Ben Willoughby, #10716
Deputy Davis County Attorney
P. O. Box 618
800 West State Street
Farmington UT 84025
Telephone: (801) 451-4300
Fax: (801) 451-4328
bwilloughby@co.davis.ut.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF DAVIS, STATE OF UTAH

THE STATE OF UTAH Plaintiff, vs. ABNER AROLDO AVILA DOB: 03/14/2005 ADDRESS: unknown Defendant. Axel Eduardo Chavez, Co-Defendant.	**INFORMATION** **CASE #** **WARRANT** **SID: N/A** PRETRIAL DETENTION REQUESTED

The undersigned prosecutor states on information and belief that the defendant, either directly or as a party, at County of Davis, State of Utah, committed the crime(s) of:

MURDER (DANGEROUS WEAPON ENHANCEMENT), a First-Degree Felony, in violation of Utah Code Ann. § 76-5-203, as follows: That the above-named defendant, on or about May 30, 2026, did (a) intentionally or knowingly cause the death of another individual; or did intentionally aid, assist, encourage, or solicit another to do so. Furthermore, a dangerous

weapon was used in the commission of the offense subjecting the Defendant to an enhanced penalty pursuant to Utah Code § 76-3-203.8.

This Information is based on evidence obtained from witness Sgt. Ryan Kirkman.

PROBABLE CAUSE STATEMENT: The undersigned prosecutor is a Deputy Davis County Attorney and has received information from the investigating officer, Ryan Kirkman of the Davis County Sheriff's Office, and the information herein is based upon such personal observations and investigation of said officer.

At 6:22 p.m. on May 30, 2026, James Witten (71) was killed on his front porch in West Point. His Ring camera recorded his murder. The video shows James exited his home and turned his back to the street as he hung a porch decoration. A maroon 2012 Honda Civic then drove towards James' home from where it had been parked across the street. The driver pulled up along the curb directly in front of James' home. A male leapt out of the front passenger seat and moved towards James firing approximately ten rounds and killing James from behind. The shooter was wearing black pants, light colored shoes, a black hoodie, dark gloves, a mask or bandana, sunglasses, and a gray beanie. After killing James, the shooter returned to the car and the driver left the scene.

A witness called 911 and reported that the Civic had something orange covering its license plate. Another witness with a dash-cam noticed the maroon Civic driving erratically eastbound on 300 North. The dash-cam footage shows the driver wearing bright red/orange. Another witness watched the passenger throw items out of the car on the bridge on 300 North. That witness used a mechanical grabber to collect and bag the discarded items and then provided them to the police. The items included donuts, a gray beanie, a bandana, and a set of gloves (blue gloves overlapping black gloves, which appeared to have been stripped off and turned inside

out). Surveillance footage from a business near the I-15 on-ramp recorded the Civic come to a stop while the passenger exited and removed the orange tape over the license plate. An automatic license plate reader then recorded the Civic's plate number. Subsequent investigation of the license plate, showed that the vehicle passed north through Primm, Nevada the night before.

The plate was seen in Clearfield several hours before the shooting. After the murder, the plate was recorded headed south on I-15 and last seen entering Las Vegas. Detectives tracked the suspects' activity in the hours just before the murder. Detectives located footage of the two suspects at the Clinton Walmart. The two young Hispanic men purchased the gray beanie (matching the beanie retrieved on the bridge just after the murder) at 3:41 p.m. One man was wearing a bright orange shirt (as seen in the witness's dash-cam). The other was wearing black pants, a black hoodie, and white/gray shoes (as recorded by James' Ring camera). The Walmart surveillance showed that both suspects had distinctive tattoos on their faces and hands. The State Lab tested the items tossed out on the bridge.

The lab found a male profile on the bandana, the beanie, and the gloves. The profile is consistent with a known DNA profile for Axel Chavez, a fugitive from California. Axel Chavez is an illegal immigrant with no legal status in the country. Detectives obtained known recent photographs from Axel Chavez's social media. The photos show the same face and hand tattoos seen from the Clinton Walmart footage. On June 16, police in Las Vegas located the maroon Civic with Axel Chavez inside. Axel Chavez confessed to the murder. Chavez stated that they agreed to commit the murder for $50,000. Chavez identified the driver as Abner Avila from Los Angeles. Police obtained known photographs of Abner Avila, which showed the

distinctive tattoos recorded in the Walmart footage. Abner Avila's whereabouts are currently unknown. Abner Avila is believed to be illegally in the country. The State is requesting a no-bail warrant be issued.

Authorized July 2, 2026
for presentment and filing:

TROY S. RAWLINGS
Davis County Attorney

By /s/ Ben Willoughby
Deputy Davis County Attorney