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SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON

Plaintiff,

vs.

NICOLAS REYNALDO
ACAHUA

Defendant.

DOB: 08/05/2003

CAUSE NO. 23-1-03171-9

DECLARATION FOR DETERMINATION OF
PROBABLE CAUSE
(ADPC)

LISA WAGNER declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the TACOMA POLICE DEPARTMENT, incident number 2329902423;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about October 26, 2023, the defendant, NICOLAS REYNALDO ACAHUA, did commit the crimes of Robbery in the First Degree/FASE, two counts of Attempted Robbery in the First Degree/FASE , Assault in the Second Degree/FASE, Malicious Mischief in the First Degree and Attempting to Elude.

On October 26, 2023 at 2209 hours, Tacoma Police Department officers were dispatched to a report of an armed robbery that occurred at a residence in the 5900 block of Alaska Court in Tacoma. When officers arrived, they contacted victim Q.P., who was one of three victims involved. Q.P stated that when he arrived home, he noticed a white 2014 Mercedes-Benz that had been parked a few houses down the block. Approximately 20 minutes later, victim Q.P. and the two other victims, T.P. and H.V. were sitting at a table in the garage of the home with the door open when two males came into the garage demanding that they hand over their phones, wallet, and "anything" else. The two suspects were later identified as an adult, defendant NICHOLAS R. ACAHUA, and a juvenile, identified as 16 year old N.G. Officers

1 determined that defendant Acahua was the suspect who was wearing plaid pajama
2 pants and a black mask, and was holding a .22 caliber rifle that he pointed at all three
3 victims while they demanded that the victims turn over their property.

4 After the suspects demanded that the victims turn over their personal property,
5 defendant Acahua struck victim T.P. on the side of his head with the muzzle of his rifle.
6 The juvenile then took victim H.V's phone while yelling, "Give me all your stuff." Victim
7 H.V. then jumped over the table and grabbed N.G and threw him to the ground. The
8 other two victims then began to physically fight back. After several minutes of fighting,
9 the unknown driver of the white Mercedes Benz drove to the victim's residence and hit
10 the back of a vehicle that was parked in the driveway. This vehicle belonged to victim
11 T.P. The driver of the Mercedes hit the victim's car two times, damaging it, and forcing
12 it into the side of the house. These actions caused approximately \$10,000 worth of
13 damage to the victim's car.

14 During this time, victim H.V. grabbed the gun out of defendant Acahua's hands as the
15 defendant and juvenile ran to the Mercedes and drove off. One of the responding
16 officers checked the rifle and found that it was loaded with several rounds of .22 caliber
17 ammunition. All three victims had minor injuries from the fights. Victim Q.P. had a
18 bloody nose and scratches all over his wrists, which victim T.P had swelling and bruises
19 on the side of his head. Officers were shown the surveillance footage from the
20 residence which corroborated the victims' statements.

21 Officers asked the victims if they recognized the suspects, and they all indicated that
22 they did not. The officers later learned that the white Mercedes Benz had previously
23 been reported stolen out of Tacoma on October 24, 2023.

24 Other officers were advised of the incident and began searching for the stolen
25 Mercedes. The vehicle was located northbound on I-5 from 72nd Street. Marked patrol units drove to
26 that area to assist. Officers who were wearing department issued uniforms and driving marked patrol cars equipped with emergency
lights and sirens, activated the lights and sirens, and attempted to stop the Mercedes. The driver of the vehicle accelerated in an
attempt to evade the pursuit. The driver reached speeds of approximately 120-130 mph and eventually turned onto Exit 149,
traveling east to Pacific Highway. The driver eventually crashed the car at 216th Street.

After the vehicle crashed, officers saw a male with long black hair quickly exit the front passenger seat of the car. That male was
identified as the juvenile, N.G. The juvenile ran west on 216th Street and was eventually detained by officers. Other officers located
defendant Acahua near a warehouse. One of the officers identified defendant Acahua as the driver of the Mercedes. Following the
defendant's arrest, he was advised of his Miranda rights, but declined to make a statement. He later made unsolicited statements, to
include stating, "Everything in the car is mine." When officers arrived at the hospital with the defendant, he saw N.G. and "nodded
and smirked" at N.G. "as if he was proud of what he had done.

Defendant Acahua has prior felony convictions, to include convictions for the serious offenses of Robbery in the Second Degree
and Assault in the Second Degree. He is prohibited from owning or possessing a firearm.

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I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: October 30, 2023.

PLACE: TACOMA, WA

/s/ LISA WAGNER

LISA WAGNER, WSB# 16718
Deputy Prosecuting Attorney