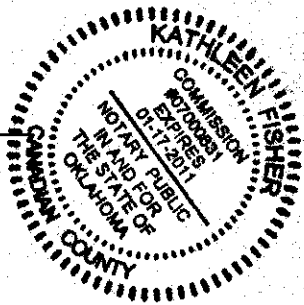

Agent Martin Solorzano

STATE OF OKLAHOMA)
COUNTY OF CANADIAN) SS.

Subscribed and sworn to before me this 13th day of January, 2009.


Notary Public

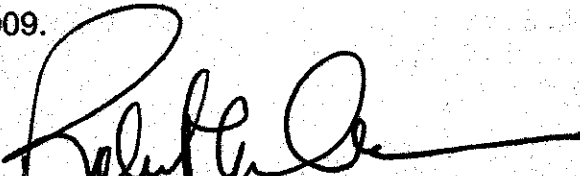
My Commission Expires:
01-17-2011



FINDING OF PROBABLE CAUSE

The undersigned Judge of this Court, upon sworn testimony and/or Affidavit, hereby determines there to be a probable cause to detain the defendant(s).

DATED this 13th day of January, 2009.



JUDGE OF THE DISTRICT COURT

ROBERT E. DAVIS