

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

Page: 4456
1

City : ASPEN
Occurred after : 03:30:00 12/25/2009
Occurred before : 08:33:25 12/25/2009
When reported : 08:34:01 12/25/2009
Date disposition declared : 01/06/2010
Incident number : 09A016475
Primary incident number :
Incident nature : DOMESTIC DOMESTIC DISPUTE
Incident address : 320 W HALLAM ST
State abbreviation : CO
ZIP Code : 81611
Contact or caller : T-MOBILE USA
Complainant name number :
Area location code : AP03 WEST END
Received by : CULVER, DYANI
How received : 9 911 Line
Agency code : AP ASPEN POLICE DEPARTMENT
Responsible officer : MAGNUSON, RICK
Offense as Taken :
Offense as Observed :
Disposition : CAA Clrd ADULT-Arrest
Misc. number :
Geobase address ID : 1624
Long-term call ID : 18096
Clearance Code : ARR CLEARED BY ARREST
Judicial Status :

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
MI	11873	02/02/10	Court Case Pending	DA sent 2-2-10
AR	09P1103	12/25/09	MENACING-W/DEAD WEAP	+ *Arrest/Offense
NM				child
NM				Child
NM	92968	12/25/09	ESTEVEZ, CARLOS IRWIN	Offender
NM	92975	12/25/09	MUELLER SHEEN, BROOKE	Victim
NM	92977	12/25/09	KENT, SAMMY RAPHAEL	Witness
NM	92978	12/25/09	FIORE, JOHN R	Father
NM	92979	12/25/09	VARELA, ENMA GRACIELA	Witness
NM	92980	12/25/09	FIORI, MOIRA WOLOFSKY	Mother
NM	92982	12/25/09	CONWAY, KATHLEEN MARIE	Witness
CA	18096	12/25/09	08:34 12/25/09 DOMESTIC	*Initiating Call
PR	42975	01/31/10	RECORDINGS 911 CALL CD-R \$0	Evidence
PR	42525	12/27/09	Identification california \$0	evidence
PR	42527	12/27/09	Documents Miranda form \$0	Documents
PR	42499	12/25/09	Photographs Evidence \$0	Evidence
PR	42500	12/25/09	Sun Glasses Miu Miu/Blind \$620	Evidence
PR	42501	12/25/09	BLK Knife unknown \$0	evidence
EV	12284	06/22/10	recordings	*Evidence Incident
EV	11789	02/03/10	RM6 911/Radio/Cell calls	*Evidence Incident
EV	11638	12/28/09	RM1 Knife found open in bag	*Evidence Incident
EV	11639	12/28/09	VM2 Sunglasses	*Evidence Incident
EV	11640	12/28/09	VM3 CD of Victim Injuries	*Evidence Incident
EV	11641	12/28/09	RM4 Fake ID CA DL	*Evidence Incident

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 3

Rick Magnuson Sat Dec 26 08:48:28 MST 2009 mt107Sun Dec 27 14:53:18 MST 2009

On December 25, 2009 at approximately 0834 hours Aspen-Pitkin County Combined Communications Center (hereafter referred to as Dispatch) aired "City units, domestic in progress at 320 West Hallam, husband has a knife." 320 West Hallam is located in the City of Aspen, County of Pitkin, State of Colorado.

Dispatch aired that the husband, later identified as Carlos Irwin Estevez, (also known as Charles I Sheen), date of birth, September 03, 1965, and the wife/reporting party, Brooke Mueller Sheen, date of birth August 19, 1977 (hereafter referred to as Mueller) were separated, again adding that Estevez had a knife.

I responded to the location from the Pitkin County Courthouse with Officer Casey Ward. While we were driving to 320 West Hallam, dispatch aired that Mueller stated "It's happened before."

At approximately 0837 hours, Officer Ward and I arrived on scene. Dispatch aired that Estevez's knife was a "switch blade, like a pocket knife," adding that he was attempting to leave the residence.

Officer Ward responded to the back of the house as I went to front door, on the south side of the residence, where I was let in by an unknown person. Inside the residence, I observed a woman, later identified as Mueller standing in the kitchen; Mueller was crying uncontrollably. I did not notice any obvious life threatening injuries on Mueller. I asked Mueller "where is he?" in reference to the man with the knife. Mueller told me that Estevez was upstairs in the residence and had a knife; pointing the stairs, beyond the kitchen area.

From the bottom of the stairs, I identified myself as a Police Officer. I noticed a man, later identified as Estevez at the top of the stairs. Estevez was holding both hands in the air. I directed Estevez to come to the bottom of the stairs and he complied.

I asked Estevez if he had any weapons on him and he stated that he did not. I asked permission to search him for weapons and he consented. I felt over his clothes for weapons and did not find any.

I then radioed Officer Ward that I was in contact in the kitchen and asked for his assistance.

Aspen Police Officer Ward entered the residence and talked to Mueller. I requested Police Officer Valerie McFarlane also respond to our location. I asked Estevez to speak with me in the basement and he agreed. While talking to Estevez I observed a moderate odor of alcohol on his breath. He spoke clearly and did not display other objective signs of intoxication. I spoke with Estevez and learned the following:

-Estevez and Mueller have been married for two years and have two children together

-Estevez stated that he and Mueller have been having marital problems lately, adding that Mueller abuses alcohol

-Estevez stated that he and Mueller began arguing at approximately 0330 hours on December 25, 2009, in the upstairs bedroom

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 4

-Estevez stated that the argument began when Mueller threatened to divorce him and take the children

-Estevez added that the catalyst of this argument was that he shared a song with a daughter, whom he fathered with another woman. Estevez further explained that he and the daughter share an affinity for both astronomy and the song 'Drops of Jupiter' from the band 'Train.' Estevez added that he bought two tracking telescopes; one for his daughter and one for him so they could both look at the same point in the universe at the same time, as a way of staying connected.

-Estevez added that Mueller was jealous of this relationship with his daughter. He stated that Mueller said, "you have a song you share with your daughter, but not one with me." Estevez replied, "It's my daughter, can I have this moment?" Estevez was emotional while telling this story

-Estevez stated that the argument was predominantly verbal; adding that both parties were yelling at each other

-Estevez stated that during the argument he and Mueller slapped at each others hands or wrists; he asked if he could demonstrate and I agreed: I held out my arms and he made repeated weak slaps on my forearms and wrists

I asked Estevez if he struck or pushed Mueller. Estevez denied pushing or striking Mueller. Estevez added that during this argument, Mueller became irate, threatening to divorce him and take the children away. Estevez stated that Mueller said, "I'm calling Troup (a divorce attorney) and you will never see your kids again." Estevez stated that he became very upset with this threat because of past experiences.

I asked Estevez for his identification and he handed me a California driver's license (Charles I Sheen [09/03/1965]). He said, "It's fake, I had it made from someone on the set after I lost the real one." I confiscated the license.

Separate from Estevez, I learned from Officer Ward that Mueller accused Estevez of strangling her, putting a pocket-type knife to her throat and threatening to kill her. Officer Ward added that he observed red marks around Mueller's throat, consistent with a strangulation attempt. Officer Ward also advised me that Mueller claimed that Estevez had harmed her in the past.

I asked Estevez if he attempted to strangle Mueller or placed a knife near her throat. Estevez denied threatening Mueller with a knife or strangling her.

I asked Estevez if he ever harmed Mueller in the past. Estevez stated that approximately two months ago, in California, Mueller accused him of sleeping with prostitutes. Estevez stated that he denied this allegation, which escalated into a "huge fight." He added that when Mueller attempted to leave the argument, he grabbed her by the wrist, causing her to fall to the ground. Estevez added that Mueller hit the back of her head on a piece of furniture as she fell to the ground. Estevez stated that Mueller was injured when her head contacted the furniture. Estevez added that neither he nor Mueller reported this incident to law enforcement. Estevez added that Mueller received medical treatment for her head injury. Estevez added that the Mueller's injury was not intentional, adding that she accidentally hit her head as he was trying to restrain her.

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 5

I then asked Estevez if he had a knife. Estevez stated that he had a folding knife in his travel bag, which was near the upstairs bedroom. We went upstairs to the hallway outside the bedroom where the altercation occurred. I observed two black Prada bags in the hallway, approximately six feet from the bed. Estevez reached into the larger travel bag and I observed a dark colored knife with an approximate four inch blade, which was in the open position. Estevez took the knife from the bag, laying it on the floor where I retrieved it. I attempted to close the knife and found it to be in the locked position.

I observed that the bedroom was unkempt; the bed was not made, the bed spread and sheets were in a ball on the bed and the room was in a moderate state of uncleanliness. I observed two pairs of broken eyeglasses on the floor near the bed. Both pairs were snapped in half.

I asked Estevez what happened to the eyeglasses. Estevez stated that he took two of Mueller's eyeglasses and broke them in front of her. He demonstrated this by making a breaking gesture with his hands. He added that after breaking the eyeglasses he threw them on the floor of the bedroom.

Estevez was cooperative, forthcoming and polite during my conversation with him.

I then spoke with Police Officer Valerie McFarlane, who interviewed Mueller. I learned the following from McFarlane:

-Mueller and Estevez were in an argument in the upstairs bedroom. The argument started early in the morning of December 25, 2009

-Mueller told Estevez that she wanted a divorce and would get permanent custody of the children; Mueller threatened that Estevez would never see the [REDACTED] children again

-Mueller stated that Estevez became enraged by this; he grabbed Mueller by the upper part of the throat while straddling her as she lay supine on the bed

-Mueller added that Estevez then pulled out a knife, holding it to her throat and saying, "You better be in fear. If you tell anybody, I'll kill you. Your mother's money means nothing, I have ex-police I can hire who know how to get the job done and they won't leave any trace"

-Mueller told Officer McFarlane that she was in fear of her life

-Mueller said that Estevez got off her after she told him, "You're right, you're right, you're right. I'm sorry, I love you"

Officer McFarlane showed me pictures she had taken: These were pictures of Mueller, depicting obvious reddening around her throat and a scratch on her arm, between the wrist and elbow. I also observed photographs of the bedroom, containing pictures of the bed and broken eyeglasses.

I decided to speak with Mueller to confirm what she told Officer McFarlane. I observed that Mueller had red marks on the upper part of the front of her neck. These marks appeared consistent with a strangulation attempt. I asked Mueller if this was normal and she stated that it was not; adding that Estevez caused the marks on her neck while he was holding her down on the bed with his hand.

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 6

Mueller added that Estevez placed a medium sized folding knife, blade exposed, next to her throat, while he straddled her torso on the bed. Mueller told me that she was afraid she was going to die at that moment, adding that she was unable to get up while Estevez' other hand was around her throat and his weight on her torso. Mueller demonstrated this incident by lying on her back, on the bed; she placed one hand around her throat and the other was near her neck, mimicking the holding of a knife, with the point aimed at her neck.

I asked Mueller about the alleged incident in California, where she received an injury to her head. I told Mueller that I confronted Estevez about the incident; adding that Estevez claimed that Mueller's injury was inadvertent. This upset Mueller; she was very adamant that Estevez intentionally hurt her by throwing her to the ground, like a "rag doll." Mueller added that Estevez did not want to report the incident to the police. Mueller added that she saw three doctors in California for her head injury. She stated that the injury was diagnosed as a "closed head injury."

I then placed Estevez under arrest. I advised Estevez of his Rights per Miranda. Estevez stated that he understood his rights and wished to remain silent. Estevez signed the back of an Advisement of Rights per Miranda card. This was witnessed by Estevez' personal assistant Sammy Kent (02/10/1959), who also signed the back of the card.

I asked Estevez if he was taking any medication and he stated that he was. I told him to bring his medication with us to the jail. Estevez asked to call his attorney and I told him that he would be allowed to make that call from the jail. He said that his cell phone battery was nearly depleted and asked to bring a charger. I told him he could also bring the charger to the jail. Estevez then reached into the same Prada travel bag that contained the aforementioned knife, where he retrieved his medication and cell phone charger.

Officer Ward and I escorted Estevez to the garage, where Officer Ward handcuffed him, checked for fit and double locked the cuffs. I transported Estevez to the Pitkin County Jail at approximately 0947 hours on December 25, 2009.

I charged Estevez with:

Assault in the second degree, in violation of C.R.S. 18-3-203(1)(b)
Menacing, in violation of C.R.S. 18-3-206(1)(a)
Criminal Mischief, in violation of C.R.S. 18-4-501(1)
Domestic Violence, in violation of C.R.S. 18-6-801

Officer McFarlane retrieved the broken eyeglasses belonging to Mueller. Officer Ward researched the value of the eyeglasses: Miu Miu SMU54H prescription glasses are worth approximately \$335. Blinde Natural Born Thriller are worth approximately \$285 dollars. The total value of the damaged eyewear is approximately \$620.

At the Pitkin County Courthouse, I entered the knife as evidence (RM1).

I will submit Estevez's California license to be destroyed, and notify Encino Police Department about the unreported domestic incident.

I will request the 911 call and dispatch recordings from this incident.

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 8

VM129 Fri Dec 25 14:44:45 MST 2009 mt107Sun Dec 27 14:53:29 MST 2009

On December 25, 2009 at approximately 0850 hours I received a call on my mobile phone from dispatch. They were unable to contact me via radio due to radio issues with my pack-set. The dispatcher stated Officer Rick Magnuson and Officer Casey Ward were already on scene at 320 West Hallam, City of Aspen, County of Pitkin, State of Colorado. It was a domestic in progress and a man was wielding a knife.

I arrived at the location, knocked on the front door and was greeted by Sammy Kent (DOB 2/10/1959) who invited me in. Officer Ward was in the family room trying to calm a distraught female, Brooke Mueller Sheen (DOB 8/19/1977), hereafter referred to as Mueller. Officer Ward gave me a brief synopsis of what occurred and asked me to continue the interview with Mueller. Officer Ward went to the lower level of the home to help Officer Magnuson with the male, Carlos Irwin Estevez (DOB 9/3/1965). Mueller was crying uncontrollably as she sat on the couch. I spoke to Mueller and she told me the following:

Mueller and Estevez are married. The couple was in the only upstairs bedroom of the house. They got into a dispute because Mueller wanted a divorce and she was taking the kids. Estevez became enraged and grabbed Mueller by the upper front part of her neck. Estevez had Mueller straddled face up on the bed. Estevez started to strangle Mueller then he pulled out a knife he always carries on his person and held the knife to Mueller's neck and threatened, "You better be in fear. If you tell anybody I'll kill you...your mother's money means nothing...I have ex-police I can hire who know how to get the job done and they won't leave any trace." Mueller stated, "I was terrified and felt for the first time in my life I was going to die." Mueller said to Estevez, "You're right, you're right, your right. I'm sorry. I love you." Mueller said Estevez held the knife to her neck for approximately 20 minutes. I asked Mueller which hand held her neck and which hand held the knife. Mueller was unable to recall that detail. Mueller stated that Estevez was angry, agitated, and gritting his teeth as he threatened her. Estevez spit in Mueller's face while he held her down.

I photographed red marks on Mueller's neck and red marks on her arms. The red marks on her neck were from under her jaw line to the center of her throat in depth (approximately 3 inches), and from about ear to ear in length. The mark appeared to be consistent with a hand strangling the victim. The red marks on her arms were below the elbow and above the base of the wrist. The photographs were burned onto a CD and placed into evidence (VM-2). The CD includes photographs of the upstairs bedroom (incident location) and two pairs of Mueller's sunglasses which Estevez told officers he broke during the argument. I retrieved the broken pair of Miu Miu sunglasses, and one-half of the Blinde Natural Born Thriller glasses. The broken sunglasses were also placed into evidence (VM-3).

Mueller showed me old bruises from previous physical altercations with Estevez that occurred in California. I observed faint bruise marks above the elbow. Mueller stated that Estevez had 'shaken her in the past, thrown her like a rag-doll, giving her whiplash as she was being thrown and inflicted neurological damage' which required Mueller to see various physicians for treatment. Mueller said during that particular argument, Estevez 'flung her down to the ground, hitting her head on a piece of furniture, causing a closed head injury'. Mueller said she did not report that incident or any previous abuse to California authorities.

Due to the possible mechanism of injury (strangulation), I requested to have

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 9

medics dispatched to the home. EMT Katherine Shea Weir examined Mueller. Mueller stated she did not want to go to the hospital for further evaluation. Weir spoke to Dr. Balko at Aspen Valley Hospital to medically clear Mueller.

Mueller said she was concerned about filing for divorce and wanted to get it done before Estevez had a chance to file first. Mueller said she was also concerned about how powerful Estevez is in Hollywood and how destructive he can be. Mueller thought this altercation may cause Estevez' career to crash and he might be fired by Warner Brothers.

Mueller's [REDACTED] [REDACTED] [REDACTED] sons, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] were sleeping two floors below Mueller and Estevez with their nanny, Enma Graciela Varela (DOB 7/8/1963), therefore they did not witness or hear anything.

I also interviewed Kathleen Marie Conway (DOB 11/27/1961). Conway was a guest at the rental home and serves as the sobriety life-coach for Mueller and Estevez. Conway stated that she heard yelling upstairs and went to the upstairs bedroom. She observed Estevez in the doorway and Mueller in the bed. Mueller saw Conway at the door and screamed, "He held a knife to my throat for an hour. I want a divorce. Call Troup & Troup." Estevez yelled back, "You're not gonna fucking do that. I'm texting my attorney right now and I'll file first." Conway said she believed both parties had been drinking the previous evening. Conway asked me if I carried a portable breath test (PBT) with me. I told her it was in my patrol vehicle. Conway demanded that both Mueller and Estevez blow into the PBT to determine their breath alcohol levels. I told Conway both parties must consent, which they did. At 0920 hours Mueller's BrAC level was 0.132. At 0927 hours Estevez' BrAC level was 0.049.

I spoke to Officer Magnuson and relayed the information I gathered from Mueller. Officer Magnuson confirmed some of Mueller's statements with her. Officer's Magnuson and Ward escorted Estevez to the garage where he was placed under arrest. The officers transported Estevez to the Pitkin County Jail without incident.

I returned to the home at approximately 1700 hours to check on Mueller and to re-interview her. Mueller refused to answer any further questions. Mueller stated that she over exaggerated her earlier statements and this episode was a huge misunderstanding. Muller was adamant about having Estevez released from the Pitkin County Jail as soon as possible. Mueller stated she does not wish to pursue any charges at all.

Case cleared by adult arrest.

2 WARD, CASEY 18:19:30 12/25/2009

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 10

Casey Ward 09A016475 Fri Dec 25 18:19:40 MST 2009 mt107Sun Dec 27 14:53:41 MST 2009

On 12/25/09 at approximately 0834 hours a "domestic in progress at 320 W. Hallam St., husband has a knife" was aired over the radio.

Officer Magnuson and I responded to the location 320 W. Hallam St. It was reported to Officer Magnuson via cell phone that 'Charlie Sheen was threatening his wife with a knife'. As we arrived it was aired via radio that the husband was "trying to sneak out the back now".

Magnuson went to the front door as I went around to the back of the house. A few seconds later, Magnuson informed me over the radio that he was in contact with both parties and asked me to enter through the front door.

Upon entering, I observed Officer Magnuson was in contact with Carlos Estevez (09/03/65) commonly known as Charlie Sheen, near the back stairway. I observed a female later identified as Brooke Mueller Sheen (08/19/77) referred to as Muller from here on. Mueller was distraught, smoking a cigarette in the kitchen and talking hysterically with her friend Kathleen Marie Conway (11/27/51).

Magnuson asked me to contact Officer McFarlane and have her interview Mueller. I attempted to contact McFarlane via radio. Dispatch told me they would attempt to contact McFarlane via cell phone.

I began questioning Mueller as Officer Magnuson and Estevez went downstairs. Mueller told me the following:

-Mueller was in the bedroom with Estevez earlier that morning

-Mueller was not aware of what started the argument. But she believed it started when she told Estevez that she wanted a divorce

-That is when Estevez held Mueller by the neck with one hand and a knife in the other hand saying, "if you tell anyone I'm going to kill you." Mueller showed me the red marks on the front of her neck

-Mueller told me that in the past she had previous domestic issues in California with Estevez. In the previous California incident Mueller said that she was thrown down by Estevez. As a result she had whiplash and required a CAT scan

-Mueller wanted to call her attorney immediately to file for divorce

Officer McFarlane arrived on scene. I told her the above information I had received from Mueller. McFarlane took over the interview with Mueller and I went to Officer Magnuson's location to assist him. Officer Magnuson was speaking with Estevez who stated the following:

-Estevez and Mueller have been together for the past four years. They have been married for the past two years and have 2 [REDACTED] [REDACTED] [REDACTED] [REDACTED] boys together

-Estevez said that he was listening to a song that reminded him of his daughter from a previous relationship. The song reminded him about purchasing a telescope for his daughter in attempt to connect with her by looking at the sky at the same time anywhere in the world

-Estevez stated that Mueller said, "You have a song for your daughter but you do

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 11

not have a song for me"

-Estevez told Mueller, "That is my daughter. Can I have this moment for me?"

-According to Estevez, Mueller then said, "I want a divorce and I will never let you see your kids again"

-Estevez then said, "Don't do this to me"

-Estevez and Mueller then started slapping at each other's hands. I asked Estevez if he used a knife to threaten Mueller. Estevez stated he may have grabbed her wrist but said he did not threaten her with a knife

Magnuson asked Estevez where the incident occurred and Estevez led us upstairs to the bedroom. Magnuson asked Estevez to show us the knife. Estevez went to one of two small black suitcase bags at the top of the stairs outside the bedroom door. Estevez dug out an approximately 4 inch flip knife which was in the open position. Estevez placed the knife on the ground and Magnuson picked it up. I observed Magnuson struggling to try to close the knife until he found the locking mechanism. Magnuson took the knife to enter it into evidence. At a later time Estevez pulled his phone charger and some medication out of the small black suitcase bags.

Magnuson noticed two pairs of broken eyeglasses under the bedside table. He asked Estevez who owned the glasses. Estevez said they were Mueller's. Magnuson asked who broke the eyeglasses. Estevez stated that he was standing at the wardrobe with Mueller on the bed when he broke them and threw them underneath the bed side table.

Officer McFarlane took photos of the eyeglasses and then took the eyeglasses to enter into evidence.

Magnuson then told Estevez that he was under arrest for domestic violence. Magnuson read Estevez his Miranda rights. Estevez understood his rights and choose to remain silent. We searched Estevez and escorted him to the garage of the residence. I placed handcuffs on Estevez, I checked for proper fit and double locked the handcuffs.

Magnuson and I transported Estevez to the jail and custody was transferred to Pitkin County Jail Deputy DeBerge. Estevez was very cooperative the whole time.

I researched the cost of the Miu Miu Eye Glasses, Blinde Sunglass, and prescription lenses which totaled approximately \$620.

At 1700 hours Officer McFarlane and I returned to the residence for follow-up. I contacted Enma Graciela Varela (07/08/63) the nanny of Estevez and Mueller's children. Varela indicated that she and one to three other babysitters are with the two children 24 hours a day. [REDACTED]

I then went to where Officer McFarlane was following up with Mueller. I heard Mueller telling McFarlane that she did not want to file charges. Mueller was asking if there was any way she could take it back. Mueller stated that she did not want to say anything else at this time. Officer McFarlane and I then left the residence.

Cleared by Adult Arrest

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 12

3 MAGNUSON,RICK 07:23:21 12/28/2009

Rick Magnuson Mon Dec 28 07:23:34 MST 2009 DD106 Wed Dec 30 10:40:22 MST 2009

On 12/27/09 I entered two pieces of evidence:

RM4- California Driver's license. Given to me by Carlos Estevez on 12/25/09. OLN says Charles I Sheen(aka Estevez). He told me it was fake.

RM5- Waiver of Rights per Miranda. Signed by Charlie Sheen and witnessed by Sammy Kent. Signed on 12/25/09.

4 MACAYEAL,IAN 15:50:52 12/30/2009

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 13

im118 Wed Dec 30 15:50:56 MST 2009 mt107Mon Jan 04 10:39:44 MST 2010

On 12/30/09, I spoke with Sammy Kent, Estevez's personal sobriety assistant. Kent explained that Estevez hired Kent to counsel him while in Aspen over the holidays. Estevez wanted to be sober during this time.

Kent said he had known Estevez since Tuesday 12/22/09. He said this is when he first met Estevez. Conway was said to be Mueller's personal sobriety coach. Kent said he and Conway function as counselors and advisers when tendencies to drink become strong.

Kent said Estevez had been doing fine and was sober. Kent said on 12/24/09 at about 10 PM, Conway had learned that Mueller had taken one of Estevez's Gabapentin pills. Kent explained Gabapentin is a medication that helps people deal with the desires to drink alcohol. He said it's actually an anti-seizure medication but also curbs the appetite for alcohol.

Kent said Mueller had told Conway she stole this pill from Estevez. Conway thought it best to clear the air and advised Mueller to tell Estevez what she had done. Estevez became angry when he learned that Mueller had taken a Gabapentin. Kent said Estevez used a "loud tone of voice" toward Mueller and was obviously angry with her. Kent said Mueller was apologetic and did not argue with Estevez.

Kent said the Estevez and Mueller went to their upstairs room about 11 PM. When they went to the room, Kent said Estevez' previous anger had subsided and it didn't appear the two were arguing.

Kent went to bed about 12AM. When he awoke at 8:15 AM, Kent heard yelling coming from the upstairs. He went upstairs and found Mueller and Estevez arguing. Conway was also present.

During the argument, Kent heard Muller accuse Estevez of using a knife against her. Kent said Mueller was "hysterical and highly animated." Kent said Estevez denied using a knife when she accused him of doing so. Kent said Estevez was angry but much calmer than Mueller.

During the argument, Estevez told Kent to pack his bags and call a cab. Estevez wanted to leave the house and the situation. Kent went downstairs to pack his bags. When he returned the police had already arrived.

Kent said he saw very faint red marks around Mueller's neck but said he would not have noticed them if he wasn't specifically looking.

I asked Kent if he had ever seen Estevez and Mueller argue in the past and he said he had not. Kent explained that he had only known Estevez for about 4 days. He said Conway had known Mueller for about 6 months and had worked with her as a sobriety coach in the past.

Kent said he had heard through the grapevine that it was a bad idea for Estevez and Mueller to be together on a vacation. He said managers and lawyers who know the couple thought there would be problems between the two. Kent said he heard the two have a tendency to fight and argue. Kent said the two have both been battling alcohol and make efforts to stay sober.

Kent said he did not see any alcohol in the house. He thought maybe a friend brought alcohol to the house or in some way had it delivered.

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 14

I asked Kent about a knife that Estevez supposedly carried with him at all times. Kent said he once needed to open "some beef jerky or something" and couldn't get the package open. Kent said Estevez pulled out a pocket knife and gave it to Kent to open the package. This happened on 12/23/09. Kent did not know where Estevez carried the knife or how often he carried it.

in the end, Kent said Mueller was "hysterical" and Sheen was "angry". Kent said he heard Mueller accuse Sheen of holding a knife to her and Sheen denied it. Kent said he didn't know who was telling the truth.

case cleared by arrest

5 MACAYEAL, IAN 09:53:00 01/06/2010

im118 Wed Jan 06 09:53:04 MST 2010 DD106 Wed Jan 06 11:10:05 MST 2010

On 1-6-10, I spoke with John Fiore, Brooke Mueller's step father. Fiore told me the following:

-Fiore and his wife Moira own a house in Aspen. They have been coming to and vacationing in Aspen for several years and are familiar with the area.

-Fiore was home Christmas morning when his wife Moira received a phone call from Mueller. Mueller was said to be extremely upset, crying and distraught.

-Mueller stated that she had been "attacked" by Sheen. Fiore thought a knife was also mentioned.

-Fiore and his wife rushed to the West End house where Mueller and Sheen were staying. Aspen police were already there when they arrived.

-When Fiore arrived, he saw Mueller crying and upset. He said he had never seen her this upset. Fiore said he saw red marks around Mueller's neck.

-Fiore said Sheen and his step-daughter have known each other for 4 years and have been married for 2 years. Fiore said he and Sheen get along fine.

-Fiore said Sheen has "issues he has to deal with" when I asked him about Sheen's anger. Fiore said he is not aware of any previous domestic violence issues with Mueller and Sheen. He also said he doesn't know Sheen to regularly carry a knife or other weapons.

-Fiore said he stayed with Mueller throughout the day. He said Mueller and he did not talk much about what happened between her and Sheen. He said he believed Mueller's account of what happened to be true.

case cleared by arrest

6 MACAYEAL, IAN 12:05:26 01/06/2010

08/02/10
11:27

ASPEN POLICE
LAW INCIDENT TABLE

4456
Page: 15

iml18 Wed Jan 06 12:05:32 MST 2010 mt107Sat Jan 09 07:32:05 MST 2010

On 1-6-10, I spoke with Moira Fiore. Fiore told me the following:

-Fiore is Mueller's mother. Fiore received a phone call from Mueller Christmas morning. Fiore said Mueller was scared and crying.

-Fiore said Meller and Sheen had been having marital issues for some time. The basis of the problems seem to stem from difference in lifestyles. Fiore said Sheen likes to stay home while Mueller is more social and wants to have a more active social life.

-Fiore said the two have been talking about divorce or separation recently. Fiore said three months ago, Mueller had told Fiore that Sheen had pushed her. This incident went unreported to LAPD. She said the fight was probably about talk of divorce or the kids.

-Fiore said the two have been sober for some time. She said Sheen was sober for 9 years and Mueller was sober for 3. Both struggle with sobriety but support each other. They don't fight when they are sober. Most of the arguments revolve around the kids and talk of separation.

-Fiore said Mueller was incoherent, scared and shaking when she saw her daughter Christmas morning. She said Mueller had been drinking vodka. She did not know where the vodka came from. Fiore said Mueller slept throughout the day after police left and didn't say much about what happened.

-Fiore did say she knew a knife was reportedly used against Mueller and she saw red marks around Mueller's neck. Fiore did not know if either were taking medication at the time.

-Fiore said Sheen and her daughter love each other and if Sheen used a knife it would only be to scare her. Fiore said Mueller knows how to "push his (Sheens) buttons".

case cleared by arrest

7 MAGNUSON,RICK 11:41:20 01/31/2010

Rick Magnuson Sun Jan 31 11:41:32 MST 2010 mt107Sun Jan 31 12:12:44 MST 2010

On 01/31/10 I added the 911 dispatch call and radio traffic pertinent to this case into property (rm6).

Cleared by arrest.