

IN THE IOWA DISTRICT COURT FOR FRANKLIN COUNTY

STATE OF IOWA

Case No. _____

v.

COMPLAINT AND AFFIDAVIT

Defendant: **Jhonny Junior Salvatore
Suarez Rivera**

Address: _____

City / State: _____

D.L. #: **890AL2508**

D.O.B.: **12-23-1995**

Iowa Code Section 804.1

I. R. Cr. P. 2, 35, 36

Count: 2

The Defendant is accused of the crime of **Child Endangerment- Death** in violation of §§726.6(1)(a), 726.6(4) Iowa Code in that the Defendant on or about the 1st day of **August, 2020**, in the **City of Hampton** in **Franklin County**, did: **being a parent, guardian, or person having custody or control over a child under the age of eighteen with a person who is a member of the household in which a child or such minor resides, knowingly act in a manner that creates a substantial risk to S.R. JR's (DOB 8/6/2018) physical, mental or emotional health or safety, resulting in the death of the child.**

I certify under penalty of perjury and pursuant to the laws of the State of IA that the proceeding is true and correct.

Date 9/2/21

Captain Mark Morrison 35-31
Hampton Police Department, Hampton IA

AFFIDAVIT

STATE OF IOWA, COUNTY OF FRANKLIN, ss:

I, the undersigned, being duly sworn, state that the following facts known by me, or told to me by other reliable persons, form the basis for my belief that the Defendant committed this crime: **Rivera and his girlfriend and S.R. Jr. lived at 777 8th St. SW Lot 28 Hampton, IA. On August 1, 2020, Jhonny Junior Salvatore Suarez Rivera was the sole caretaker of 23-month-old S.R. Jr. from approximately 6:00 a.m. until the incident. S.R. Jr. was the son of Rivera's girlfriend.**

S.R. Jr. had a medical emergency and was taken to Franklin General Hospital by Rivera at 3:45 p.m. Lifesaving intervention was attempted by medical staff but was unsuccessful. S.R. Jr. was pronounced dead at 4:50 p.m.

On August 3, 2020, an autopsy was conducted by Dr. Michele Catellier of the Iowa State Medical Examiner's Office and determined that S. R. Jr's cause of death was multiple blunt force injuries and the manner of death was homicide.

In an interview, Rivera admitted that he had been a caretaker of S.R. Jr. for the last year and that he was watching S.R. Jr. on the day of his death. Rivera was unable to provide any explanation for the S.R. Jr's injuries other than possibly choking on a piece of chicken and throwing a tantrum.

I certify under penalty of perjury and pursuant to the law of the State of IA that the proceeding is true and correct.

Date 9/2/21

Captain Mark Morrison 35-31
Hampton Police Department, Hampton IA

Subscribed and sworn to before me by the person signing this complaint and affidavit on this 2 day of Sept, 2021.

Notary Public

