

Close-out Memorandum of the
Investigation Regarding
Adolfo Denis Jr.
July 19, 2025



State Attorney's Office
Eleventh Judicial Circuit
Miami-Dade County
May 13, 2026



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE DATE: May 12, 2026
State Attorney

FROM: STAFFING/REVIEW TEAM RE: NON- CONTACT POLICE SHOOTING
CLOSEOUT MEMO
SAO CASE # 62/25/07/19/004

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

On July 19, 2025, Pinecrest Police responded to a dispatch regarding numerous ATV vehicle's driving recklessly. Officer Andres Garcia encountered five disruptive ATVs at the Mobil Gas station located at 103 St and South Dixie Highway. Officer Garcia stopped his police vehicle in front of the ATV operated by Adolfo Denis Jr., and Denis immediately attempted to flee the scene. Denis accelerated his vehicle rapidly, striking Officer Garcia's police vehicle door and a metal barrier meant to protect the gasoline pump from an impact. During this reckless attempt to flee, Denis caused an injury to Officer Garcia's leg. Officer Garcia discharged his weapon, striking the ATV, however Denis and his two vehicle passengers were not struck during the discharge. Denis was later apprehended after a police pursuit that ended with Denis striking a marked Miami-Dade Sheriff's police vehicle. The encounter at the Mobile Gas Station was captured on CCTV footage.

Pursuant to F.S. 776.05 and 776.012, and a review of the facts, evidence, and law in this investigation, we find the discharge by Pinecrest Police Officer Andres Garcia 86-01797 to be legally justified.

The members of the staffing/review team for this case are:



Jose Arrojo



Deisy Hernandez



Kathleen Hoague



Stephen K. Talpins



Howard Rosen



Nilo Cuervo



Marie Jo Toussaint

Approved by State Attorney on this 13 day of May, 2026.



KATHERINE FERNANDEZ RUNDLE
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: 5/12/26

FROM: Stewart Hedrick
ASSISTANT STATE ATTORNEY

RE: INVESTIGATION INTO NON-CONTACT
OFFICER INVOLVED SHOOTING
SAO Case #62/25/07/19/004

Elvia Medina Marcus
ASSISTANT STATE ATTORNEY

OFFICER INVOLVED:	OFFICER ANDRES GARCIA ID # 86-1794 PINECREST PD
DATE & TIME:	July 19, 2025
LOCATION:	Mobil Gas Station at 10345 South Dixie Highway
WEAPON:	Glock, 9MM model 47
LEAD/REPORTS:	S.A. Joseph Romero / March 9, 2026
F.D.L.E. CASE #:	MI-27-0294
SAO CASE #:	62/25/07/19/004

Factual Summary

Responding to a Be on the Lookout (BOLO) reference bikers (later clarified by dispatch as ATVs) taking over a gas station, Officer Garcia pulled his marked Pinecrest PD vehicle into the Mobil station at 10345 South Dixie Highway, Pinecrest, Florida, 33156. At least five (5) different ATVs were parked amongst several of the pumps and appeared to be disrupting ordinary operations at the gas station. Officer Garcia's lights and sirens were off. He stopped immediately in front of the ATV driven by Adolfo Denis, Jr., positioned partially but not completely blocking Denis's ATV from exiting. Upon seeing Officer Garcia, Denis immediately jumped into the driver's seat of his ATV to flee. There were two (2) other passengers in Denis's ATV.

While Officer Garcia attempted to exit his vehicle, Denis accelerated rapidly and recklessly towards the small space between Officer's Garcia's vehicle and the barrier protecting the nearby gas pump. Denis struck the door of Officer Garcia's vehicle, while slamming into the barrier, bouncing his ATV into the air. Denis's reckless driving caused an injury to Officer Garcia's leg, necessitating medical treatment. During this, all of the other ATVs at the gas station also fled.

Denis accelerated again, navigating between Officer Garcia's vehicle and the barrier, and sped away. During this maneuver and flight, Officer Garcia discharged his firearm a total of nine (9) times. Denis's vehicle was struck what appears to be three (3) times, but neither he nor either of his two (2) passengers were struck. Denis was ultimately apprehended after a dangerous and lengthy police pursuit during which he intentionally struck a marked unit with two (2) Miami-Dade Sheriff's deputies inside. Officer Garcia, Denis, and one of Denis's passengers were treated for injuries.

Investigation

Florida Department of Law Enforcement (FDLE) conducted a thorough investigation of the facts and circumstances surrounding the discharge of Officer Garcia's firearm. Officer Obel Vega, who had pulled into the Mobil station opposite Officer Garcia was interviewed. CCTV video was collected from the Mobil station. Witnesses at the station were interviewed, along with Denis and one (1) of his two (2) passengers. Crime scene responded to both scenes (gas station and final stop of Denis's vehicle), collected casings, and took photographs of the vehicles and other things of evidentiary value. Photographs were also taken of Officer Garcia at the hospital.

The CCTV is consistent with the factual summary. Most of witnesses interviewed either did not see or reported being unable to recall the actions before the shooting. Those that both did see and did remember, described Denis accelerating first and gunshots happening second. Officer Garcia declined to make any statements.

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, or 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 Officer Garcia constitute a criminal act and if so, whether it can be proven beyond and to the exclusion of every reasonable doubt.

Florida law provides the use of deadly force is legally justified if:

“[a] person . . . reasonably believes that using or threatening to use [deadly] force is necessary to prevent imminent death or great bodily harm to himself or another or to prevent the imminent commission of a forcible felony.” [A] person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be”.

§ 776.012 (2)

Also applicable is Fla. Stat. § 776.05(1), which states:

Law enforcement officers; use of force in making an arrest.—A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:

(1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;

There is substantial credible evidence that Denis committed an aggravated battery that resulted in injuries to Officer Garcia, along with Leaving the Scene of an Accident Involving Serious Injury and Fleeing or Eluding A Law Enforcement Officer. Denis's continued flight and reckless operation of this ATV evidenced a disregard for the safety of his passengers and others. Indeed, Denis ultimately struck another police cruiser before his ultimate arrest.

Fla Stat. § 776.05, provides that a law enforcement officer need not retreat or desist in his efforts to make a lawful arrest and justifies the use of any force that the law enforcement officer reasonably believes to be necessary to defend himself from bodily harm while making the arrest. Pursuant to Fla. Stats. §§ 776.012(2) and 776.05(1) Officer Garcia was authorized to make an arrest for a forcible felony and he was also authorized to use deadly force in self-defense or in defense of others. Therefore, having reviewed all the reports, photographs, audio-recordings, and video-recordings, we determined that Officer Andres Garcia was legally justified in discharging his weapon.

Prepared by:

/s/ Stewart Hedrick

Stewart Hedrick
Assistant State Attorney

/s/ Elvia Medina Marcus

Elvia Medina Marcus
Assistant State Attorney