

STATEMENT OF FACTS
SJPD #16-022-0730
Detective Sergeant Paul Hamblin #3600
Detective J. Tanner #3733

On 01/22/16 at 1820 hours, SJPD patrol officers responded to a suspicious circumstance call at the GP Sports, 2020 Camden Ave, San Jose. Employee, Kyle Myrick, had reportedly gone missing and a crime scene was located in an adjacent building. SJPD Homicide Detectives and the Crime Scene Unit responded to the scene and learned the following information.

At approximately 1300 hours, witness Peter Diaz gave Suspect Steve Hlebo the assignment of assembling two ATV's in the lot behind the store. At approximately 1400 hours, Diaz sent victim Kyle Myrick out back to assist Suspect Hlebo. At approximately 1500 hours, Diaz walked to the rear lot to check on the progress of Hlebo and Myrick. Diaz noticed that the gate that led to the lot was locked, which was highly unusual. The only two people in the back yard area were Hlebo and Myrick. Suspect Hlebo had to open the gate for Diaz and when Diaz entered the rear lot, he noticed that Myrick was not in sight. Diaz asked Suspect Hlebo where Myrick was. Hlebo said he didn't know.

Diaz became concerned for Myrick's welfare. Diaz returned to the service floor. At approximately 1700 hours, Diaz, who was beginning to worry about Myrick, returned to the rear lot. Again, the gate to that lot was locked and, again, Suspect Hlebo opened it. Diaz entered the lot and again was unable to find Victim Myrick. This time, Diaz noticed that suspect Hlebo's personal vehicle, a white 2002 GMC Sierra (#60414R1) pickup, was backed up to the rear door of a vacant building on the store grounds. Diaz stated that the building was virtually never used by store personnel because the interior had been badly burned in a fire a year and a half earlier. Diaz also stated that no store personnel ever brought their personal vehicles into that rear lot because it was used solely for storing merchandise. Diaz asked Suspect Hlebo what his pickup was doing there and Suspect Hlebo gave him a nonsensical answer.

Diaz suggested that Suspect Hlebo and a few other employees check the vacant building with the burned out interior for Victim Myrick. Suspect Hlebo told Diaz that he did not want to go into that building because there were "ghosts in there." At

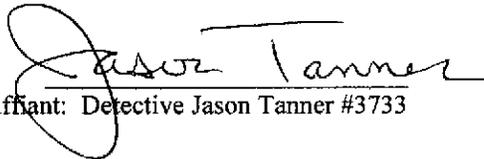
approximately 1800 hours (which was closing time for the store), while Diaz and several other store employees were actively searching for Victim Myrick, Suspect Hlebo logged out and left the store. A few minutes later, Diaz and another employee entered the vacant building (where Hlebo's vehicle had been seen backed up to the entrance) with flashlights. In a very small storage room (approximately 5'x5') they discovered a great deal of fresh blood on the walls and floor and contacted police.

An inspection of the crime scene where the blood was found revealed that there was arterial spray and castoff on the walls, and aspirated blood with air bubbles on a stack of boxes in one corner. There were also transfer stains on the floor with a directionality leading from the blood stains to the door, ending at the threshold of the back door to the building. It appeared as if someone had been dragged from the crime scene to the location where Hlebo's vehicle had been seen parked. There was also a severed human ear lying in a pool of blood on the floor.

Based on the above information, investigators believed that Steve Hlebo had violently assaulted victim Kyle Myrick and removed him from the scene in his vehicle. We believed that although a violent crime scene, that it was possible that Myrick was still alive and in need of immediate medical assistance and rescue. At approximately 2330 hours, officers from the SJPD Covert Response Unit surrounded Hlebo's residence, 715 Los Ninos Way, Los Altos, and watched it surreptitiously. No one was able to reach Myrick. At approximately 0205 hours, Suspect Hlebo arrived at the residence in his pickup. About 0300 hours, based on the totality of the circumstances, and the fear that Myrick was potentially still alive and in need of medical assistance, the Covert Response Unit was directed to make entry into the residence in an attempt to locate and rescue Myrick. At approximately 0400 hours, the house was secured and suspect Steve Hlebo had been arrested. Myrick was not located. At approximately, 0531 hours, Superior Court Judge Helen Williams signed a search warrant for Hlebo's residence, vehicle and to obtain a DNA sample from him. A large amount of blood was found in the cab of the truck.

Homicide Detectives (under Miranda) interviewed Hlebo. He claimed that he had been involved in a physical fight with victim. Hlebo later told a family member that he had killed Myrick and disposed of his body in the ocean.

I believe that Steve Hlebo is responsible for the murder of Kyle Myrick.


Affiant: Detective Jason Tanner #3733