

**DENVER POLICE DEPARTMENT****NARRATIVE TEXT HARDCOPY****GO# 2014-124179 UNFOUNDED OR CIVIL IN
NATURE****9301-0 KNOWN DEAD****KNOWN DEAD
DETECTIVE SUPP REPORT
SUPPLEMENTARY REPORT**

Preliminary Investigation:

[On March 11, 2014, at approximately 4:00 am, Detective Lopez received a phone call from Sergeant Leger of the Denver Police Homicide Unit. Sergeant Leger requested that Detective Lopez respond to 3333 East Quebec St., the Holiday Inn at Stapleton, on a report of a deceased male. Sergeant Leger informed Detective Lopez that he received information the deceased male had consumed some form of edible marijuana and then jumped or fell off the fourth floor balcony at the location.]

Follow-up Investigation:

[Detective Lopez arrived at 3333 East Quebec St. at approximately 5:05 a.m. Upon arrival, Detective Lopez observed numerous marked police vehicles on scene. Upon entering the location Detective Lopez observed an area of the lobby being secured by uniformed officers and yellow Police Crime Scene tape. Detective Lopez observed that a temporary partisan had been erected to conceal the body of the deceased. Detective Lopez observed a deceased black male lying face down on the floor of the main level. Detective Lopez was advised that the deceased male was staying in Room #401 and that he had been identified as Levy Pongi Thamba (01/01/95). Detective Lopez was informed that Thamba had been pronounced dead by Dr. Ewerg at 3:51 a.m.]

Detective Lopez verified that room #401 was secured with a uniformed police officer then obtained a clean sheet from the hotel laundry and used the sheet to cover the body of Thamba who was visible to numerous hotel guests.

Detective Lopez was directed to Ana Jakaovljevic (02/01/94), Bessie Gondwe (03/01/91) and Andres Bigum (08/01/93) who had all been separated by police and were seated in a restaurant area at the hotel. Detective Lopez was informed that these three parties had been staying in the room with Thamba and that they all attended the same college in Wyoming together.

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Detective Lopez initially spoke with Jakaovljevic, who advised Thamba had consumed edible marijuana during the night and that he began to panic. Jakaovljevic said Thamba went crazy, started breaking things in the room and then ran out of the room and fell or jumped off the balcony.

Detective Lopez briefly spoke with Bessie, who advised she had purchased a marijuana brownie/cookie at a store on the 16th Street Mall and she provided it to Thamba and the others. During the conversation Bessie advised that she did believe that there may be some more of the brownie/cookie inside the room because she thought she did not consume all of her cookie.

Detective Lopez spoke separately with Gondwe, Bigum, and Jakaovljevic, Detective Lopez determined that all three parties seemed coherent; however, they all did seem to be tired. None of the three appeared to be under the influence of any drugs, narcotics, or alcohol. All three parties agreed to allow Detective Lopez and members of our police department to search room #401 at the Holiday Inn and all three parties signed a Consent to Search form at 5:48 a.m.

Detective Dave Klein of the Denver Police Department arrived on scene at approximately 6:00 a.m. to document the scene through the use of a digital photography.

Investigator Tracy Balbin from the Denver Medical Examiner's Office arrived on scene and conducted a brief examination of the body. When the deceased was rolled over he was observed to have visible trauma to the right side of his head, face, mouth, and chin. The deceased had no shoes on and was wearing a red t-shirt, red shorts, and underwear. Detective Lopez observed damage to the dry wall directly to the east of where the deceased was found. The deceased had what appeared to be drywall debris embedded onto his left foot. The deceased had one EKG pad on his lower left abdomen.

Investigator Balbin advised Detective Lopez that she found massive trauma to the right side of the deceased's head, face, mouth, and chin area. First Call Body Removal arrived on scene and removed the body at approximately 7:20 am. Detective Lopez arranged to have the three witnesses from the room brought to Denver Police Headquarters. Detective Lopez left the scene at approximately 7:45 a.m. and responded to Denver Police Headquarters to obtain a search warrant for room #401. For details relate to the scene see Crime Scene Response Report.

On March 11, 2014, Detective Lopez generated a search warrant for 3333 E. Quebec Street #401. The warrant was reviewed by Chief Deputy District Attorney Helen Morgan and was approved by the Honorable Judge Breese.



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On March 11, 2014 at approximately 11:35 a.m. Detective Lopez and Detective Meoni arrived back on scene with a signed search warrant room for Room #401. Detective Kline of the Denver Police Crime Laboratory, along Crime Scene Investigator Angela Deadman, arrived on scene to document the inside of the room through the use of digital photography.

After the room was documented through the use of digital photography Detective Lopez and Detective Meoni conducted a search of the room. The room was very cluttered and messy. There were several suitcases in the room and clothes scattered throughout the room. There was a computer inside the room, miscellaneous food items in a refrigerator and inside the room. All food labels were checked and none of them were found to contain any marijuana or marijuana products. Detective Lopez also observed a broken lamp on the floor of the room.

There were two queen size beds inside the room, a flat screen TV, a desk, a dresser, a refrigerator, and a microwave oven, along with a nightstand in between the beds that contained a lamp. There was a small bathroom near the front entrance of the room and a sliding glass door that opened out to an outside patio.

Detective Lopez searched all areas of the bathroom, including the trash can. Nothing of evidentiary value was found. Detective Lopez did observe some vomit in the toilet, which was photographed. Detective Lopez searched through several suitcases that were found in the room. Nothing of evidentiary value was found in any of the suitcases or bags found in the room.

During the search several identifications were found that we can link to all parties who were staying in the room. Only the identifications belonging to the victim was retrieved from the hotel and placed into the Denver Police Property Bureau.

During the search two wrappers that contained marijuana cookies were found inside the room. One of the wrappers was found in a trashcan underneath a desk. The second wrapper was found on the ground near the microwave oven in the room.

The labels on the cookie wrappers read the following:

Sweet Grass Kitchen, lemon poppy seed cookie, 65 milligrams THC/6.5 servings, net weight 30 grams of flour, sugar, eggs, cannabis butter, poppy seeds, vanilla, salt, baking powder, lemon, consume within 14 days of purchase. This marijuana product has not been tested for contaminants or potency.

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During the search an I-Phone was found that appeared to belong to Gondwe, the phone was searched and there was a Snap-Chat message on the phone where she was discussing the purchase and the use of the edible marijuana product. One of the chats verified the information Gondwe gave during her interview regarding how they were told by an employee at the store to cut the cookie into six pieces and to only eat one piece at a time. The time stamp on the initial messages was 8:34 p.m., on March 10, 2014. Detective Meoni had screen shots taken to document the messages.

During the search no uneaten portions of cookie/brownies were found; however the following items were seized and placed into the Denver Police Property Bureau: \$11.50 from Thamba's wallet, a passport belonging to Thamba, two Sweet Grass cookie wrappers, identification belonging to Jelena Jakaovljevic. All of these items belonging to Thamba were later released to Thamba's family by Detective Martin Smith when the family arrived in Colorado from Africa.

Detective Lopez had officers on scene collect written statements from witnesses at the hotel. Detective Lopez reviewed all statements and verified the information in the statements with the witnesses. Detective Lopez met with hotel management and verified that there was no video surveillance footage that showed Thamba falling from the 4th floor. Detective Lopez verified that there are no surveillance cameras on the fourth floor of the hotel. Detective did receive a jump drive from general manager Kathleen Bates that contained footage of the front desk area at the time of the fall. Detective Lopez reviewed this footage and was unable to see anything of evidentiary value on the video.

Witnesses:

Andres Bigum:

On March 11, 2014, Detective Martin Smith conducted an audio and video recorded interview with Andres Bigum. The following is a brief synopsis of that interview, for complete details see interview DVD.

BIGUM is a student at North West College located in Powell Wyoming. BIGUM is currently on spring break. BIGUM is from Denmark. BIGUM took a Greyhound bus to Denver on Saturday, March 8, 2014, with his college friends, Bessie GONDWE, dob: 03/●/1991, Ana JAKOVLJEVIC, dob: 02/●/1995, and the victim, Levi THAMBA 01/01/1995. They all took a cab from the Greyhound Bus Station to their hotel at 3333 Quebec Street. BIGUM and JAKOVLJEVIC are boyfriend and girlfriend.

On Monday, March 10, 2014, BIGUM said they all went to the 16th Street Mall and shopped. BIGUM said JAKOVLJEVIC and he arrived at the 16th Street Mall at about



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11:00 a.m. They took a bus and then the light rail to the mall. They met with JAKOVLJEVIC'S sister on the mall. Her sister was in Denver coaching a volleyball tournament at the Denver Convention Center. BIGUM said THAMBA and GONDWE arrived at the 16th Street Mall at approximately 2:30 p.m. BIGUM said at about 3:00 p.m., they went to a Marijuana Store on the 16th Street Mall and purchased four marijuana cookies. BIGUM said the four cookies were the only thing they purchased at the Marijuana Store. BIGUM said they never purchased any other narcotics from anyone else on the Mall. After purchasing the marijuana cookies, BIGUM said they went to several different stores on the Mall to shop. BIGUM said he and JAKOVLJEVIC left the 16th Street Mall at about 6:00 p.m., and arrived back at the hotel at about 7:00 p.m. BIGUM said they left early so they could have some alone time at the hotel. BIGUM said GONDWE and THAMBA arrived at the hotel at about 8:30 p.m.-9:00 p.m. All four are staying in room #401. BIGUM said GONDWE had possession of the marijuana cookies. At about 10:00 p.m., BIGUM and JAKOVLJEVIC went to eat at Smash burger which is located near the hotel.

BIGUM said at about midnight they started consuming the marijuana cookies. BIGUM said none of the cookies were consumed before they all started eating them at about midnight. BIGUM said no other narcotics were consumed, only the marijuana cookies. BIGUM said he is certain THAMBA did not purchase any other type of narcotics when he was on the Mall. BIGUM said when they first started consuming the cookies, everything seemed alright. BIGUM said he was laughing and feeling good. BIGUM said he continued eating more of the cookie and he thinks he may have eaten too much because at about 2:00 a.m.-3:00 a.m., he started throwing up. BIGUM said after throwing up, he laid down in the bathroom. BIGUM said when he was in the bathroom, THAMBA started freaking out and running and yelling in the hallways. BIGUM said THAMBA came back to the room and THAMBA was speaking in French. Nobody else understood exactly what THAMBA was saying but BIGUM thinks he was getting spiritual and talking about his sins. BIGUM said THAMBA continued freaking out inside of the room. THAMBA picked up two separate table lamps, stared into the light, and then ripped the lamps out of the wall socket. BIGUM said THAMBA slammed a night stand onto the ground. At one point BIGUM said he was able to talk THAMBA into lying down and going to bed. After a short time THAMBA got up and started freaking out again. BIGUM said THAMBA is yelling and being aggressive. BIGUM said THAMBA tried getting out of the room again and BIGUM said he put his arms around THAMBA to try and restrain him from leaving the room. BIGUM said THAMBA was able to get away from him and open the door. BIGUM said THAMBA went into the hallway and closed the door behind him. BIGUM said he immediately opened the door to go after THAMBA. BIGUM said when he opened the door and stepped into the hallway, and he witnessed THAMBA jumping over the fourth floor railing into the lobby area of the hotel.

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BIGUM said GONDWE and JAKOVLJEVIC went into the Marijuana Store and purchased the marijuana cookies. BIGUM said he and THAMBA waited outside the store. BIGUM said an employee at the Chili's Restaurant on the 16th Street Mall, told them about the Marijuana Store. BIGUM said the Marijuana Store is located across the street from the Chili's Restaurant. BIGUM does not remember the name of the store. BIGUM said the store is in an office building on the 7th or 8th floor.

BIGUM does not remember how much of the marijuana cookie he consumed, nor does he know how much everyone else consumed. BIGUM said the cookies did not have a negative effect on GONDWE or JAKOVLJEVIC, and the only negative effect it had on him was it made him sick to his stomach because he thinks he consumed too much of the cookie.

BIGUM said the cookies were sealed in a plain white baggie. BIGUM said some of the cookies could still be in the room. (MJS)

Bessie Gondwe:

On March 11, 2014, Detective John Meoni conducted an audio and video recorded interview with Bessie Gondwe. The following is a brief synopsis of that interview for complete details see interview DVD.

Gondwe stated she attends Northwest College in Powell, Wyoming with the friends she was with at the Holiday Inn. She identified her friends as Ann Jakovljevic, Andreas Begun and Levi Thamba and said they came to Denver by bus for their Spring Break. They arrived in Denver at about 6:00 pm on Saturday [March 8th] and went to the Holiday Inn Hotel. They spent some time with Ann's sister on Sunday and bought the marijuana cookies on Monday.

She said they bought the cookies, which cost \$10 each, at a marijuana store on the 16th Street Mall. The store employee explained the cookies contained 65mg of marijuana and she advised they divide the cookies into six pieces and eat one piece at a time. Gondwe stated they bought four cookies, one for each of them, and the cookies were individually wrapped. She said the wrappers should still be in the room.

After buying the cookies she and Levi shopped at the mall while Anna and Andreas went back to the hotel. They all met back at the hotel later in the evening and she and Levi walked to a nearby Redbox to get two movies, Carrie and Elysium, at about 9:00 pm. The electricity went out at the hotel and they had to evacuate the building after they returned from the Redbox. After they were allowed back in, they put in the movie "Carrie" and at about midnight they each ate a small piece of their cookies.

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Gondwe explained that towards the end of the movie Levi said he didn't feel anything and he ate the remainder of his cookie all at once. She estimated the time as close to 1:00 am. Gondwe said she thought Anna and Andreas also ate their entire cookies, but not all at once. She thought the cookies were the first time Levi ever used marijuana and she never saw Levi use any other drugs or drink alcohol while he was with them. She did not know if he was taking any prescription medications. She said she did not think Levi used any other drug or alcohol during the night because she was with him most of the time.

She remembered that at about 2:00 am Andreas woke up and started throwing up. She again said they were not drinking alcohol and thought Andreas threw up because of the cookie. They went back to sleep between 2:30 and 3:00 am and they were all together in Room 401.

The first problem with Levi happened about half an hour after they went to sleep. She said she and Levi were in the same bed together and Anna and Andreas, who are boyfriend and girlfriend, shared the other bed. She said she could feel Levi shaking/shivering and he started to scream. She said he was speaking in French, which no one else speaks; he looked lost and was stumbling.

They were able to calm him down and everyone went back to sleep, but he got back up about three minutes later.

According to Gondwe, Levi was shaking again. He started speaking in French and was panicking and screaming. He seemed to calm himself down and they let him open the room door. He went down to the receptionist and Gondwe said she followed him. She contacted the receptionist who said he [Levi] wanted his room key fixed and went back to the room. When she got back to the room, Levi was there and he said he would go to sleep.

He woke up again about ten minutes later, speaking French, turning lights on and off and wanted to watch the other movie, but then wanted to go to sleep. In about ten minutes he was up again and he wanted to go out of the room. Gondwe said at this point she was scared of how he was behaving and asked him if he was ok. He answered her in French. They decided to switch sleeping partners and Andreas slept in the bed with Levi.

Gondwe explained Levi did not go to sleep and was talking to himself for about 15 to 20 minutes before he fell asleep. She said he then woke up screaming "la litre" which she thought meant the lights because he grabbed a lamp and appeared to be talking to it. He pulled the light from the wall and it stopped working. He went to the other lamp in the desk and pulled it out of the wall. He then ran to the door, opened it and ran out. She said Andreas tried to stop him and Andreas saw Levi jump off the balcony.

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Gondwe said she did not see Levi jump because she was still in the room with Anna. They ran downstairs and were met by hotel security. Gondwe stated Levi did not have any mental health issues she knew of and he did not talk about suicide. She did not know if Levi had a girlfriend and thought Levi liked her, but she had a boyfriend who was Levi's friend. Detective Meoni took a break. After the break, Detective Meoni asked Gondwe who bought the cookies and she answered she did. The interview was concluded. (JTM)

Anna Jakaovljevic:

On March 11, 2014, Detective John Meoni conducted an audio and video recorded interview with Anna Jakaovljevic. The following is a brief synopsis of that interview, for complete details see interview DVD.

She provided the same details about coming to Denver for Spring Break and identified her friends as Andreas Begun, Bessie Gondwe and Levi Thamba. She said they took a bus to Denver and came to the Holiday Inn Room #401.

On Monday they bought the cookies at about 4:00 pm from a store on the 16th Street Mall on the 8th floor. She said they were told the cookies contained 65mg of marijuana, to cut the cookie into six pieces and eat one piece at a time. They bought four cookies at \$10 each. Afterwards she and Andreas went to the hotel room for private time and they did not use any drugs. Levi and Bessie stayed at the 16th Street Mall and returned to the room at about 8:00 pm. She said the fire alarms went off and everyone had to get out of the hotel.

Jakovljevic stated that they started eating their cookies between 10:00 and 11:00 pm. They cut them up and everyone ate one piece. They waited about 30 minutes and she ate one more piece, but Levi said he didn't feel anything and he ate the entire cookie "immediately". She said they were watching Carrie and estimated the time as 11:30 am to 12:00 am.

She said that Andreas started throwing up and said he did not use any other drugs or alcohol. She said he did not have a cold or flu. Jakovljevic described the cookie as yellow colored and sweet. She said while she was in the bathroom with Andreas, Bessie came to her and said she needed help with Levi. She explained Levi was telling Bessie he was sorry for raping Bessie, but Bessie said she was not raped or touched. Levi went to bed, but 15 to 30 minutes later he ran downstairs to the receptionist and Bessie followed him. Levi came back to the room alone and Bessie came back about a minute later.

They all went to bed and about an hour later Levi "jumped" up and looked under the bed and looked around/behind him while speaking French. She said he was

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holding his hands like he was holding a rifle. He left the room and when he came back he said, "This is a sign from God that this has happened, that I can't control myself. It's not because of the weed." He then calmed down and went to sleep.

Jakovljevic stated he was up again about 10 minutes later and he started destroying lamps and the telephone. Andreas calmed him down, but 10 minutes later Levi was up again turning lights on and speaking in French. He laid down, but kept talking in French so Andreas switched places with Bessie so he was with Levi in the bed. Levi said it was inappropriate for Anna and Bessie to sleep close together, but Levi did go back to sleep. Jakovljevic said she did not think Levi used any other drugs that night and she was with Andreas all day and knows he didn't use other drugs.

She said Levi woke up again screaming, "No" then started speaking in French. He walked through the room talking in French and then apologized for not knowing what was wrong. He went to bed again, but woke up about 20 minutes later. He smashed the lamp and they tried to calm him down, but he grabbed another lamp. Andreas tried to grab Levi because Levi was getting "crazy" destroying the lamps and TV. Levi ran out of the room and jumped off the balcony.

She said she did not see Levi jump and Andreas told them he saw Levi jump. She said Andreas was upset and about to cry. Detective Meoni asked Jakovljevic why Levi jumped off the balcony and she had no explanation. The interview was concluded. (JTM)

Keith Little:

On March 11, 2014 hotel employee Keith Little, completed a written statement regarding the death of Thamba at the Holiday Inn. The following is a brief synopsis of that statement. For details see written statement.

Little was at the front desk talking to the Front Desk Supervisor Tara when they both heard some banging. When Little looked up he observed the door to room #401 open a few times with the latch opened. Little then observed a black male come running out of the room in a panic. The male ran straight towards the railing and then went over the railing.

When Little saw the male hit the ground he told Tara to call 9-11 and he then went over to check on the male. Little observed three other people come out of room #401 and Little tried to prevent them from seeing the body. Little then went back to the front desk area and he spoke with the 9-11 operator. Little

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and other hotel employees put up a sheet to block the body from anyone who might be in the back hallway area. (ACL)

Tara Traxler:

On March 11, 2014, Tara Traxler completed a written statement regarding the death of Thamba at the Holiday inn. The following is a brief synopsis of that interview for complete details see written statement.

Around 3:38 a.m. Traxler observed a young man come running out of his room on the 4th floor yelling. The male continued to run over the railing and fell to the lobby floor. Three other guests who were staying in the same room came out of the same room and saw their friend on the lobby floor.

Traxler called 9-11 while a security officer went over to meet the other three guests at the elevator. The 9-11 operator asked the Security guard Keith to try and verify if the male was still breathing. Keith was able to verify that the male was not breathing. The police and other responders arrived on scene within minutes.

Earlier in the evening the male who jumped/fell off the balcony came to the desk to have his room key remade. This occurred between midnight and 3:00 a.m. During Traxler's interaction with the male he made strange sounds and was very loud.

Q&A:

Q: Were the three guests in this room when he jumped or fell?

A: Yes

Q: Did you see anyone push the male over the balcony?

A: No

Q: Did the other three guests say anything to you after the male jumped/fell?

A: No, the gentleman screamed

On March 11, 2014, Detective Aaron Kafer from the Denver Police Marijuana Enforcement Unit responded to the Denver Police Homicide Unit to assist with the marijuana aspect of this investigation. For details related to Detective Kafer's actions see his statement. (ACL)

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On March 11, 2014, at approximately 10:30 a.m. Detective Meoni and Vice Detective Aaron Kafer, 05002 transported Jakovljevic to the area where she bought the marijuana cookies. She pointed out "Native Root Apothecary" located at 910 16th Street Mall #805. (JTM)

On March 11, 2014, Detective Lopez was informed by Detective Kafer that Native Root had voluntarily given him all the Sweet grass cookies the store still had in stock. Detective Kafer advised that he placed all 67 of the cookies into the Denver Police Property Bureau. Detective Kafer advised that a THC test would be conducted on the cookies.

On March 18, 2014, Detective Kafer contacted Detective Lopez and informed him that the testing on the cookies had been completed. Detective Kafer advised Detective Lopez that the THC levels in the tested items were within the required limits. Detective Lopez received a copy of the results and will include this document in this case. For details see THC test chart. (ACL)

On March 21, 2014, Detective Lopez and Detective Meoni responded to the Denver Medical Examiner's Office where they met with Thamba's father, Emmanuel Thamba Butsila and several other members of Thamba's family. Also present at the meeting was Forensic Pathologist Dr. Dawn Holmes. During this meeting the family was briefed on the known circumstances

After the meeting at the request of Thamba's family Detective Lopez met with the family at the Holiday Inn at 3333 E. Quebec Street. During this meeting Detective Lopez walked the family members through the hotel and answered questions that the family had regarding the death of Thamba.

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Case Disposition:

[On April 10, 2014, Detective Lopez received a copy of the autopsy report generated by Forensic Pathologist Dr. Dawn Holmes. The report indicated that Thamba's death was caused by multiple injuries due to a fall from height. The report indicated that marijuana intoxication was a significant contributing factor. The manner of death was listed as accidental.



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The toxicology report indicated that Thamba had THC in his system; however there were no other positive finding of toxicological significance.

On April 11, 2014, Detective Lopez presented the facts of this case to Chief Deputy District Attorney Helen Morgan who refused charges against Bessie Gondwe.

This case will be carried as UNFOUNDED.

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Author:P95062 - LOPEZ, AARON

Related date:Apr-11-2014 (Fri.) 929

*** END OF HARDCOPY ***