

Close-out Memorandum of the  
Investigation Regarding  
**Roberto Leyva**  
September 10, 2024



State Attorney's Office  
Eleventh Judicial Circuit  
Miami-Dade County  
June 25, 2026



INTEROFFICE MEMORANDUM

TO: KATHERINE FERNANDEZ RUNDLE  
State Attorney

DATE: June 23, 2026

FROM: STAFFING/REVIEW TEAM

RE: POLICE SHOOTING CLOSEOUT MEMO  
SAO CASE #62/25/04/24/003

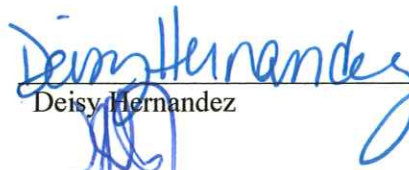
Based on the information obtained and reviewed during the investigation, the conclusion of the staffing/review team is the following:

On April 24, 2025, at about 12:54 P.M., Miami Dade Sheriff's Office and the Florida Department of Law Enforcement responded to a business to conduct an investigation reference an active shooter involving multiple victims. Police received a 911 call indicating a male was inside the business with a gun and that three people were inside. The caller was relying on information from someone inside the business. Police received another 911 call from someone else inside the business indicating he had been shot and was playing dead. Police responded, with body worn cameras activated, and after several commands to drop his weapon were ignored by Roberto Leyva, Deputies Harris and Perez discharged their weapons. The police investigation revealed one victim was shot in the head by Roberto Leyva, who later died at the hospital, and another victim was shot in the clavicle but survived. A search of the crime scene also revealed two firearms were recovered in the proximity of Roberto Leyva. Also recovered was a plastic bag containing four thirty round capacity rifle magazines with live ammunition, three thirty round capacity rifle magazines with live ammunition, two thirty round capacity rifle magazines with live ammunition, and an empty thirty round capacity magazine. An interview of the surviving victim determined that Roberto Leyva and the deceased victim were half-brothers who were involved in a domestic dispute. Roberto Leyva shot and killed his half-brother and also shot the surviving victim. The ballistic evidence was examined by the crime laboratory, and it was determined that the projectiles from Deputies Harris and Perez's firearms did not strike Roberto Leyva, nor the deceased victim or the surviving victim. Moreover, the findings from the autopsy confirmed Roberto Leyva died from a self-inflicted gunshot wound.

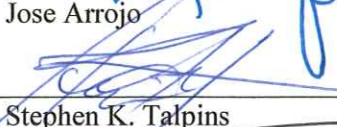
Pursuant to F.S. 776.05 and 776.012, and a review of the facts, evidence, and law in this investigation, we find the discharge by Miami Dade Deputies Harris 30-7473 and Perez 30-6749 to be legally justified.

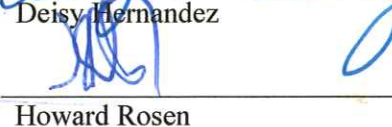
The members of the staffing/review team for this case are:

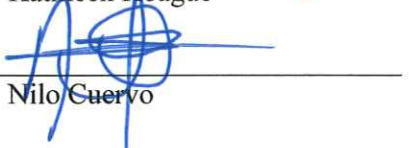
  
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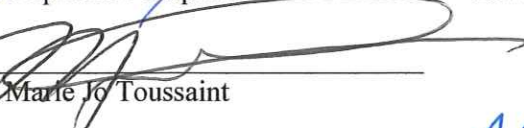
  
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Deisy Hernandez

  
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Kathleen Hoague

  
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Stephen K. Talpins

  
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Howard Rosen

  
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Nilo Cuervo

  
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Marie Jo Toussaint

Approved by State Attorney on this 25 day of July, 2026.

  
\_\_\_\_\_  
KATHERINE FERNANDEZ RUNDLE  
State Attorney



INTEROFFICE MEMORANDUM

TO: STAFFING/REVIEW TEAM

DATE: June 23, 2026

FROM: SARA IMM  
ASSISTANT STATE ATTORNEY

RE: POLICE SHOOTING CLOSEOUT MEMO  
SAO Case # 62/25/04/24/003

STEPHEN MITCHELL  
ASSISTANT STATE ATTORNEY

OFFICERS INVOLVED:	Deputy Dea Harris ID # 30-7473 MDSO Deputy Alfredo J. Perez ID # 30-6749 MDSO
DECEASED:	Roberto Leyva
DATE & TIME:	April 24, 2025 12:54 P.M
LOCATION:	7321 SW 45 Street, Miami, FL 33155
WEAPONS:	Black Canik, TP9, semi-automatic pistol, S/N T6472-21CB05091 (Leyva) Black Zaviar, Z15 rifle, S/N Z180275 (Leyva) Glock 17, Gen4 .9mm semi-automatic pistol, S/N BBZY029 (Deputy Perez) Glock 17, Gen4 .9mm semi-automatic pistol, S/N REF059 (Deputy Harris)
LEAD/REPORTS:	Special Agent Ricardo Martinez, FDLE / Received 5/22/2026)
FDLE CASE #:	MI-27-0283
SAO CASE #:	62/25/04/24/003

## SUMMARY OF FACTS

On April 24, 2025, law enforcement officers responded to 7321 SW 45<sup>th</sup> Street, Unit #B, to conduct an investigation reference an active shooter incident involving multiple victims. The location is a business by the name of Priced Right Motors, Inc. The business includes an office and an adjacent fenced-in lot containing twenty-two (22) parked vehicles.

Surveillance footage obtained from 7399 SW 45<sup>th</sup> Street, Camera #5, which shows that at approximately 12:23 PM an individual later identified as Roberto Leyva is observed riding a scooter and driving in the direction of the gated entrance of Priced Right Motors, Inc. The camera does not extend to the inside of the business property. A few minutes later Miami Dade Sheriff's Office (MDSO) received a 911 call from a male caller, later identified as Eduardo Juan Rivero, Sr., who reported that a male was inside the business with a gun and that three people were inside. Mr. Rivero, Sr. was not physically present on the scene, but rather relayed information from his son, Eduardo Juan Rivero, Jr., who was present at the scene. Roberto Leyva and Eduardo Rivero, Jr. were later determined to be half-brothers. At approximately 12:54 PM MDSO received a call from a Spanish speaking male, later identified as Armando Yadro, who stated he had been shot and was pretending to be dead inside the incident location.

The same exterior surveillance video footage that captured Leyva's arrival, also shows the subsequent arrival of multiple MDSO marked units including Deputy Dea Harris (12:40 PM) and Deputy Alfredo Perez (12:43 PM). South Miami Police Department Officer Armando Posse also arrived at approximately 12:42 and exited his marked vehicle holding a rifle. The officers parked their vehicles in the roadway west and south of the front of the incident location. At approximately 12:47 PM the video footage shows Deputy Dea Harris, Deputy Alfredo Perez, armed with a ballistic shield, and Officer Armando Posse all moved towards the gated area of the business and out of view of the camera. The camera does not capture the police-involved shooting.

Deputy Dea Harris' department issued Body Worn Camera was activated and recording during the incident. At 12:53 PM her camera shows she was positioned inside the fenced parking area of the business facing the entrance of the office with multiple parked vehicles and a scooter directly in her line of sight. The camera angle does not capture Roberto Leyva, Eduardo Rivero, Jr. or Armando Yadro. The Deputy has her Glock 17 in her right hand, drawn but pointing towards the ground. Deputy Dea Harris can be heard giving loud commands to "put down your weapon." There are male voices also audible on the camera clearly yelling at each other. FDLE Investigators believe these voices to belong to Roberto Leyva and Eduardo Rivero, Jr. Immediately following the words "Robert, don't do this!" Deputy Dea Harris raises her Glock and points it forward with two hands and again orders, "put down your weapon," and begins moving backwards. At approximately 12:53:57 the audio captures one gunshot followed by a male voice yelling "you don't have to do this." Deputy Dea Harris advises on the radio that shots have been fired and then again yells "hey, put down your weapon!" The Deputy continues to retreat and simultaneously discharges her department issued Glock 17 multiple times. The discharge is in the direction of the entrance of the office where Roberto Leyva and Eduardo Rivero, Jr. were located.

Deputy Alfredo Perez and Officer Armando Posse also have Body Worn Camera footage that was reviewed as part of the investigation. Officer Posse was standing directly next to Deputy Alfredo Perez during the incident. Deputy Perez and Officer Posse are positioned just beyond the gate to the business and are also facing towards the office entrance with multiple parked vehicles between them and the active shooter. Deputy Dea Harris informed Deputy Perez that the shooter was at the rear of the business and armed with a rifle. Although Deputy Perez's shield blocked the camera's view at the time of the shooting, he can be heard asking, "you see him, you see him?", directly prior to discharging his

weapon. Deputy Perez is captured on Officer Posse's body worn camera discharging his department issued Glock 17 multiple times in the direction of the entry to the office at approximately 12:59 PM.

Officer Posse provided a voluntary witness statement to investigators. Officer Posse stated that after arriving on scene he heard but did not see a single gunshot, causing him to move and take cover. He also described seeing what he believed was a grenade being thrown in the direction of the responding officers. (further investigation determined that the perceived grenade turned out to be a smoke bomb). He could not see Leyva whom Deputy Perez was shooting at but said that Deputy Perez was shooting in the direction from which the perceived grenade had come from. Officer Posse also reported having seen a muzzle flash coming from the direction of the subject and that he was forced to take cover due to the officers being fired upon.

Once deemed safe to do so MDSO personnel were able to approach the office itself. Eduardo Juan Rivero, Jr. was located on the pavement outside suffering from an apparent gunshot wound to the side of the head. Leyva was located slumped over in a chair just inside the entrance to the office with a gunshot wound to the head. Armando Yadro was also located inside the office suffering from a gunshot wound to the clavicle. All three individuals were transported to the hospital for medical treatment. Eduardo Juan Rivero, Jr. was declared deceased shortly after arriving at the hospital. Armando Yadro was treated and made a full recovery. Roberto Leyva was stabilized but remained in critical condition and was eventually transferred to a long-term care facility for further monitoring and treatment. Doctors were not able to remove the projectile lodged in his brain as a result of the shooting. In February of 2026 Roberto Leyva was readmitted to the hospital for treatment of complications from his gunshot wound and ultimately succumbed to his injuries on February 14, 2026. An autopsy was conducted by the Miami Dade Medical Examiner's Office on February 16, 2026.

The crime scene, which included the office area and the enclosed parking, was processed by MDSO personnel. It should be noted that two firearms, a .9mm semi-automatic pistol (black Canik) and a .223 caliber rifle, were recovered in the proximity of Roberto Leyva. The Canik pistol was found with one live .9mm cartridge in the chamber and a twelve (12) round capacity magazine containing seven (7) live rounds. Roberto Leyva's scooter, that he was seen driving just prior to the shooting, was also located within the scene. Near the scooter investigators located sixty-seven (67) assorted live .223 caliber and .9mm caliber cartridges. Further, a plastic bag was found containing four (4) thirty round capacity rifle magazines with one hundred and twenty 120 live .223 cartridges, three (3) thirty round capacity rifle magazines with sixty-one (61) live .223 cartridges, two (2) thirty round capacity rifle magazines with twenty-seven (27) live .223 cartridges, and 1 empty thirty round capacity magazine. In the office area investigators also recovered a black/grey helmet, black mask, Glock-in sheath knife, 3M mask, and two (2) speed loaders.

Additionally, the bomb squad located multiple explosive devices in the enclosed parking associated with the business. There was projectile damage to multiple parked vehicles and to the physical office building structure itself. Spent casings and projectiles from both .9mm and .223 caliber were located in the business parking lot and just outside the business parking lot towards the cul-de-sac on SW 45<sup>th</sup> Street. In total there were seventeen (17) .9mm casings and fifty (50) .223 casings. Blood and other physical damage to property were identified within the office area and in the parking lot just outside of the office.

All firearms and firearm evidence were submitted for examination by the Miami Dade Sheriff's Office crime laboratory. The analysis determined that projectiles from Deputy Harris' and Deputy Perez's firearms did not strike Roberto Leyva, Eduardo Juan Rivero, Jr., or Armando Yadro. The Deputies' discharges may have caused property damage to parked vehicles and the surrounding

structures. The round count done on scene determined that each Deputy is believed to have discharged a maximum of six (6) rounds during the incident.

Interviews with multiple civilian witnesses, including surviving victim Armando Yadro, revealed that Roberto Leyva and Eduardo Juan Rivero, Jr. were half brothers who were involved in a domestic dispute on the date of the shooting. Roberto Leyva was determined to be responsible for the death of Eduardo Juan Rivero, Jr. and the non-fatal shooting of Armando Yadro. The findings from the autopsy and ballistics examination also confirmed that the gunshot wound to the head that ultimately killed Roberto Leyva was self-inflicted.

### 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 Deputies Alfredo Perez and Dea Harris 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 case file regarding this incident, including the sworn statements, 911 calls, crime scene photos, body worn camera footage, video footage, and other evidence gathered in this investigation. We find the FDLE file to be complete and thorough, and incorporate it into this memorandum and offer our conclusion based on the results of our independent review of 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 himself 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 he or she believes is necessary to defend himself or herself or another from bodily harm while making an arrest.

The evidence shows that Roberto Leyva was armed with multiple firearms and actively engaged in an escalating conflict with two other unarmed civilians at the time of the officer's arrival on the scene. Roberto Leyva shot at the officers at least one time prior to either officer using deadly force. Additionally, the evidence shows that Roberto Leyva had a large amount of ammunition and other perceived explosives at his disposal. At least one of these perceived explosives was directed in the direction of the officers prior to Deputy Perez discharging his firearm. Under these circumstances it is reasonable to conclude that both Deputy Harris and Deputy Perez believed that the use of deadly force was necessary to prevent imminent death or great bodily harm to themselves and/or the other two civilians present at the time.

Prepared by:

*/s/Sara Imm*

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Sara Imm  
Assistant State Attorney