

Close-out Memorandum of the
Investigation Regarding
Jason Brad Pearce
September 7, 2017



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County

March 27, 2018

OFFICE OF THE STATE ATTORNEY
ELEVENTH JUDICIAL CIRCUIT

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: January 14, 2026
State Attorney

FROM: STAFFING/REVIEW TEAM RE: SAO Case #: 62/25/04/07/001
Decedent: Luis Felipe Montero-Mercado

Based on the information obtained and reviewed during the course of the investigation, the conclusion of the staffing/review team is the following:

On April 7, 2025, the Miami-Dade Sheriff's Office Homicide Street Violence Task Force detectives were assisting with a double homicide investigation in which Luis Felipe Montero-Mercado was identified as the perpetrator. Detectives were conducting surveillance and observed Montero-Mercado exit his hotel room and enter his vehicle. Police used their vehicles, with red and blue emergency lights activated, to block in Montero-Mercado's car to detain and arrest him. Police drew their service weapons and ordered him to exit the vehicle. Montero-Mercado produced a firearm, shot at police, and they returned fire. Montero-Mercado was struck multiple times and pronounced deceased on scene by Miami-Dade Fire Rescue. The incident is captured on body-worn camera footage. In addition, Sergeant Marcioli provided a statement indicating he observed Montero-Mercado reach into his waistband, produce a handgun, point it at Deputy Wever, and discharge at least once.

Pursuant to Florida Statutes 776.05 and 776.012, after reviewing the facts and evidence, the use of deadly force by Miami-Dade Sheriff's Office Deputies Daniel Aiken Jr., Jeffrey Parker, Angel Delgado, and Thomas Wever is determined to be legally justified.

Howard Rosen

Howard Rosen

/s/ Deisy Hernandez

Deisy Hernandez

/s/ Stephen K. Talpins

Stephen K. Talpins

Kathleen Hoague

Kathleen Hoague

Nilo A. Cuervo

Nilo Cuervo

[Signature]

Jose Arrojo

Approved by State Attorney on this 15 day of January, 2026.

KATHERINE FERNANDEZ RUNDLE
State Attorney

OFFICE OF THE STATE ATTORNEY
ELEVENTH JUDICIAL CIRCUIT

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: JANUARY 13, 2026

FROM: KIM RIVERA
Assistant State Attorney

RE: POLICE SHOOTING CLOSEOUT MEMO
Case # 62/25/04/07/001

JARED GASS
Assistant State Attorney

OFFICERS INVOLVED:	Daniel Aiken Jr. 1D # 30- 6215 MDSO Jeffrey Parker ID # 30-7821 MDSO Angel Delgado ID # 30-10234 MDSO Thomas Wever ID # 30-4994 MDSO
DECEASED:	Luis Felipe Montero-Mercado
DATE & TIME:	Monday, April 7, 2025, at approximately 9:33 p.m.
LOCATION:	6605 NW 7 th St (Extended Stay America)
WEAPONS:	Glock 17 Gen 4, 9mm pistol, #RZX111 (Jeffrey Parker) Glock 17 Gen 5, 9mm pistol, #BHGKZ63 (Angel Delgado) Glock 17 Gen 5, 9mm pistol, #BGLA863 (Daniel Aiken Jr.) Glock 17 Gen 5, 9mm pistol, #REE178 (Thomas Wever) Taurus, model TH9C, 9mm pistol. SN#ADA823743 (Montero-Mercado)
LEAD/REPORTS:	S.A. Michael Gaudio FDLE/ Report received October 17, 2025
CASE #s:	FDLE - MI-27-0280
SAO CASE #:	#62/25/04/07/001

SUMMARY OF CASE

On Monday April 7, 2025, the Miami-Dade Sheriff's Office (MDSO) Homicide Street Violence Task Force (HSVTF) detectives, consisting of Deputy Daniel Aiken Jr., Deputy Jeffrey Parker, Deputy Angel Delgado, and Deputy Thomas Wever, were assisting with an ongoing homicide investigation for a double homicide that occurred early the same day documented under MDSO Case Number: PD250407102090. Through investigative means, detectives tracked the subject of the homicide investigation, identified as Luis Felipe Montero-Mercado, W/M 68, DOB: 5/1/1956, to the Extended Stay America Motel located at 6605 NW 7th Street, Miami, FL.

Detectives conducted surveillance at that location and observed Montero-Mercado exit his room at approximately 9:32 p.m. and walk to his vehicle in the rear parking lot (north side). Montero-Mercado entered his vehicle, a silver Mitsubishi Outlander bearing temporary Florida tag DVB9008. Once Montero-Mercado was inside his vehicle the four detectives used their vehicles, with red and blue emergency lights activated to block Montero-Mercado in. All four were dressed in plain clothes with tactical vests prominently displaying "Police," and all were wearing belts with police issued equipment. At that point they all drew their service weapons and ordered Montero-Mercado to exit his vehicle. Montero-Mercado produced a firearm and exchanged gunfire with the detectives. Montero-Mercado was struck multiple times by deputy gunfire and pronounced deceased on scene by Miami-Dade Fire Rescue. When Montero-Mercado's vehicle was processed 6 casings were recovered inside that were matched to the firearm in Montero-Mercado's possession. An examination of the vehicle revealed that of the ten (10) projectile holes in the windshield, three (3) were exits from the inside to outside of the vehicle.

This officer involved shooting (OIS) incident was assigned to FDLE Special Agent Michael Gaudio, who reviewed all radio communications, computer aided dispatch (CAD) reports, and body worn camera (BWC) for Deputies Wever, Aiken, Jr. and Parker. The body worn camera footage obtained for each officer is similar. Deputy Wever's BWC is activated at 9:32, and he's seen activating his vehicle's emergency lights and driving. He exits his vehicle with gun drawn and takes position behind the driver's side door. Audio begins at 9:33 and he is heard shouting, "hands, hands," followed by a volley of gunfire.

Deputy Aiken, Jr.'s BWC is also activated at 9:32, and he similarly activates his emergency lights and begins driving. He exits his vehicle with gun drawn and takes position behind the driver's side door. Audio starts at 9:33 and you hear gunfire. Deputy Aiken then states, "I'm coming around to you Tommy," and moves to the driver's side of Deputy Wever's vehicle, continuing to point his firearm at Montero-Mercado's vehicle. It should be noted that Deputy Aiken Jr.'s BWC captures the removal of a firearm from inside Montero-Mercado's vehicle by Deputy Parker, and placement of it on that vehicle's hood.

Deputy Jeffrey Parker's BWC is activated at 9:31 and audio begins at 9:32. There is discussion about the subject standing around by the door and looking around, and Deputy Parker states, "Ok, go..move in." At 9:33 Deputy Parker activates his lights, drives up, and exits yelling "hands, hands!" Sergeant Marcioli is overheard stating on the radio, "He's reaching, he's reaching." Seconds later the volley of gunfire is heard.

At approximately 11:38, FDLE Special Agent Ricardo Martinez obtained an audio recorded statement from Sergeant Marcioli. Sergeant Marcioli did not discharge his firearm, but he did witness the incident. He stated that a surveillance was established in the parking lot, and Montero-Mercado exited a room on the second floor and walked to his vehicle. It was determined that as soon as Montero-Mercado entered his vehicle they would approach and take him into custody. Sergeant Marcioli further stated that he observed Montero-Mercado reaching into his waistband, causing him to transmit over the radio that he was reaching, and witnessed Montero-Mercado produce a handgun and point it in the direction of Deputy Wever. He recalled at least one gunshot from Montero-Mercado.

CONCLUSION

The role of the State Attorney in this investigation and in conducting this review is limited to determining whether a criminal violation of Florida law has occurred, whether any person may be held criminally responsible, and whether such criminal responsibility can be proven beyond a reasonable doubt in a court of law. The State Attorney does not establish agency policy, procedures, and training requirements. Nor does the State Attorney have any responsibility for determining disciplinary action or pursuing civil litigation in these matters. In other words, given

the applicable law, the State Attorney's role is to determine whether the actions of Deputy Wever, Deputy Aiken jr., Deputy Delgado, and Deputy Parker constitute a criminal act that can be proven beyond and to the exclusion of every reasonable doubt.

The undersigned attorneys have reviewed the Florida Department of Law Enforcement Use of Force Investigation Summary, as well as the Crime Scene Reports, the Supplemental Reports, the sworn statements of all officers, all the photographs, the Medical Examiner's Report, the radio transmissions, and all the body worn camera footage pertaining to this investigation. We find the FDLE file and reports to be complete and thorough, and the statements made by all officers consistent with or corroborated by the evidence. We offer our conclusion based on the results of our independent review of all the evidence.

Florida Statute 776.012 permits the use of deadly force when a person believes such force is necessary to prevent imminent death or great bodily harm to themselves or another or to prevent the commission of a forcible felony. Further, Florida Statute 776.05 permits a law enforcement officer to use any force that they believe is necessary to defend themselves or another from bodily harm while making an arrest.

Based on a review of the law and evidence, Deputies Wever, Aiken Jr., Delgado, and Parker were attempting to take into custody a subject believed to have been armed with a firearm, and responsible for a double homicide earlier in the day. When Montero-Mercado was blocked in by police vehicles for purpose of taking him into custody, he did not surrender, and instead produced a firearm and fired several shots in the direction of at least one of the deputies. Pursuant to Florida Statutes 776.012 and 776.05, and a review of the facts and law of this case, the use of deadly force was legally justified.

Prepared by:

Kim Rivera

Kim Rivera
Assistant State Attorney

Jared Gass

Jared Gass
Assistant State Attorney