



PURSUANT to URCrP, Rule 16(e)
and UCS §77-38-6, the victim(s)
and witnesses' identifying
information has been redacted
from the enclosed documents.

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Force Investigation Team Report Officer-Involved Shooting

Incident: Officer-Involved Shooting-Fatal

Agency(s) Involved: Ogden Metro Gang Unit

Relevant case numbers: 24G24096, 25WC11228, CSI 25CS294,
25G23387

Date of Incident: April 4, 2025

Time of Incident: 0159 hrs.

Location of Incident:

FIT Lead Investigator: Investigator Steve Zaccardi

Involved Officer(s): Parker Weloth, David Davis

Injured Officer: Tyler Dupre

Involved subject(s): James Kudelka

Introduction

On April 4, 2025 the Ogden City Police Office reported that there had been an officer-involved shooting, which involved one of their officers and one officer from the Weber County Sheriff's Office. The Weber County OIS protocol was initiated.

Officer-involved shooting investigations are the responsibility of the Weber County Attorney Force Investigation Team. (FIT) The information contained in this document is a summary of the complete investigation conducted by the WCAO FIT with assistance from investigators with the Weber County Homicide Task Force (HTF). The following investigators worked on the case with a summary of their assignments.

Lead Investigator: Steve Zaccardi, WCAO FIT

Crime Scene: Zac Nold, AG HTF

Crime Scene/ME: Cameron Hartman, WCAO FIT

Witness Interviews: Jerney Rock, MCSO FIT

Witness Interviews: Troy Burnett, AG

Summary

On April 4, 2025, at 0159 hrs., Detectives of the Ogden Metro Gang Unit were attempting to arrest Nichols Trujillo, a suspect in an Aggravated Robbery. This arrest took place at Motel 6

When Detectives attempted the arrest, Trujillo tried to escape by running on foot. Detectives quickly caught up to him as they did Trujillo pulled a handgun from a holster and pointed it at detectives. Det. Davis and Deputy Weloth discharged their firearms, striking and killing Trujillo. During the shooting, Detective Tyler Dupree was shot in the leg.

I received a call about this incident. I responded to the area of Motel 6. Trujillo had been transported to Ogden Regional Medical by Ambulance where he was pronounced dead. I contacted WCAO Investigator Cameron Hartman, advised him of the situation and asked him to respond to the hospital. Detective Dupree was transported to McKay Dee Hospital. I contacted Det. Rock and asked him to respond to the hospital and check on the status of Det. Dupree, and if possible, to interview him about the incident.

I contacted AG Investigator Zac Nold and asked him to respond to the scene. Once he arrived, I assigned him to work with CSI on the scene. In addition, I asked him to secure the surveillance video from Motel 6.

See Investigators individual reports for details on their individual assignments. The following is a summary of the entire investigation.

Nicolas Trujillo

Nicholas Trujillo was . He was not married. He was living with his mother at



Criminal history:

Trujillo had been arrested fourteen different times, with a total of eight convictions, seven of those were felony convictions. Most of the incidents involved drug use and possession. He did have two robbery arrests and convictions.

Wanted for arrest.

Detectives from the Ogden Metro Gang Unit had been investigating an aggravated robbery that occurred on April 1, 2025. In that incident, a female accomplice arranged a drug transaction in the parking lot of an apartment complex at . When the intended buyer arrived, two male suspects robbed him at gunpoint. Through their investigation, detectives developed credible information identifying Nicholas Trujillo as one of the suspects involved. As a result, efforts to locate and apprehend him were initiated.

As part of the investigation, a detective utilized an undercover Facebook profile posing as a woman. Using this profile, detectives communicated with Trujillo. On April 4, 2025, Trujillo agreed to meet the person he believed to be the woman at the Motel 6 located at

Police Response

Information for this summary was obtained from officer body-worn camera footage and surveillance video recovered from Motel 6.

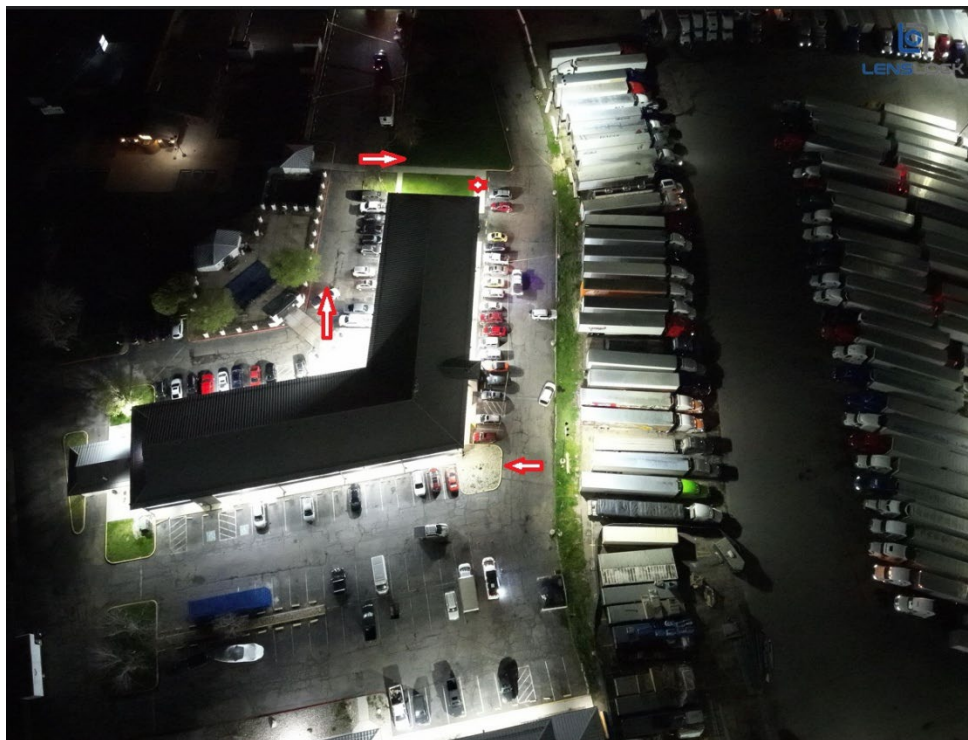
Detectives from the Ogden Metro Gang Unit were attempting to arrest Trujillo. Although dressed in civilian clothing, they wore tactical gear displaying badges and large “POLICE” markings on the front and back. They deployed in unmarked vehicles to avoid detection by Trujillo upon his arrival. Most officers traveled in pairs and positioned themselves around the motel due to uncertainty about Trujillo’s arrival point. While the arrest team primarily consisted of gang unit detectives, Deputy Weloth was temporarily assigned to assist the unit that evening.

At approximately 01:57 hours on April 4, 2025, Detective Davis of the Ogden Police Department and Deputy Weloth of the Weber County Sheriff’s Office were positioned in an unmarked vehicle, with Detective Davis driving and Deputy Weloth in the passenger seat.

Trujillo was dropped off east of their location by an unidentified individual driving a Tesla. He then walked across the parking lot toward the officers’ position. Upon confirming Trujillo’s approach, Detective Davis broadcast over the radio directing units to move in. Davis exited the vehicle and announced, “Police, show me your hands!” and “Stop, police!”

Trujillo fled from the northeast corner of the motel, running through a central breezeway to the south side of the complex. He continued westward with Detective Davis in pursuit, followed closely by Deputy Weloth. Body-worn camera footage captures Detective Davis repeatedly yelling, “Stop, police!”

Trujillo eventually fell on the sidewalk, then sat up facing Detective Davis with both hands extended in front of him. Detective Davis drew his duty weapon and fired, striking Trujillo and causing him to fall backward.



Above is an overhead photo taken from a drone. The arrow in the bottom right corner is where the suspect was first confronted. The two other arrows represent the direction in which Trujillo ran from police. The star at the top right of the photo is where the shooting took place.

Surveillance video: Motel 6 had good security footage that captured the incident. The Motel management was unable to extract the footage off the system. There were discussions about taking the entire DVR system, however this would have left the business without any video security for quite some time. We decided it was better to document the video as it was playing, in lieu of seizing their entire surveillance operation.

Below are a series of screenshots from that surveillance video.



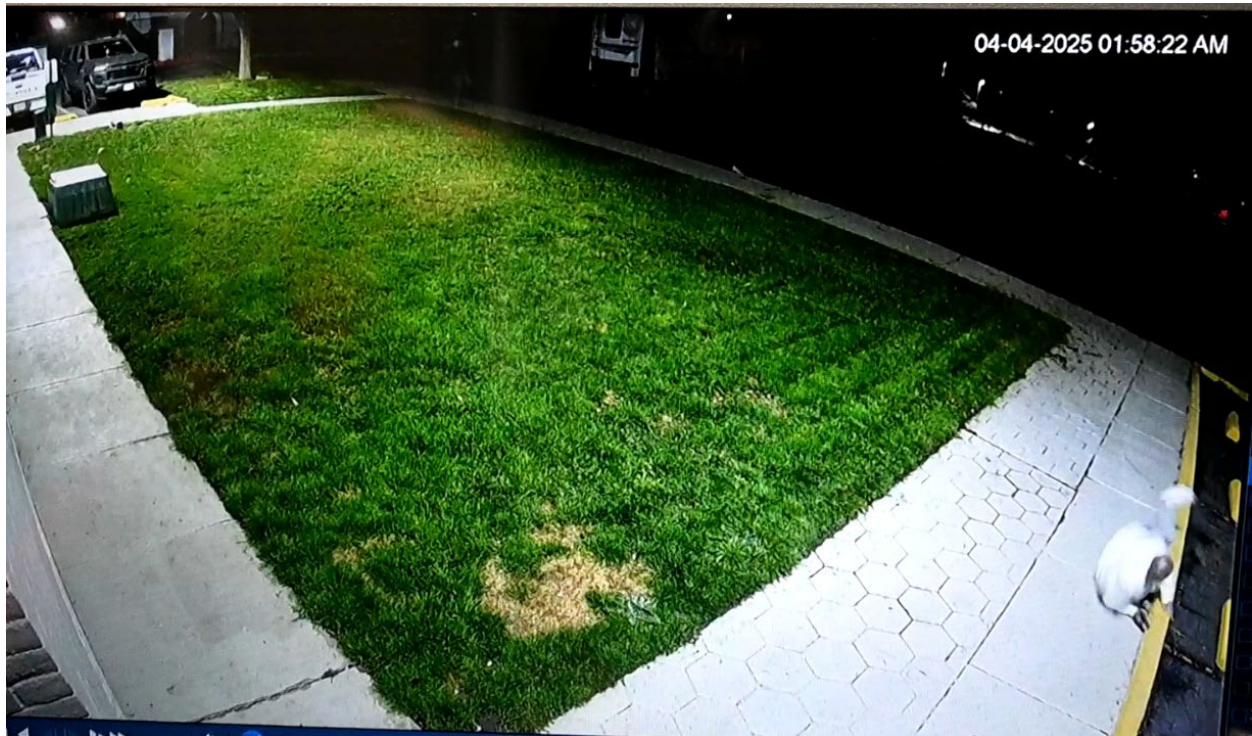
In the above photo, Trujillo is seen running around corner of the bldg.



In the above photo, Trujillo is seen lifting his arm and pointing it back toward the trailing officers. This body movement suggests strongly that he was pointing his weapon back and officers attempting fire.



In this photo Trujillo is seen grabbing the gun with both hands. It is believed by investigators he attempted to fire the weapon, when it didn't go off, he was now trying to manipulate the safety. In the blue circle Det. Davis is seen. Weloth is not visible yet.



It appears that trying to manipulate the gun and the change in surfaces causes Trujillo to lose his balance and fall to the sidewalk.



In the above photo Trujillo is seen pointing his weapon at Davis and Weloth. Davis is circled in blue, Weloth is directly behind him but not visible in this photo.



In this photo, Trujillo has taken rounds and is covering up. Davis (darker blue arrow) has moved farther north while shooting. Weloth (light blue arrow) has fallen and is on his side. He is shooting as well. The red circle is the weapon that has fallen out of Trujillo's hand.

Trujillo's weapon

After the shooting, medical was called to perform life saving measures. The officers on scene, to preserve evidence, picked up Trujillo's weapon and cleared it. Fortunately, this was all captured on the body camera. Additionally, Sgt. Webb took photographs of weapon in the state it was in at the time of the shooting. In reviewing that footage it is clear that the weapon was fully loaded, with a round in the chamber and the safety engaged.



The weapon was processed by CSI at their office.

Detective Tyler Dupree

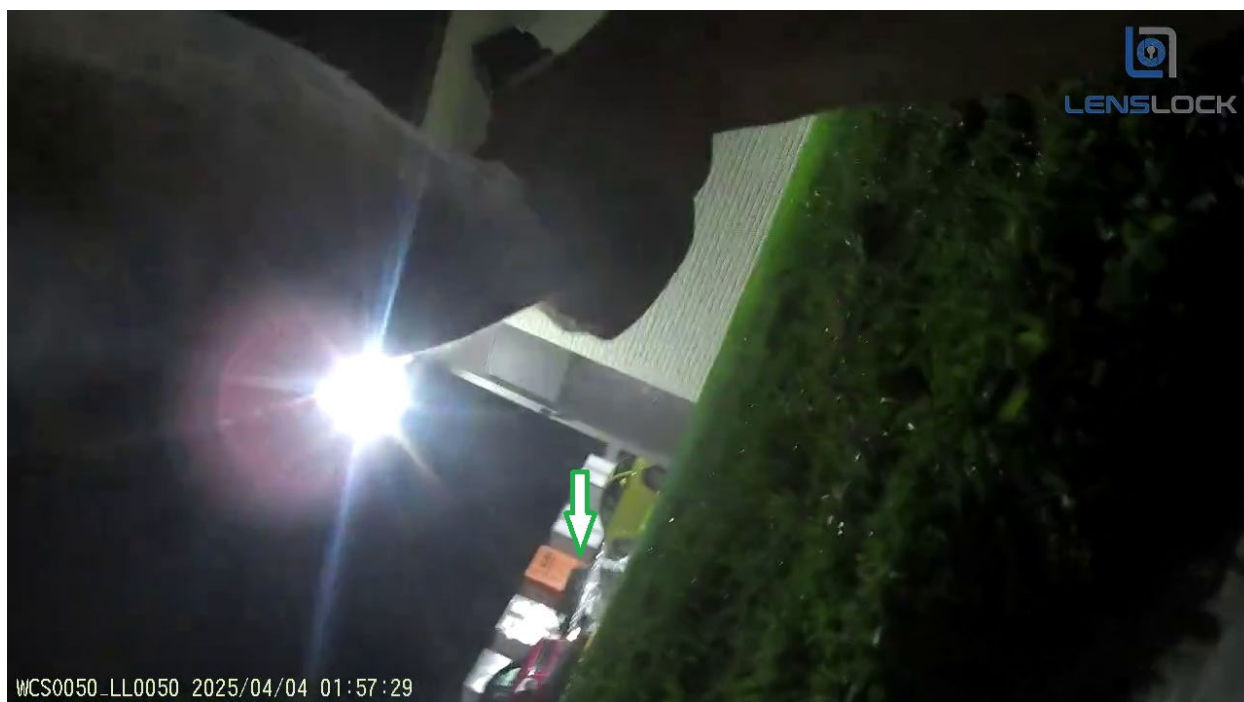
Detective Dupree was driving in a gang unit vehicle and was in the area of take down team. As Trujillo started to run, Dupree and other gang detectives attempted to drive around the north side of the Motel to cut Trujillo's route off. As they did this, Dupree inadvertently drove into a crossfire situation with Deputy Weloth, and Officer Davis. A round went through the driver's door of the gang unit vehicle and struck Dupree in the left leg.

Dupree was transported to McKay Dee Hospital. He was eventually able to make a full recovery.





CSI placed a trajectory rod through the impact hole.



In reviewing body camera footage of Weloth, Dupree's vehicle is seen driving into the area while Weloth is shooting. Based on the trajectory of the bullet impact, and this video evidence,

one of Weloth's rounds missed Trujillo and struck Dupree's vehicle and ultimately into Det. Dupree's leg.

Officer Interviews



Detective Dave Davis

Officer Dave Davis worked for the Ogden Police and was assigned to the Gang Unit as a Detective.

On the night of the incident, both Officers had left the scene prior to my arrival. They were at the Ogden Police Station. At that location CSI Swenson and I processed the officers. A photograph was taken of Det. Dave Davis.

We also processed Davis's weapon and ammo magazines. He was missing a ammo magazine that was later found on the scene. In his handgun he had one in the chamber and 17 in the magazine, and then in his spare magazine he had 17.

His weapon, magazines and ammunition were collected by CSI.

Davis declined a request to be interviewed by investigators.



Deputy Parker Weloth

Deputy Parker Weloth worked for the Weber County Sheriff's Office. On the night of this incident, he was on special assignment to the Ogden Gang Unit.

On the night of the incident, both Officers had left the scene prior to my arrival. They were at the Ogden Police Station. At that location CSI Swenson and I processed the officers. A photograph was taken of Deputy Weloth.

We also processed Weloth's weapon and ammo magazines. He had one missing ammo magazine, that was later found at the scene. In his handgun he had one in the chamber and 17 in the magazine, and then in his spare magazine he had 17.

His weapon, magazines and ammunition were collected by CSI.

On April 10th, 2025, Deputy Weloth along with his FOP Attorney came to the Weber County Attorney's Office and provided a statement on this incident. The following is a summary of that statement. The entire conversation was audio recorded and saved to the case file.

Deputy Weloth, employed by the Weber County Sheriff's Office, was working a special assignment with the Ogden Metro Gang Unit on the evening of the incident. The unit was actively investigating an aggravated robbery that had occurred earlier that week and had

identified Nicholas Trujillo as a primary suspect. As part of their efforts to locate him, Deputy Weloth utilized an undercover social media profile portraying an attractive woman. After Weloth “liked” one of Trujillo’s posts, Trujillo initiated contact, and a conversation began. This communication ultimately led to Trujillo agreeing to meet the woman he believed he was speaking with at the Motel 6 in West Haven. Unbeknownst to Trujillo, the Gang Unit was waiting there to arrest him.

The Gang Unit established surveillance at the motel. Deputy Weloth was riding as the passenger in Detective Davis’s vehicle when detectives observed Trujillo being dropped off at the location. Trujillo then began walking toward the main building. According to Deputy Weloth, the original plan involved his deployment with a beanbag shotgun as a less-lethal option. The intent was to confront Trujillo and conduct a pedestrian felony stop.

Detective Davis and Deputy Weloth drove toward Trujillo, exited the vehicle, identified themselves as police officers, and issued commands for him to surrender. According to Weloth, Trujillo looked at them and immediately fled. Davis pursued first, with Weloth following. They chased Trujillo along the length of the motel toward the west side. As they rounded the corner, Trujillo fell to the ground.

Weloth stated that Trujillo initially fell facedown, and he began moving toward him to make an arrest. Suddenly, Trujillo sat up and pointed a handgun at the officers. Weloth reported that he attempted to stop and may have been trying to take cover, but the abrupt stop caused him to fall backward. While falling, or immediately after, he drew his firearm and returned fire. He recalled seeing Trujillo’s reaction to being struck and observed him lying on the ground. Weloth then moved to cover with other officers. Trujillo was ultimately taken into custody, and Weloth was directed to report to the Ogden Police Department.

Deputy Weloth stated that he clearly saw Trujillo pointing a handgun at him. He believed Trujillo had fired at him and that he was returning gunfire. Weloth said he feared for his life at that moment and acted based on that perceived threat.

Crime Scene

The crime scene was processed completely by Weber CSI. CSI Jason Romney was the lead crime scene investigator on the scene. Several other CSI Investigators assisted him on this case. See CSI reports and other photographs for more details.



The brown object shown in photo



1 Holster



2 Citizen vehicle in parking lot struck by gunfire



3 close up of veh struck by gunfire

A total of 17 spent shell casings were recovered at the scene. Two ammunition magazines were also located. One magazine, believed to belong to Detective Davis, contained one live round. The second magazine contained ten live rounds.

Based on the evidence at the scene and the subsequent firearm inspections of both officers, it appears that not all shell casings were recovered. An extensive search was conducted—both during daylight and nighttime hours—using metal detectors and K-9 explosive-detection dogs. Despite these efforts, no additional casings were found.

Determining the exact number of shots fired with absolute certainty is not possible. However, both officers reported that they believed they had loaded their weapons with a full magazine, chambered a round, and then “topped off” the magazine, resulting in a total capacity of 18 rounds.

If this loading method was used:

- Detective Davis would have begun with 17 rounds in the magazine and one chambered. He performed a magazine change during the incident. The magazine recovered at the scene contained one remaining live round, indicating he fired 16 shots.
- Deputy Weloth would likewise have begun with 17 rounds in the magazine and one chambered, for a total of 18. At the scene, his magazine contained 10 live rounds, and he had one round in the chamber during the firearm inspection. This indicates he fired 7 shots.

Alternatively, if each officer had simply inserted a 17-round magazine and chambered a round without topping off, they would have begun with a total of 17 rounds. Under that scenario, each officer would have fired one fewer round:

- Davis would have fired 15 shots.
- Weloth would have fired 6 shots.

Trujillo's weapon

He was carrying a Smith and Wesson M&P 9 mm. There was one round in the chamber, and twelve (12) rounds in the magazine. CSI did a functions test, and the weapon worked as manufactured.



Medical Examiner

The medical examiner Dr. Phillip Bennett conducted the autopsy. He located fifteen gunshot wounds. Some of these wounds described in the autopsy report could be the result of one shot, possibly an entrance and exit and then reentry into the body.

All the wounds were detailed in the ME report. The wound locations were consistent with the information gathered from the investigation. Several of the wounds were considered fatal.

Toxicology showed the presence of amphetamine, methamphetamine and caffeine.

Dr. Bennett ruled the manner of death as homicide, and the cause of death multiple gunshot wounds.

Conclusion

This investigation compiled evidence to assess whether Deputy Weloth and Detective Davis were justified in their use of deadly force against Nicholas Trujillo.

Incident Summary

Nicholas Trujillo was wanted in connection with an aggravated robbery involving a firearm. On June 4, 2025, detectives with the Ogden Metro Gang Unit conducted an operation using a ruse to lure Trujillo to a fictitious room at Motel 6 in West Haven, Utah.

When Trujillo arrived, officers moved in to arrest him. Upon recognizing police presence, Trujillo fled on foot. Detective Davis and Deputy Weloth pursued him. Body-worn camera footage captures Detective Davis repeatedly identifying himself as law enforcement and ordering Trujillo to stop.

The surveillance video obtained from Motel 6 provides a clear view of the encounter. Trujillo fled toward the west side of the property, which features a large grassy area bordered by a sidewalk and an asphalt parking lot. As he reached the end of the building and turned north, he was seen holding a handgun in his right hand. While running, Trujillo pointed the gun backward in the direction of the pursuing officers, then appeared to manipulate the firearm with both hands. During this movement, he transitioned from the sidewalk to the grass and fell facedown.

Rather than attempting to flee again, Trujillo quickly rolled into a seated position and pointed the handgun at Detective Davis and Deputy Weloth with both hands. Detective Davis continued moving north while simultaneously firing at Trujillo. Deputy Weloth attempted to stop but fell due to his momentum; from the ground, he drew his weapon and also fired.

Trujillo was struck by the officers' gunfire and ultimately succumbed to his injuries. The firearm in his possession was later found to be fully loaded, but the safety mechanism had remained engaged, preventing it from firing.

Use of Force Assessment

Detectives from the gang unit were operating in unmarked vehicles; however, their attire displayed badges and police identifiers. They announced themselves clearly before and during the attempted arrest.

Trujillo was a convicted violent felon wanted for an aggravated robbery in which a firearm had allegedly been used. Although officers had planned to employ a less-lethal option, Trujillo's immediate flight altered the dynamics of the encounter. Evidence suggests that Trujillo attempted to fire his weapon at officers during the pursuit. When the gun did not discharge, he

appeared to attempt to disengage the safety while running. His fall occurred during this attempt. After falling, he assumed a firing position and again aimed the weapon at the officers. The fact that the safety remained engaged prevented the firearm from discharging.

Legal Framework

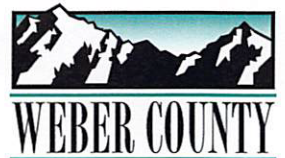
Under the U.S. Supreme Court ruling in *Graham v. Connor*, the reasonableness of force must be evaluated from the perspective of a reasonable officer on the scene, acknowledging that officers must often make split-second decisions in tense and rapidly evolving circumstances.

In this incident, officers had no way of knowing that Trujillo's firearm was unable to fire. His actions—combined with his criminal history and the circumstances of the encounter—support the conclusion that he intended to shoot at Detective Davis and Deputy Weloth.

Final Conclusion

This report summarizes the investigative findings. All video and audio evidence is available for review. These facts must be considered collectively when determining whether the officers' use of deadly force was justified.

Steve Zaccardi
Chief Criminal Investigator
Force Investigations/Homicide Task Force



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December 29, 2025

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RE: OFFICER-INVOLVED SHOOTING; OPD OFFICER DAVID
DAVIS, WEBER COUNTY DEPUTY PARKER WELOTH

Dear Chief Sube/Sheriff Arbon:

Our office has concluded its investigation into an officer-involved shooting involving Ogden City Police Officer David Davis and Weber County Sheriffs Deputy Parker Weloth. The incident occurred on April 4, 2025 at the Motel 6 located at

Although Officer Davis did not provide a statement, Deputy Weloth did provide a statement to investigator Steve Zaccardi. Body cam from the officers and surveillance video from the Motel also captured the events.

This letter will provide a summary of the facts giving rise to the conclusions reached herein. The complete investigation report prepared by Steve Zaccardi contains significantly more detail than outlined in this letter. The content of that report should be considered incorporated into this letter in order to provide a full and complete understanding of the factual background.

SUMMARY OF THE INCIDENT

The incident occurred when officers attempted to arrest Nicholas Trujillo in connection with a recent Aggravated Robbery case involving a firearm. Mr. Trujillo

had a lengthy criminal record with fourteen prior arrests and seven felony convictions. Officer Davis and Deputy Weloth were both wearing tactical gear displaying badges and large "POLICE" markings on the front and back when they confronted Trujillo at the Motel 6. Upon seeing Trujillo, Officer Davis yelled out, "Police, show me your hands!" and "Stop, police!"

Trujillo immediately ran from the police, and they chased after him. Officer Davis continued to shout "Stop, police!" Running along a sidewalk through the open area of the property, Trujillo reached back and pointed a gun at the officers as he ran. He lost his balance and fell to the ground as he tried to manipulate the gun and run at the same time. Trujillo quickly sat up and assumed a firing position, extending the gun with both hands toward the officers as they approached. In response, both officers fired on Trujillo. In his statement, Deputy Weloth explained that their intent was to confront Trujillo and conduct a pedestrian felony stop. However, Trujillo immediately fled. As they chased after him, Weloth said that he clearly saw Trujillo pointing a handgun at him, and he thought that Trujillo actually fired at him. Weloth said that he feared for his life, and that is when he fired at Trujillo.

Trujillo was struck multiple times and died at the scene. Trujillo's Smith and Wesson M&P 9 mm handgun was on the ground next to him. It was found to have one round in the chamber, and twelve in the magazine. Trujillo had methamphetamine in his system at the time.

LEGAL STANDARDS AND ANALYSIS

Pursuant to Utah Code Section 76-2-404(2) "The defense of justification applies to the use of deadly force by an officer . . . when: (c) the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or an individual other than the suspect." In *Graham v. Conner*, 490 U.S. 386 (1989), the United States Supreme Court instructed that "reasonableness" for law enforcement officers must be assessed objectively, in light of a "reasonable officer on the scene, rather than with the 20/20 vision of hindsight." *Id.* At 396 (internal citations omitted). The *Graham* court also explained that "The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." *Id.* At 397.

In addition to Deputy Weloth's statement, we have the physical evidence, bodycam footage from both officers, and the surveillance footage from the Motel 6. This evidence is sufficient to evaluate Weloth's use of force under the circumstances. Although Officer Davis did not provide a statement, there is still sufficient evidence for us to evaluate the reasonableness of his use of force in this case.


Both officers were engaged in conducting a lawful felony arrest of Trujillo, whom they believed to have been previously engaged in an aggravated robbery involving a gun. Both were wearing clearly-marked tactical gear with badges with "POLICE" displayed on the front and back. Officers yelled out identifying themselves as police

and commanding Trujillo to stop. Nevertheless, Trujillo fled, pointing a loaded gun back at officers while he ran. When he fell to the ground, Trujillo immediately took up a sitting shooter stance, pointing the loaded 9 mm at the officers who were in pursuit. Weloth stated that he clearly saw the gun, and it is reasonable to believe that Davis also saw the gun since he was actually closer to Trujillo than Weloth. Moreover, this is supported by the fact that the gun can be seen in video footage, and it was found next to Trujillo after he was fired upon.

Under these tense and rapidly escalating circumstances it was reasonable for both officers to believe that the use of deadly force was necessary to prevent death or serious bodily injury to themselves or to others in the area. Therefore we conclude that Deputy Weloth and Officer Davis were justified in using deadly force when they shot Nicholas Trujillo.

Please feel free to call me if you would like to discuss this further.

Sincerely,



Christopher F. Allred
Weber County Attorney