

Protesters revive Wednesday rally to unseal autopsy records in Colorado Springs police shootout

By: Kaitlin Durbin Aug 14, 2018 Updated 3 hrs ago



Wednesday's protest for public records in the name of injured civilian Thomas Villanueva is back on after the first attempt on Tuesday failed amid warnings from attorneys that it might negatively impact any lawsuit Villanueva may file.

Villanueva says he now will attend Wednesday's 9 a.m. protest in front of the El Paso County Coroner's Office, 2741 E. Las Vegas St., but will be declining all interviews, as his attorney advised.

"I just want to show up to show that my life matters," Villanueva said by phone. "I just want answers just like anyone else would."

"We still want people to show up to help support Thomas, we still want the records open," his mother, Sallie Villanueva, said in a now-edited post on the Justice for Thomas Villanueva Facebook page.

Villanueva's attorneys, Dr. Joseph Ramos and Russell Araya, could not immediately be reached for comment and have not returned The Gazette's previous calls.



The protest was initially sparked by **a petition filed by the coroner's office** to seal the autopsy records for sheriff's Deputy Micah Flick and suspected car thief Manuel Zetina, who were killed in a gun battle in February.

The coroner argued that releasing the records, which would include details about where the two were shot, how many times they were shot and possibly the types of bullets that were used, "will cause a substantial injury to the public interest" and "cause additional stress and grief" to Flick's family.

But protest organizer Michael **DeRossett argued that withholding the records violated Villanueva's rights** to information about how he was shot, paralyzing him from the chest down, and by whom.

And, because the sheriff's office previously described Villanueva, 28, as an "innocent bystander" caught in the wrong place at the wrong time, DeRossett says they also want to know why he wasn't warned to stay away when officers approached Zetina in the open parking lot of Murray Hill Apartments and attempted to make an arrest. Three other officers were wounded in the incident.

"Thomas simply needs answers," DeRossett previously said. "We demand transparency. What do they have to hide by sealing these records?"

The Gazette and the Colorado Springs Independent have hired legal counsel to fight for the autopsy reports.

DeRossett said his goal remains the same, he only canceled Tuesday's event because of Villanueva's attorneys' warnings, saying "We cannot pursue something that might effect Thomas's legal case."

Villanueva has filed a notice of claim — a precursor to a lawsuit — indicating that if officers are found to have acted inappropriately, he will be suing city and county agencies for his "serious physical injuries requiring hospitalization and surgeries."

Michael Varney, 58, apparently didn't get the memo about the first cancellation and stood alone outside of the county courthouse Tuesday morning. Varney said he doesn't know Thomas Villanueva, but calls himself a "concerned citizen" — concerned about public safety.

He lives in a neighborhood off of Powers and Palmer Park boulevards, a couple miles from the shooting site off Galley Road and Murray Boulevard, and noted "there's always shady stuff going on in that part of town."

Varney said he came to protest for "better attention to safety issues," and to question why the county is seeking to withhold records.

"Do you think that's true?" he asked waiting media about the coroner's reasons for wanting to seal the records.