

IN THE (COUNTY) (DISTRICT) COURT  
IN AND FOR  
THE COUNTY OF ROUTT AND STATE OF COLORADO

Criminal Action No. 13CR57  
Routt County Case #: S1302749

# ARREST WARRANT

**THE PEOPLE OF THE STATE OF COLORADO TO:**

**TO: ANY PEACE OFFICER IN THE STATE OF COLORADO, INTO WHOSE HANDS THIS WARRANT SHALL COME, GREETINGS:**

**WHEREAS**, Detective Richard T. Munden Jr. has made an Application and Affidavit for the issuance of an Arrest Warrant:

**AND WHEREAS**, the Application appears proper, and this court is satisfied that there is probable cause to believe that the person named in the application has committed the following crimes of:

1. **Murder in the First Degree in violation of CRS 18-3-102 (1)(a), as amended a class 1 Felony.**
2. **Child Abuse, CRS 18-6-401(1)(a)(7)(a)(I) a class 2 Felony.**
3. **Domestic Violence, CRS 18-6-800.3.**

**YOU ARE THEREFORE COMMANDED** to arrest the following:

**Lisa Marie LESYSHEN** with a date of birth of June 25, 1967; further described as a white female, standing approximately five feet seven inches tall (5'07"), weighing approximately one hundred thirty-five pounds (135 lbs.), having Blonde hair, having Green eyes, social security number of [REDACTED], and holding a valid Colorado driver's license [REDACTED].

**AND** bring her without unnecessary delay before the nearest available Judge of the County or District Court.

It is **FURTHER ORDERED** that bond be sent in the amount of: **NO BOND, MUST SEE JUDGE.**

Done this 31st day of May, 2013.

*[Handwritten Signature]*  
District Court Judge  
5/31/13

**IN THE (COUNTY) (DISTRICT) COURT  
IN AND FOR  
THE COUNTY OF ROUTT AND STATE OF COLORADO**

Criminal Action No. 13CR57  
Routt County Case #: S1302749

**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT**

**THE UNDERSIGNED**, respectfully, moves this Honorable Court for the issuance of an Arrest Warrant for the arrest of the following:

**Lisa Marie LESYSHEN** with a date of birth of June 25, 1967; further described as a white female, standing approximately five feet seven inches tall (5'07"), weighing approximately one hundred thirty-five pounds (135 lbs.), having Blonde hair, having Green eyes, social security number of [REDACTED] and holding a valid Colorado driver's license [REDACTED]

In support thereof, the undersigned Affiant, being duly sworn upon oath deposes and says:

That your Affiant has knowledge of the following facts from which there is probable cause to believe that the offense hereinafter described was committed by the person as charged in the attached instrument on May 29, 2013 in the County of Routt, State of Colorado, to wit:

**REFER TO ATTACHEMENT "A"**

Respectfully submitted:

  
Richard T. Munden Jr.

Detective

Routt County Sheriff's Office

## **"Attachment A"**

1. Your Affiant is currently a Detective assigned to the Investigations Division of the Routt County Sheriff's Office and has been employed as such since January 2012. Prior to that, your Affiant was employed with the Routt County Sheriff's Office from May 2011 to December 2011 and January 2004 to January 2007 where your Affiant held the positions of Detentions Deputy for one year and patrol deputy for two years. Your Affiant was employed by the Steamboat Springs Police Department from January 2007 to May 2011 where your Affiant held the position of a Patrol Officer.
2. Your Affiant was notified by Routt County Communications on Wednesday, May 29, 2013 that a murder/suicide was reported to the Routt County Sheriff's Office on Wednesday, May 29, 2013, at approximately 0230 hrs, at 23935 Arapahoe Road, outside the Town of Oak Creek, in the Stagecoach subdivision, in the County of Routt, and State of Colorado.
3. Your Affiant learned that a male party, later identified as Michael Kirlan, called and reported a murder/suicide. Your Affiant learned that Michael Kirlan reported that his son, later identified as Asher Lesyshen-Kirlan (DOB: 04/07/2004), had been shot, but was still breathing. Michael Kirlan reported that his wife, later identified as Lisa Lesyshen, was upstairs and that he could hear her. Michael Kirlan also reported that Lisa Lesyshen was telling him to come and kill her. Michael Kirlan also reported that he did not feel safe because she still had a firearm. While reporting the incident to Routt County Communication, your Affiant learned that Michael Kirlan lost cell phone reception several times.
4. While en route to the residence, Your Affiant learned that Deputies from the Routt County Sheriff's Office and an Officer from the Oak Creek Police Department arrived on scene to find Asher Lesyshen-Kirlan apparently deceased, lying on the floor inside the doorway of the residence. Your Affiant also learned that Lisa Lesyshen was still alive and was transported by Oak Creek Fire and Rescue to Yampa Valley Medical Center Emergency Room.
5. Once Your Affiant arrived on scene, Your Affiant learned from Patrol Lieutenant Doug Scherar that Asher Lesyshen-Kirlan was in fact deceased and that it appeared that he had been shot three times in the chest. Lieutenant Scherar informed Your Affiant that Asher Lesyshen-Kirlan had been moved from his bedroom, where he was apparently shot, to the living room area of the residence by Michael Kirlan prior to the Deputies arrival. Your Affiant also learned that Lisa Lesyshen was found in the master bedroom of the residence, which is located on the upper level of the residence. Lisa Lesyshen was found slumped backwards on her legs beside the bed in the master bedroom. First aid was initiated on Lisa Lesyshen until EMS arrived. A small, short barreled revolver was observed lying on the bed underneath the bed sheets, it was not seized. Lieutenant Scherar also

informed Your Affiant that three shell casings were found lying underneath Lisa Lesyshen, they were not seized. Lieutenant Scherar informed Your Affiant that Michael Kirlan told him that Lisa Lesyshen shot his son, Asher Lesyshen-Kirlan and then shot herself.

6. Your Affiant also learned that Michael Kirlan and Lisa Lesyshen were married and going through a separation. Your Affiant also learned that Asher Lesyshen-Kirlan was Michael and Lisa's son.
7. Your Affiant applied for and received a Search Warrant from the Routt County Court for the residence. A written "consent to search waiver" was signed by Michael Kirlan. Once the Search Warrant was obtained your Affiant along with Agents from the Colorado Bureau of Investigation executed the Search Warrant on May 29, 2013 and May 30, 2013. During the search, Asher Lesyshen-Kirlan's body was recovered and transported for an autopsy. Several items were recovered during the search of the residence and of vehicles on the property. Of the items recovered was a Smith & Wesson Mod. 34-1 .22 LR revolver (serial #: 65771) as well as a receipt that showed that it was purchased on May 27, 2013 at Mister Money, located in Steamboat Springs, CO, by Lisa Lesyshen. Also found was an open box of Federal American Eagle 40 rimfire .22 caliber ammunition inside a bag in the master bedroom. This box of ammunition is consistent with the information your Affiant learned about an ammunition purchase at Elk River Guns, located in Steamboat Springs, CO, by Lisa Lesyshen. A note addressed to "Michael" was found on the nightstand, next to Asher Lesyshen-Kirlan's bed, in his bedroom. The note said, "Remember you are responsible for what has happened here and you are the person that caused it." The note was signed "Lisa & Asher."
8. Your Affiant learned of an interview that took place with Michael Kirlan. The interview was conducted by Routt County Sheriff's Detective TJ Sisto and 14<sup>th</sup> Judicial District Attorney Investigator Doug Winters at the Sheriff's Office. Michael Kirlan told the investigators that he slept in a separate bed downstairs. His wife had gone to bed in the upstairs loft. Michael Kirlan stated he was awakened around 0300 hours to shuffling on the main floor. He presumed it was his wife. He stated it was not uncommon for her to get up and use the bathroom and check on Asher Lesyshen-Kirlan during the night. Michael Kirlan fell in and out of sleep. He stated he was awakened by the sound of what sounded like gunshots. He believes he heard at least 2 gunshots coming from above him (main floor). He got out of bed and ran upstairs. As he reached the main floor of the house he observed his wife coming out of Asher Lesyshen-Kirlan's room. She told Michael Kirlan that she didn't know what just happened in the room. Michael Kirlan stated he went into the bedroom and observed Asher Lesyshen-Kirlan lying on his bed with what appeared to be multiple gunshot wounds to the chest. He leaned his son up in bed. He observed blood coming out of his son's back and blood was coming out of his son's mouth. He stated he didn't know what to do and didn't know CPR. He tried to stop the bleeding the best he could.

He picked his son up and took him to the front entry way and placed his son on a rug. He then heard 2 more gunshots coming from the loft. He presumed Lisa Lesyshen had shot herself. He then yelled out why would you do something like this. She told Michael Kirlan something to the effect of to hurt you (apparently referring to Michael Kirlan). He then kept asking why. She then told Michael Kirlan to come upstairs and kill her. He stated Asher Lesyshen-Kirlan had stopped breathing at this point. He tried giving his son some rescue breaths. Michael Kirlan then feared for his own life thinking his wife was going to kill him and left the residence. During this time frame Michael Kirlan did call 911 several times.

9. Dr. Michael Burson conducted an autopsy on Asher Lesyshen-Kirlan. Detective Sisto and Investigator Winters attended the autopsy at the Grand County Coroner's Office in Kremmling, Colorado on May 29, 2013. The preliminary findings are that Asher Lesyshen-Kirlan sustained a gunshot wound the left temporal region of the head, 3 gunshot wounds to the chest/left side of his chest and one gunshot wound to the left thigh exiting the left hamstring area. The gunshot wounds to the head and chest, based on training and experience of the investigators, were close range due to the burning and soot left on the skin surface. Dr. Burson ruled the cause of death being multiple gunshot wounds and the manner of death being homicide.
10. Your Affiant spoke with Undersheriff Ray Birch, Routt County Sheriff's Office. Undersheriff Birch learned from Detective Josh Carrell, Steamboat Springs Police Department, that he had information regarding an ammunition purchase made by Lisa Lesyshen. Your Affiant learned that Detective Carrell went to the Steamboat Springs Public Library and spoke with Mary Brassell. Mrs. Brassell said that on May 28, 2013, Lisa Lesyshen asked her if she knew where she could get .22 caliber ammunition. Mrs. Brassell called her husband Robert Brassell, who works at Elk River Guns, to inquire if they had any ammunition, which they did. Mrs. Brassell then referred Lisa Lesyshen to Elk River Guns. Your Affiant learned that Undersheriff Birch spoke with Mr. Brassell at Elk River Guns. Mr. Brassell stated that he did sell Lisa Lesyshen a box of .22 caliber ammunition. Mr. Brassell stated that on May 28, 2013 at approximately 1400 hrs, Lisa Lesyshen came into Elk River Guns and asked about .22 caliber ammunition. Mr. Brassell stated that he sold her a box of .22 caliber ammunition. Your Affiant learned that Undersheriff Birch was able to obtain a copy of the receipt from the transaction. Undersheriff Birch was also able to obtain a video of the transaction from the video surveillance system of the business. While viewing the video, Mr. Brassell was able to identify Lisa Lesyshen as the one who, in fact, purchased the ammunition.
11. After finding the receipt for the handgun found during the search of the residence, your Affiant provided Detective TJ Sisto, Routt County Sheriff's Office, the information. Your Affiant later learned that Lieutenant Scherar went to Mister Money and spoke with Esther Zander. Mrs. Zander stated that she was

the one who sold the .22 revolver to Lisa Lesyshen. Mrs. Zander stated that Lisa Lesyshen came into the store, seemed like she was in a hurry, and asked if they sold guns. After learning that Mister Money sold guns, Lisa Lesyshen asked if she could buy one and Mrs. Zander informed her she could, provided she pass a background check. Mrs. Zander stated that Lisa Lesyshen pointed to the gun case and said she wanted the revolver. Mrs. Zander stated that she noticed that Lisa Lesyshen did not know anything about firearms, so she showed her how to load the revolver and the basics of the revolver. Mrs. Zander stated she asked Lisa Lesyshen why she wanted to purchase the firearm and Lisa Lesyshen told her that her husband was out of town and wanted it for protection. Mrs. Zander informed Lisa Lesyshen that she needed to take the firearm to the Yampa Valley Gun Range to practice, which Lisa Lesyshen said she would. Lisa Lesyshen then asked Mrs. Zander where she could buy ammunition. Mrs. Zander told Lisa Lesyshen to go to Wal-Mart and Lisa Lesyshen stated that is where she was going next. Mrs. Zander provided Lieutenant Scherar with copies of the Firearms Transaction Record Part I – Over-the-Counter form (ATF Form 4473) and the Colorado Instant Criminal Background Check System (InstaCheck) notice of approval (Transaction Number: A13193654) showing that Lisa Marie Lesyshen had been approved because their records reflected that she did not fall into categories of the firearms prohibition.

12. Sergeant Kurtis Luster, from the Routt County Sheriff's Office, interviewed Lisa Lesyshen at Denver Health Medical Center. Sergeant Luster informed your Affiant that on May 30, 2013 Lisa Lesyshen's breathing tube was taken out and she had the ability to speak. Sergeant Luster stated that before speaking with Lisa Lesyshen, he explained why he was there at the hospital and asked if she wanted to speak with him. Lisa Lesyshen asked Sergeant Luster how detailed he wanted her to be and he told her to do the best she could.

She stated that they were discussing separation/divorce as well as custody of their son, Asher Lesyshen-Kirlan. Sergeant Luster asked Lisa Lesyshen who had shot her and she said that she did. Sergeant Luster asked her why she had shot herself and she stated that she thought that there was no other option. Sergeant Luster asked if she had any questions about her son, Asher Lesyshen-Kirlan. Sergeant Luster asked her if she knew if Asher was deceased and she said no. Sergeant Luster asked Lisa Lesyshen if she knew who shot Asher and she stated that she didn't. Sergeant Luster informed Lisa Lesyshen that Asher was deceased and Lisa Lesyshen said that she knew. Sergeant Luster asked Lisa Lesyshen how she knew that Asher was deceased and she said that she did it. Sergeant Luster then read Lisa Lesyshen her Miranda Rights and asked if she wanted to continue talking with him. Lisa Lesyshen told Sergeant Luster that she didn't want to talk anymore stating that she probably should not have said what she already said and that we should have what we need. Lisa Lesyshen asked Sergeant Luster if he could contact an attorney for her and Sergeant Luster informed her that he couldn't do that. The interview was then concluded.

13. Based on the facts obtained and articulated in this Arrest Warrant Affidavit and Application your Affiant believes probable cause exists for the felony crimes of 18-3-102(1)(a) C.R.S., Murder in the First Degree, a class 1 Felony, 18-6-401(1)(a)(7)(a)(I), C.R.S., Child Abuse, a class 2 Felony and 18-6-800.3, Domestic Violence committed by Lisa Marie Lesyshen and that occurred on May 29, 2013 in the County of Routt, and in the State of Colorado.

14. Your Affiant respectfully requests that this application and Affidavit in Support of an Arrest Warrant be sealed.

COUNTY OF ROUTT        ]  
                                  ]ss.  
STATE OF COLORADO     ]

  
Applicant

Detective, Routt County Sheriff's Office  
Title of Position

The foregoing Affidavit and Application was subscribed and sworn to or affirmed before me this:

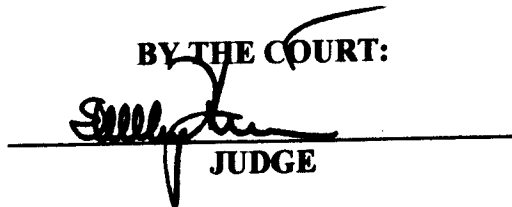
31st day of May, 2013

BY:

Richard T. Munden Jr.

  
(Name of Applicant)

BY THE COURT:

  
JUDGE