

City of Somersworth Police Department  
FELONY GERSTEIN

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Ref: 22-112-AR

Entered: 02/09/2022 @ 1810  
Modified: 02/09/2022 @ 2335

Entry ID: JWS  
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219-2022-CR-00064

STATE OF NEW HAMPSHIRE

STRAFFORD, SS.  
Court

Strafford County Superior

GERSTEIN AFFIDAVIT

I, John W. Sunderland, am a Detective Sergeant for the Somersworth Police Department. I have been employed by the Somersworth Police Department since March 2009 and have worked in the Investigations Division since January 2011. I am a attended the law package of the 150<sup>th</sup> class to attend the New Hampshire Police Academy. I completed a comprehensive field training program provided by the Somersworth Police Department. Prior to my tenure at the Somersworth Police Department, I was employed by the City of Hinesville in Georgia as a police officer. I also worked for the County of Liberty as a Deputy Sheriff in Georgia. There I attended a 404-hour police academy. Before that I was in the United States Army where I served as a Military Police Soldier and attended a basic training course as well as advanced individual training in law-and-order operations. I also hold an Associate's Degree in Criminal Justice which I obtained from the Savannah Technical College in Georgia. I have attended numerous law enforcement classes throught my career including the Cellebrite Physical Analyst Course, Cellebrite Certified Logical Operator Course, Cellebrite Mobile Forensics Fundamentals Course. Through my career as a law enforcement officer, I have conducted, overseen, and/or supervised numerous investigations including, but not limited to death investigations, death resultings, robberies, burglaries, arsons, assaults, conspiracies, drug investigations, and multi-jurisdictional investigations and online and computer related investigations. As a result of this burglary investigation I have learned the following facts.

1. On 2/9/2021, Officers of the Somersworth Police Department responded to 34 Highland Street for a report that tenants V.B. (DOB: 8/15/1961) and R.N. (DOB: 07/09/1997) heard what they beleived was someone on the roof. V.B. told officers R.N. has a stalker and they would have to talk to her about it and also that they have raccoons, but wanted them to check out these noises. The officers, (Sergeant Lefebvre, and Officer South) entered the attic and heard what sounded to them like heavy footsteps on the roof.
2. R.N. was asked about her stalker and said she had awoken to him standing in her doorway just before V.B called the police. Initially, thinking the figure was her mother, she called out "Mom" the figure then took off down the hallway.
- 3 Police went outside as they felt they could still hear walking and when they did they could see a male figure standing on a flat section of the roof of the home located at the rear of the home. This flat roof would have been accessed by a window in the attic. Officer South maintained a visual of this male while Sergeant Lefebvre re-entered the attic bringing the male in and detaining him. The male would be positively identified as Mauricio Damian Guerrero (DOB 3/7/2001) who lives in Bensalem PA, who was also identified as R.N's alleged "stalker".
4. Bensalem PA is approximately 348 miles from Somersworth and according to a map app, its driving time is just over 6 hours and 15 minutes.



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4. Sergeant Lefebvre while detaining the male asked how he got into the house and he said he came in through the door. The male was told he was under arrest, handcuffed, and searched. He was later transported to SPD.
5. V.B. provided a written statement to police stating she heard footsteps and R.N. entered her room advising she awoke to someone standing in her door way and he walked away. The two began looking around a bit when they heard footsteps in the attic and called the police. Among other things, she also wrote R.N. talked to her about her stalker and she was concerned for their safety as it is easy to find out where they live. And that she noticed things "off" this week. She explained a downstairs window was open about an inch letting cold air in in the living room and back doors near the kitchen being open a few mornings. She said tonight, with the police, they found the back door to the outside open and shoes inside it. Damian was not wearing shoes when he was arrested and these shoes were determined to be his. V.B. dismissed the items she thought were off as she was just busy.
6. R.N. provided a written statement advising she met Mauricio around the end of October through her online job "Only Fans". She said he seemed nice at first and she gave him her address because he wanted to buy her a TV and fireplace for her apartment in Dover. She never really wanted to meet him, but he was very pushy and eventually she was walking to her car and noticed a car pulled over close to her. She saw him ducking and hiding inside his car. She ran inside crying and called him to verify it was actually him and eventually he admitted to this. She said it was at this point Mauricio admitted to her he has been to her place before and that he has slept in his vehicle in the parking lot across from her old apartment (in Dover). She described being scared of him and feeling like she had to be nice at that point. A few weeks later he told her to look out his window and he was standing there. She said she let him in because she didn't know what to do and they hung out for maybe 2 hours then she made him leave. She said they continued texting and said sometimes she would be nice, and other times kept telling him to leave her alone. She wrote that tonight he facetimed her and showed he was in front of her mom's house. She said she went out and asked him to leave and told him he can't come to her moms and to never come there again. She said 2 hours later she awoke to him standing in her hallway staring at her. She said she did not invite him in her mom's house at any point.
7. Mauricio's vehicle, a 2015 Ford F-150 bearing PA registration ZHB9152, was found to have been registered to a third party, Jesus Vazquez of Bensalem PA. It was not parked in her driveway it was parked around the corner away from the house. Ultimately, that vehicle was towed by Eddie B's to prevent Mauricio from returning to the area and to protect the interests of the registered owner. This vehicle was towed to the Berwick Maine storage lot.
8. Mauricio was transported to SPD where he was read his Miranda Rights waiving them at 0615 am. Mauricio was asked for consent to search his vehicle, but denied this request. In this post miranda statement Mauricio admitted he had met R.N. through a website "Only Fans". He admitted he entered the house without permission through a side door of the residence to attempt to reclaim a TV that he had bought for her. He claimed he made his way to the attic level of the house after hearing voices of people in the house and he would relocate to a lower roof of the house because he heard the voices of Officers entering the house. Mauricio admitted he knew he was not authorized to enter the home. He was subsequently charged with night time burglary for entering with the purpose of stealing the TV and later released on personal recognizance bail.
9. I arrived for work on this day and due to being short staffed I was working as the shift supervisor for day shift 0700-1500, in uniform and fully marked police unit. Upon my arrival I met with Sergeant Lefebvre to inquire if



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there was anything that was going to carry over to my shift. She explained this incident to me and I suggested asking for consent to search/download his phone as it sounded to me like there would be extensive text content that would be relevant to the investigation. Sergeant Lefebvre completed a consent to search form, which Mauricio signed, and provided me the phone and advised he gave consent, but did not tell me of any limitations put on the consent.

10. Given this was consent I began working on the phone as soon as the shift was assigned. I connected the phone to the cellphone and obtained a logical and file system download. While I was downloading the phone I was aware that Mauricio was in the lobby waiting for it. It was brought to my attention later that Mauricio had money and belongings in the truck that was towed along with his shoes. Dispatch was trying to make arrangements for Mauricio to get them and I suggested sending an officer to retrieve those items. Officer Baril would respond and retrieve his shoes and provide them to Mauricio.

11. Once the phone finished downloading I returned the phone to Mauricio after confirming the cellphone retrieved the text conversations which I had been made aware that R.N. used two numbers to communicate with him. Given the fact that "Only Fans" was the reference to how they met and that I was aware of "Only Fans" being an online site where females can chat with customers as well as share images and videos I checked to see if there would be any video's of R.N. inviting Mauricio over to the house and limited this to February 2022.

12. There were not a lot of videos in this time frame, and they showed as only a small thumbnail on the cellphone. I noticed the last video did not appear to load and when I clicked on it, it didn't play. The second to last video was a video of what appeared to be female's genitalia. I clicked on this video and found it to be recorded on 2/9/2022 around 0319 hours. This video appeared to be a video of a female's genitalia. It appeared the video was of a female lying on a bed with no panties on and her legs spread exposing her bare vagina. There was a red and white designed blanket under the female and the top of the video appeared to be a bed sheet or comforter. The video did not appear to have any sound so it did not appear to be an invitation either. It was my belief from this video that it was taken of female who was not aware the video was being taken. There was no location information attached to this video either and it did not appear to be shared with or by Mauricio.

13. The third to last video was a video taken on 2/8/2022 at or about 1015 and was a video of a home. The video showed two bedrooms that were on an upper level because the video showed a stair railing. There were no people shown in the video and the video showed the home was clearly in disarray. Again, there was no location information attached to this video.

14. It was at this point that I feared these two videos were taken inside the home of V.B. and R.N. and that the video of the female was that of either V.B. or R.N. The search of the phone download stopped at this point. The cellphone actually froze and was eventually closed without any further analysis. Based upon the timeline I could assume, the video of the exposed female would have been taken a little over an hour before they called the police and more than 30 minutes after R.N. said she told Mauricio he was not welcomed at her home as she wrote about 2 hours after telling him she awoke to him standing in her hallway. This would lead me to believe that neither V.B. or R.N. were aware of this video, nor had they granted consent for it to be taken.

15. I returned to the lobby around 1000 to discuss this matter further with Mauricio to find that he had left the SPD. In this time I was discussing this case with my fellow officers and supervisors when Officer Baril spoke up and informed me that when he went to get the money and shoes from Mauricio's truck he noticed photos of a



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female and female's panties in the center console. At this time Officer Baril did not know what either potential victim looked like for comparison. He also noted tools, to include pry bars in the truck.

16. I asked dispatch to contact Eddie B's and place a hold on the truck pending a search warrant. A short time later I was made aware that Mauricio showed up attempting to get the truck, but was directed back to SPD to speak with me about getting the truck.

17. Officer Baril and I proceeded to 34 Highland Street in an attempt to make contact with V.B. and R.N. We made contact with R.N. who invited us inside and I informed her partially of my findings. I explained that what I was requesting was to see the upstairs of her home and her bed, where she sleeps, to determine if the videos I found were of her home, and potentially her. She agreed to this and in her bedroom I found she slept under a white comforter and on a patchwork blanket that had a square which was the same pattern I saw in the video showing the female's exposed genitals.

18. I informed R.N. of exactly what was in the video I saw and explained to her. She confirmed she did not give him consent, nor was she aware the video was taken. She was explained the process for a forensic interview and agreed. One was scheduled for Wednesday, 2/16/2022 @ 0900. R.N. confirmed while we were there that she was a heavy sleeper and confirmed that last night she slept in her bed with her 3 year old child. Also I told her that it was clear to me from the home, that there was another video in his phone taken on 2/8/2022 around 1000 of her bedroom, the hallway, and the second bedroom. She again said Mauricio did not have her permission to be in her home at that time. She also believed she may have been home at that time, but said she may have also left. It was clear from R.N.'s hands visibly shaking that she was distraught and upset over the news she just received regarding these videos and Mauricio being in her home.

19. While speaking with R.N. she made Officer Baril and I aware that it seemed like Mauricio was in the attic for some time as he had food up there and had urinated in a cup. She said he also left his airpods up there. She allowed officer Baril and I access to the attic where we found exactly what she described. There was a half eaten hash brown on the steps with an unopened pack of graham crackers. On the floor just beyond that was a McDonald's breakfast, an open water bottle, an airpod case, and something that was wrapped in blue tape. These items were photographed and collected. Also in talking to R.N. she told us that strange things have happened. She said her keys disappeared on Monday. She said her mother put her keys on the table and then they were gone. R.N. said they looked everywhere for the keys, but then they somehow just re-appeared. I asked to see the keys which was only a vehicle and house key which I photographed.

20. I asked Officer Baril to open the item in the blue tape and when he did I saw that it was a "Tile". A Tile is a bluetooth tracking device that can be attached to items so that they can be easily found or tracked as it shows location information to the device it is connected to. I did recall that there was a tile app open on Mauricio's phone when I was verifying the information captured and prior to returning the phone to him. As Officer Baril and I were leaving we spent a few moments examining the exterior of the house and noted on the driveway side of the house in the driveway there was a three window section of the house. On two of the window sills there were red marks on the white trim. These red marks lined up with section where it appeared something was pushed under the window slightly damaging the window edging. Of the three windows, two had these marks. The smaller window had two marks and the larger window had three marks. I also looked at the outside of the window and noticed what looked like fingerprints where someone put their hand/fingers on the window in an attempt to push the window open. We left and I made arrangements for some members of our agencies crime



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scene processing unit to respond to the house to process it further. Sergeant McKnight and Officer Seawards would respond.

21. Shortly after Officer Baril and I left the house I was informed that Mauricio was back at SPD to talk to me about his vehicle. I brought Mauricio into an interview room around 1100, informed him the room was recorded, the door was only closed for our privacy and I informed him that he was arrested earlier for burglary and he confirmed this. I informed him that earlier he was read his rights and he confirmed this. I told him that I had a few more questions for him from earlier and asked if he was ok with that which he said he was. I told Mauricio that he is free to leave and not to get that mistaken and he understood.

22. I told Mauricio that we need to talk about what is going on. I told Mauricio that I was in the process of doing a search warrant for his vehicle and I told him that what I thought I was going to find was a red pry bar he used to break into the house. Mauricio denied this. I asked Mauricio if his prints were going to be on the window pushing his window up from the outside and he denied this. I told Mauricio there was also going to be videos on his phone that he took of her last night. I explained the airpod and tile he left upstairs. I asked where his keys were and he said with the truck. I told him what I thought I was going to find on his phone was a key for her house that he had broken in on Monday, stole her key, and had it duplicated. Mauricio denied all these accusations.

23. Mauricio initially claimed that he didn't get to Somersworth until 2300. Over the course of the interview Mauricio would claim a number of conversation with her on her phone and he claimed she invited him over, but not in. He also claimed that she told him at one point she wanted a man to be obsessed with her and stalk her. Mauricio continued to deny breaking into the house yesterday morning and continued to deny most accusations. I specifically pointed out the video he took at 0319 this am.

24. I told Mauricio that this was not the time to lie to me as I had already seen the videos. I told him not to lie to me and this was the time for him to get his story out because he didn't want me to put this my way. Then I asked Mauricio if he wanted me to put this my way and he asked me to put it my way. I told Mauricio that my way is that he was breaking into the house for days. That he has been breaking into this house since prior to yesterday at 1000 and he said well yeah, they hooked up.

25. Ultimately, Mauricio would eventually admit to breaking into the house on Tuesday Morning. He said he broke in looking for a fireplace/tv that he had given her as he wanted it back. He also said he wanted a hat and belt he had left at her home when she lived in Dover. He admitted to taking the video yesterday morning of the house because it was such a mess. Mauricio admitted to breaking in again last night and while being in the home he admitted to taking the video of R.N's private parts. He denied knowing her child was in the bed with her, but admitted to lifting the sheets and taking the video without her knowledge or consent

26. Mauricio would eventually admit that he arrived in the area yesterday around 0400 and went to his Air BnB to rest. He got up and went to McDonald's then went by her house and saw her car was not there. He described her car as a white Jeep (R.N. drives a White Jeep Compass). He brought his food in and was looking in the house for his fireplace/tv and after finding it he went looking for his hat and belt. That is when he took the video of the house while he at a hash brown. From there he went to the attic where he ate and ended up leaving his food. (There was a half eaten hash brown here). After breaking in this time he left, went back to his air BnB in Portsmouth, where he played video games. Then just before 2100 he went to Target off the highway where



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he bought snacks and a Tile that he was going to put in her car to track her. He went to the house and R.N. got in his car with him where they talked and went to the corner store. Mauricio said he parked around the corner and took a nap then went back to the house again after around or after 0200 and went in the back door. He said he went in to get his tv/fireplace back. This is when he took the video of her privates. Then he heard voices so he tried to get away from them by going to the attic and that is where he tried to hide from the police.

27. Mauricio would also admit in this interview that he stole R.N's panties, and photos of her from the home. These were the panties and photos observed in his truck by Officer Baril.

28. I left the room for a few minutes to bring Officer Baril into the interview. When I did I asked Captain Duval to get Mauricio a coke. Captain Duval informed me as I was returning to the room that when he gave Mauricio the coke, he took it then immediately wiped his prints off the can with his shirt sleeve. (A later video review showed he was clearly thirsty as he immediately went to open the can and as it started to crack he immediately pulled his hands away, put them in his shirt sleeves and wiped the can free of prints.) When I entered the room I saw the unopened can in front of him so I told him that I didn't give him the can because I needed his prints, because I already had them. Mauricio then opened his coke.

29. After talking to Mauricio for some time I left the room to contact Eddie B's, Berwick PD, and the Strafford County Attorney to determine how to retrieve the property across state lines. When I returned I discussed consent with Mauricio regarding retrieving this property as well as retrieving his money for him. In discussing the vehicle he was driving Mauricio did not know the last name of the owner of the vehicle saying it is his mother's friend and he is currently in Mexico. Therefore, at this point it is unclear if he is supposed to have this vehicle or not. I also discussed consent for his DNA. I also informed Mauricio that given the new developments that he would be charged with additional counts of Burglary and that we would be seeking his detention and he would be going to jail for the night. I made Mauricio aware of this and informed him that whether or not he gave consent, this would not change anything.

30. I completed the forms for Mauricio and after confirming he could read I gave him the forms to read. Eventually after some time had passed Mauricio agreed to consent to his DNA and consent to search the truck. Eventually after some time had passed Mauricio granted consent. I obtained his DNA and Officer Seawards accompanied Mauricio and I to Berwick.

31. Mauricio was placed into handcuffs in front of his person and transported to Berwick in cruiser 121. We met with Officer Poore where Mauricio again signed a consent to search the truck in Maine. The consent search of the truck was video taped and I was given the keys by Berwick. Mauricio was present at the truck during the entire search. He was not in the back of the cruiser where he could not tell us to stop. As a result of this search we recovered a red pry bar. When we recovered this I asked Mauricio what he used it for and Mauricio admitted he used it to try to pry the windows on the side of the house open. Mauricio admitted he used this bar on two of the window. In the console were panties and photos. I removed the panties and pulled each out in front of Mauricio and for each pair of female underwear, Mauricio admitted they belonged to R.N. I asked Mauricio who the photos belonged to showing him the photos and he said R.N. I moved to the driver's door where I found a few receipts. Among these receipts was a receipt for McDonald's for hotcakes, hashbrowns, OJ, and bottled water bought on 2/8/2022 @ 1005 and a Target receipt for bananas (this was on his dash), masking tape, and a Tile. These were bought on 2/8/2022 at 2144. We also took his money (\$1400) and a check he had not cashed yet and a small screwdriver that he said he would need to get a bracelet off so the jail didn't cut it off.



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These items stayed with Mauricio.

32. While in Berwick I looked at the four keys on the key ring with the truck key. I noticed one key bore a very similar appearance to R.N.'s house key. I told Mauricio this and he explained the four keys saying one went to the Air BnB, one to his house, one to his room, and one to a locket. This is the key that I believed matched R.N. as it was a house key not a locket key. I made a comment to Mauricio and he said the locket is large.

33. Upon leaving we met with Officer Baril who had been at the residence with Sergeant McKnight. He returned to SPD with Mauricio and I while I sent Officer Seawards to the house to assist Sergeant McKnight in informed him that I also wanted him to check the key's on Mauricio's key ring against the locks at 34 Highland Street. Upon returned to SPD Mauricio was placed into a cell.

34. Officer Seawards confirmed one of the keys on the key ring worked on a lock at 34 Highland Street. I asked Officer Baril to confront Mauricio with this and he did. Mauricio admitted after confronted with this information that he broke into the house on Monday using the pry bar and entered the window. He claimed this is when he stole the photos and stole the key. He claimed he went to Home Depot and had a key made from the keys he stole. Mauricio also unlocked the door latches to the back doors which is how he would continue to enter the home. He made this key so that he would be able to get into the house. He returned to the house around 1000 am and returned the key and this is when he stole the panties and photos.

35. It was during this conversation that Mauricio would claim that when he returned later he and R.N. hooked up in his truck claiming to have touched her breast(s) and vagina, and claiming she gave him a blow job. He dropped her off and left then broke in later and that is when he took the video of her vagina. When asked why, Mauricio now said he just wanted to see it again. Officer Baril would confront the fact that Mauricio wanted to sleep with her and he said he did, but he wouldn't do that because she was sleeping.

36. Mauricio's phone that had been returned to him has been re-seized by police pending a search warrant for further extractions and further analysis.

37. Sergeant McKnight and Officer Seawards completed processing the residence and reported that they collected fingerprints from the side window where the tool was used by Mauricio and further that the pry bar collected from the vehicle could have produced the marks on the window sills. They also reported that inside the rear door where Mauricio entered the residence they found blue masking tape which would match the tape placed on the Tile

38. Mauricio was ultimately transported to the Strafford County House of Corrections pending an arraignment in Strafford Superior Court on 2/10/2022 after refusing bail as he was aware I would be seeking preventative detention

Based on my training and experience and the fact as outlined above I believe there is probable cause that Mauricio Damian Geurrero committed multiple crimes of Burglary at 34 Highland Street in Somersworth, NH 03878. Specifically that he committed burglary on:

2/7/2022 during the daytime with the intent to steal the keys of R.N.

2/8/2022 during the daytime with the intent to steal the panties of R.N.

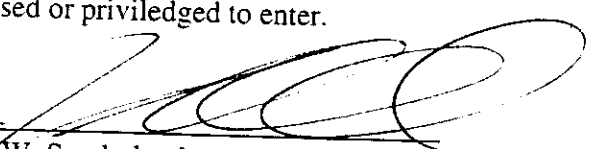
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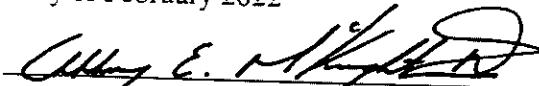
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2/9/2022 during the night time with the intent to steal the tv/fireplace or R.N.  
2/9/2022 during the night time with the intent to commit the crime of invasion of privacy of R.N.  
and further that 34 Highland Street Somersworth, NH 03878 is an occupied structure and that Mauricio was not  
licensed or privileged to enter.

  
John W. Sunderland  
Detective Sergeant

Subscribed and sworn this 9th Day of February 2022

  
Justice/Justice of the Peace

