

FIRST DRAFT

'Send three coffins,' telegram said

On Aug. 24, 1892, Capt. W.E. Davis, of Westwater, Utah, sent a brief telegram to a relative in Grand Junction. One newspaper summarized the message this way: "Send three coffins; we have run across the Brock gang."

Early on Aug. 24, Davis and a friend confronted Charles Brock and two companions near Brock's home-
stead at May Flat, on the Colorado River just west of the Colorado-Utah border.



BOB SILBERNAGEL



COLORADO CANYONS ASSOCIATION/Special to the Sentinel

A tent structure on the Catalpa property will be used by Colorado Canyons Association for its outdoor education programs.



ROBERT McLEAN/The Daily Sentinel

During the ensuing shootout, Davis killed two of the men. The third died within 24 hours. Davis was initially hailed as a hero for single-handedly dispatching three desperadoes. But that view changed rapidly. The land along the Colorado River at the state border has always been isolated, but not uninhabited. Rock art, both in Colorado and Utah, shows ancient Indians visited the area. Utes stopped there, and Westwater Creek was a well-used Indian trail even before trappers and traders such as Antoine Robidoux began traveling it in the 1830s.

By the late 1880s, at least two ranches operated along this section of the river, the Bar X close to what is now Westwater and the Murphy Ranch about 4 miles east near the state line. Prospectors searched intermittently for gold here. There are also rumors that a band of thieves buried gold on the east side of the border while racing to escape a posse.

In 1890, the railroad made these lands more accessible. The Denver & Rio Grande Western, switching from narrow-gauge to standard tracks, rolled into Ruby Canyon, then on to Westwater, before heading northwest.

The land on both sides of the state line was owned by a variety of homesteaders and ranchers until the 1960s, when it was purchased by Chris and Connie Joufflas of Grand Junction. They used it for more than 30 years as part of their winter and spring sheep operation.

"When we first came in here ... there were not all the niceties" that exist today, Chris Joufflas said several years ago. "It was just kind of wild yet."

While it was a wonderful area to work and raise a family, Joufflas said the weather changed constantly and the sheep business was unpredictable.

"There were a lot of surprises," he said. "Every day was a surprise."

The Joufflas family sold May Flat, the Utah portion of this property and the place where Brock's cabin sat, to the Bureau of Land Management about 10 years ago.

Two years ago, the Colorado portion of the property was

sold to the Palladium Foundation, which is leasing it to Colorado Canyons Association. I am a board member of CCA. The land, now known as the Catalpa property, is adjacent to McInnis Canyons National Conservation Area. With help from a variety of donors, CCA is establishing a primitive, river-access education center on the land.

The land served agricultural needs for a long time, said Pete Joufflas, son of Chris and Connie, but the family is happy that it can now be used for recreation and education.

While the land probably looked much the same 125 years ago as it does today, the social situation was very different.

Both Capt. Wilson Ellis Davis, a Civil War veteran, and Charles C. Brock, a German immigrant, had moved to the area by 1892. Brock's half-dug-out cabin was just west of the Colorado border in May Flats. The Davis ranch was about 4 miles away, near Westwater Creek.

The two knew each other, but they did not get along. Even so, Brock's two cabin mates,

Charles A. Dussel and William Mueller, had worked for Davis that summer.

Davis suspected Brock of butchering one of his steers. On Aug. 23, 1892, Davis believed Brock had stolen honey from Davis' beehives. A young friend named Frank Grant followed the trail of spilled honey, which he said led to Brock's home-
stead.

The next morning, Grant and Davis rode toward Brock's place. They watched Brock leave on a horse. Then Davis approached the cabin while Grant remained behind.

Davis said as he neared the cabin, Mueller was inside and Dussel was outside starting a cooking fire.

He claimed he tried to speak to both men, but Dussel attacked him with a club. Davis shot and killed him with a Colt .44.

Mueller poked a rifle through a window in the cabin, Davis said, but his aim was obstructed. Davis scrambled to the door of the cabin and shot Mueller in the head. He survived initially, but died within a day.

As Davis and Grant walked toward their horses, they encountered Brock on his horse. Davis demanded that Brock dismount and talk, but Brock refused.

Instead, he swung a pair of leather horse hobbles at Davis. In response, Davis shot twice, killing Brock.

Leaving the three men where they were shot, Davis and Grant returned to Westwater, and Davis sent his infamous telegram.

The next day, a coroner's jury was assembled and issued a verdict of justifiable homicide.

One member of the jury said

later that he was intimidated by the fact that Davis was present at the inquest with his Colt revolver strapped to his side.

It was after this inquest that newspapers, which had initially proclaimed Davis a hero, began to question the story.

The Aspen Evening Chronicle noted on Aug. 27 that Brock and his friends weren't really outlaws.

"Brock stole one cow two years ago" and regretted it, the paper said. "The other two men had never been suspected of stealing anything ... That was the desperate gang of cattle thieves whom Davis has been given the credit of wiping out."

Federal authorities in Utah Territory agreed something was amiss.

Davis was charged with murder for the killing of the unarmed Brock.

His trial was held in Provo, Utah, in December 1892, and he was found guilty of voluntary manslaughter. He spent eight months in the Grand County Jail in Moab, Utah.

That was the culmination of the May Flat murder story, but not the end of Davis' violence.

In 1914, when he was 73 years old, he was convicted of first-degree murder in California for the bludgeoning and burning of his business partner.

Information from: "Westwater Lost and Found," by Mike Milligan; Colorado and Utah historic newspapers; the Museums of Western Colorado; Zebulon Miracle, curator at Gateway Canyons Resort.

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Man faces sentencing in December court for bad checks in Rifle

By DENNIS WEBB
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A Westminster man who wrote \$10 million in bad checks in Rifle will be sentenced in December for those actions as well as defrauding customers of a kitchen contracting business he ran on the Front Range.

Herman Hinojosa, 73, pleaded guilty last month to felony theft in the kitchen business case and had been scheduled to be sentenced Oct. 31 in that case. He also had been set for sentencing Oct. 27 in the Rifle cases.

But Sue Lindsay, spokeswoman for the 17th Judicial District Attorney's Office in Adams and Broomfield counties, said both sentencings were delayed until separate dates in December.

In August, an Adams County jury convicted Hinojosa on the theft, forgery and check fraud charges stemming from a fraudulent \$5 million check deposited in a newly opened Alpine Bank account in Rifle last year. He subsequently pleaded guilty in connection with the deposit of another fraudulent check for the same amount at another financial institution in Rifle. The checks were written on his overdrawn account at Premier Members Credit Union, which has branches in Adams County.

Hinojosa also wrote a \$38,500 bad check for earnest money and attempted to wire an \$860,000 payment from the Alpine Bank account for a warehouse he was trying to buy in Rifle.

Prior to his guilty plea in the case involving his business, Kitchens 4 Less, Hinojosa had faced an Oct. 11 trial. He and his wife, Susan, were charged in 2014 with 30 counts of theft and check fraud for allegedly stealing money intended for kitchen

remodeling projects they didn't complete.

The two allegedly required up-front payment and then did little or no work, and used customers' deposits for personal purposes, targeting elderly customers and victimizing 27 people who lost more than \$140,000.

Susan Hinojosa previously received an eight-year prison sentence after being convicted in the case and also was ordered to pay more than \$100,000 in restitution. The couple filed for bankruptcy in 2013.

Herman Hinojosa ended up pleading guilty to one felony count of theft from an at-risk elder in the Kitchens 4 Less case, under a plea agreement that calls for a sentencing cap of 18 years in prison.

Lindsay said a sentencing hearing was held Tuesday in that case and the judge heard statements from some victims, but over the objections of prosecutors, sentencing was postponed until after the sentencing in the Rifle cases.

Hinojosa also faces sentencing as a habitual offender from convictions in two other theft cases apiece in both Jefferson and Adams counties, and a federal bank fraud case in Las Vegas. Colorado criminal records show Hinojosa was arrested in 1997 in Wheat Ridge on behalf of agencies in Las Vegas and St. George, Utah, that wanted him to face bank fraud and theft charges, respectively. The Las Vegas Sun reported in 1997 that Hinojosa allegedly opened an account in Las Vegas with two fraudulent checks for more than \$10 million, and bought a warehouse, residences, vehicles and other items with bad checks.

BLOTTER

COMPILED BY SENTINEL STAFF

Sixth, 7th suspected DUI

David Lee Fowle, 41, was arrested after Colorado State Patrol troopers found that he crashed his truck into a ditch outside his house, ran from the scene and drove another truck across town while drunk, according to law enforcement records.

The passenger riding in Fowle's truck when he crashed it reported the accident to officials and told troopers that Fowle had been drinking vodka before the accident on Thursday night at 32 and C½ roads.

Investigators found Fowle at another home more than 6 miles away, more than two hours later, and found him to be "uncooperative and unintelligible."

Fowle refused to take a chemical test for alcohol, troopers said.

"Fowle cursed at officers and made threats that in a few days he would catch up with us and things would be different," the affidavit said.

Law enforcement noted that Fowle had five prior DUI-related convictions dating to 1992 in Mesa County. He was arrested on suspicion of two DUIs, as well as careless driving, reckless endangerment, obstructing a police officer and failing to present evidence of insurance.

Mesa County Judge Craig Henderson set

a \$10,000 cash-only bond for Fowle on Friday.

According to the Grand Junction Police Department:

- Misha Gutierrez, 31, was arrested on Oct. 30 on eight warrants for failure to appear in court.
- Dennis Hart, 63, was arrested for alleged possession of controlled substances and drug paraphernalia and outstanding warrants when he was contacted in the 800 block of Rood Avenue on Oct. 31.
- A juvenile was arrested on an outstanding warrant, suspicion of possession of an illegal weapon and possession of marijuana and drug paraphernalia when he was contacted in the 2800 block of North Avenue on Oct. 31.
- Tina West, 47, and Antoinette Cullotta, 46, were arrested on outstanding warrants after police contacted them in the 2400 block of North Avenue on Wednesday.
- Two unlocked vehicles in the 1900 block of Clover Court were burglarized Wednesday. Losses are estimated at more than \$750.
- Anthony Burbridge, 50, was arrested and taken into custody on an active failure to appear warrant Thursday.
- Catherine Maestas, 53, was arrested on outstanding warrants when she was con-

tacted in the 2400 block of North Avenue on Thursday.

- Alvaro Rodriguez, 35, was arrested on three active failure to appear warrants and allegedly obstructing a peace officer when he was contacted at 132 Gunnison Ave. on Thursday.
- A vehicle was reported stolen from the 2900 block of Brookwood Drive on Thursday.
- A home in the 300 block of Ridges Boulevard was reportedly broken into Wednesday.
- Christina Steele, 34, was arrested Friday on four active warrants for failing to appear in court.
- Amber Symes, 44, was arrested Friday on two warrants for failure to comply.
- Darin King, 49, was arrested for alleged harassment on Saturday.
- Yvonne Herrera, 49, was arrested Saturday on a warrant for failure to appear in court.

According to the Mesa County Sheriff's Office:

- Deserae Cole, 28, Robert Myers, 44, Matthew Wolfe, 41, Tomas Springer, 33, and Morgan Richard, 23, were arrested Friday on charges related to suspected drug possession and domestic violence.

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This early deadline schedule is designed to help you plan your advertising around the holiday.

Publication Date	Display Advertising	Deadline
11/26, Real Estate Weekly.....	11/20, Monday,	12 Noon
11/23, Thursday	11/20, Monday,	2 PM
11/24, Out & About.....	11/17, Friday,	4 PM
11/24, Friday.....	11/20, Monday,	4 PM
11/25, Saturday.....	11/21, Tuesday,	4 PM
11/26, Sunday	11/21, Tuesday,	4 PM
11/27, Monday.....	11/22, Wednesday,	2 PM
11/28, Tuesday.....	11/22, Wednesday,	2 PM

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11/23, Thursday.....	11/22, Wednesday,	1 PM
11/24, Friday.....	11/22, Wednesday,	2 PM
11/26, Real Estate Weekly.....	11/24, Friday,	Noon
11/25, Saturday.....	11/24, Friday,	11 AM
11/26, Sunday	11/24, Friday,	1 PM
11/27, Monday.....	11/24, Friday,	1 PM

Legals

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11/24, Friday.....	11/17, Friday,	3 PM
11/25, Saturday.....	11/20, Monday,	3 PM
11/26, Sunday	11/20, Monday,	3 PM

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