

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF ARREST REPORT

4035674

County Jail

City Jail

Adult

Juvenile

Bureau: SNCTC

ID# 7166041		EVENT # LLV260100081290		ARRESTEE'S NAME(LAST) (FIRST) SOLOMON ORI		(MIDDLE)		SSN# PII
RACE W	SEX M	DOB PII /1970	HGT 5'10"	WGT 210	HAIR BLK	EYES BRO	POB XX, IS	
ARRESTEE'S ADDRESS 9108 COVERED WAGON AVE				BLDG/APT #	CITY LAS VEGAS	STATE NV	ZIP CODE 89117	
OCCURRED DATE: 01/31/2026		ARREST TIME: 2318		LOCATION OF ARREST (NUMBER, STREET, CITY, STATE, ZIP CODE) 9108 COVERED WAGON AVE LAS VEGAS NV 89117				
LOCATION OF CRIME (NUMBER, STREET, CITY, STATE, ZIP CODE) 9108 COVERED WAGON AVE LAS VEGAS NV 89117								
CHARGES / OFFENSES PC - LVJCR - 51792 - F - DISPOSE/DISCHG HAZ WASTE								
CONNECTING REPORTS (TYPE OR EVENT NUMBER) RFP, WL, TCR, DOAR								

The undersigned makes the following declarations subject to the penalty of perjury and says: That I am a peace officer with the MPD being so employed for a period of approximately 8 year(s).

That I learned the following facts and circumstances which lead me to believe that the above named subject committed or was committing the offenses above at the location of 9108 COVERED WAGON AVE LAS VEGAS NV 89117 and that the offense(s) occurred at approximately 0551 hours on the 31st day of January, 2026.

Details for Probable Cause:

Event number:

LLV260100081290

Charges:

NRS 202.446 Certain Acts Related to Weapons of Mass Destruction, Lethal Agents, Toxins and Delivery Systems

Detectives/Officers Involved:

LEP

LEP

Victim:

Society

Suspect 1:

Jia Bei Zhu (aka Jiabei Zhu aka Jaibei Zhu aka Jesse Zhu aka David He)

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: LEP

DOB: [REDACTED] /1961(British Columbia DL), [REDACTED] /1964 (Nevada Driver's License)

SOC: [REDACTED] PII

Suspect 2:

Wang, Zhaoyan

DOB: [REDACTED] /1986

SOC: [REDACTED] PII

Suspect 3:

Yao, Xiuqin

DOB: [REDACTED] /1963

Suspect 4:

Ori Solomon

DOB: [REDACTED] /1970

SOC: [REDACTED] PII

Suspect 5:

Harold Michael Richey

DOB: [REDACTED] /1974

ID# 1670267

Details:

On January 16, 2026, Your Affiant, Detective [REDACTED] LEP of the Southern Nevada Counter Terrorism Section in conjunction with the Joint Terrorism Task Force was made aware of the following information:

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: [REDACTED] LEP

"On 1/9/2026, FBI Special Agent [REDACTED] LEP made in-person contact with Kent Williams, (Williams) Public Health Analyst, Southern Nevada Health District. Williams was familiar with the investigation of the Reedley Biolab in California and its connection to the Las Vegas Valley. Williams advised that LVMPD, FBI Las Vegas, and Department of Homeland Security had previously investigated a facility on the 1800 block of Charleston Boulevard where medical equipment was allegedly stored but was never found. Williams had also taken investigative steps and provided information about the Reedley Biolab to California Congressman Jim Costa who ultimately provided the findings to the United States Congress in an investigative report. "

The findings of the Reedley Biolab are as follows:

The following is a summary of the Investigation into the REEDLEY BIOLAB, the summary is a 42-page document some excerpts were taken from the document in order to provide a proper understanding of the background of David's involvement in biological research and operating a laboratory,:.

In December 2022, code enforcement observed a hose that was fed into a hole drilled into the side wall of a warehouse. A code enforcement officer obtained permission to enter the warehouse for a code inspection. While inside the warehouse, the code enforcement officer observed laboratory equipment, manufacturing devices, and what appeared to be medical grade freezers. Inside was also three female individuals, who identified themselves as People's Republic of China (PRC) nationals, wearing white lab coats, glasses, masks, and latex gloves. Inspection deeper into the warehouse were additional freezers with glass doors which appeared to contain biological substance in 1000's of glass vials. The vials contained various labels including some in mandarin, English, and a combination of the two which appeared to be coded. Labels on multiple the vials read "HIV". Further into the inspection of the warehouse the code enforcement officer located a makeshift storage room, which had a foul odor. Inside this room, there were approximately 1000 laboratory mice. It was later learned that these mice were in fact, transgenic (which are genetically modified organisms with foreign DNA inserted into their genome, allowing scientists to study gene function and human diseases) mice, which were specifically modified and bred to simulate the human immune system for the purpose of laboratory experimentation.

A further investigation into the warehouse revealed it was being operated by a fugitive from Canada who is a PRC citizen Jia bei "Jiabei" "Jesse" Zhu also known under the alias David He. David set up this new warehouse after he and his associates had to hastily move from their previous location in Fresno California, due to a fire and threats of eviction. David operated the biolab through a cooperation he set up of University Medical Incorporated (UMI) and later Prestige Biotech Incorporated (Prestige Biotech)

The Code enforcement officer returned with a small group and once again requested access to the Reedley biolab. Two individuals were present, and one quickly left the area after code enforcement officers arrived.

On March 16, 2023, officials obtained an inspection warrant for the biolab. Once inside the biolab, officials observed blood, tissue and other bodily fluid samples and serums: "and thousands of vials of unlabeled suspected biological material. Many of these vials were labeled in English or Mandarin while others were labeled in code". Officials never found the full key to decode the coded vials. Officials also found laboratory equipment including "a biological safety cabinet and centrifuge, as well as cold temperature storage units which included two ultralow temperature freezer units and 29 refrigerators/freezers. The biolab had locked the ultralow freezers which caused increased concerns that UMI was storing infectious agents on site.

The approximately 1000 transgenic mice were also located again when the remaining worker who appeared to be in control of the mice on site was questioned. The worker stated replied that mice were transgenic mice to simulate the human immune system and were genetically engineered to catch and carry the COVID-19 virus. In subsequent interviews with additional workers for the biolab one worker stated he and his children became ill after being tasked with tending to the mice. Local officials later confirmed, UMI and Prestige Biotech were disposing of deceased laboratory mice, that were considered to be medical waste without the use of a licensed medical waste hauler.

Shortly after, Prestige Biotech representative, Xiu Qin Yao, emailed city officials and inquired about the mice. Yao stated the mice were a special purebred population which took six years to build up, and are of special significance in the study of immunology and oncology. Yao furthermore said that the transgenic mice were biological assets and worth more than hundreds of thousands of dollars or even exceeding one million dollars. Yao stated she was currently in the PRC and could not travel to the states due to visa backlog. Yao also failed to provide any certifications or licenses from any state or federal agency for the storage of experimentation on mice and other laboratory activities. The City of Reedley attempted to care for the mice and even retained a veterinarian specializing in laboratory specimens, but the population continued to decline. When the veterinarian was on site, she found 773 living mice and 172 mice carcasses. Upon recommendation of the veterinarian, the mice were euthanized on April 12th. Local officials attempted to gain the assistance of the CDC, who continually refused to help even hanging up on local officials' mid conversation. It was only after reaching out to Congress representative Jim Costa that the CDC responded to assist. The CDC arrived at the site on May 2nd, 2023, and completed their inspection on May 4th, 2023. During the course of the CDC inspection they were able to identify based off existing labels "20 potentially infectious agents" including HIV Tuberculosis and the deadliest known form of Malaria.

Potentially Infectious Bacterial Agents Present:

- Chlamydia trachomatis
- E. Coli (recombinant strains)
- Helicobacter pylori
- Mycobacterium tuberculosis
- Mycoplasma pneumonia and general mycoplasma species
- Neisseria meningitis
- Nonstop species
- Sphingobacterium heparinum
- Streptococcus pneumonia and Streptococcus species
- Toxoplasma gondii

Potentially Infectious Viral Agents:

- Hepatitis B virus
- Hepatitis C virus
- Dengue virus
- Human Immunodeficiency Virus (HIV) 1 and 2
- Human Herpes virus 1 (Herpes simplex virus)
- Human Herpes virus 5 (Human Cytomegalovirus)
- Respiratory Syncytial virus
- Rubella Virus
- Serve Acute Respiratory Syndrome Coronavirus 2(SARS-CoV-2)

Potentially Infectious Parasites

- Malaria (believed to be P. Falciparum from Nigeria from the year 2000)

The CDC noted that the agents fall into two categories

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Arresting Officer:

LEP

Risk Group 2- are associated with human disease, which is rarely serious and for which preventative or therapeutic interventions are often available.

Risk Group 3- are associated with serious or lethal human disease for which preventative or therapeutic interventions may be available.

The CDC based this list solely off the labels on the vials at the lab and refused after numerous requests to laboratory test any of the samples.

Local officials continued with the abatement process and secured a facility and contract for the removal and destruction of the bio waste. Local officials disposed of approximately 103.73 tons of general waste including laboratory equipment and 448 gallons of medical waste and biological waste. During the abatement process additional freezers which had not been previously checked were reviewed, one of the freezers was labeled “Ebola” with silver sealed bags inside consistent with how the REEDLEY Biolab stored sensitive biological and other materials.

Background of David He aka Jesse Zhu:

David graduated from Beijing Union Medical college with a master’s degree in cell biology. David was one of the original founders of International Newtech Development in 1991 and was primarily engaged in product development for immunology and diagnostics.

“The Reedley Biolab operated under the direction and control of Jia Bei “Jesse”

David, through the corporation Universal Meditech Incorporated (UMI) UMI owned and operated the Reedley Biolab. David is a PRC citizen associated with PRC-government linked companies. He was currently wanted in Canada for contempt of court, where he is the subject of a CAD \$330 million judgment for stealing American intellectual property. David appears to have fled the Canadian courts and entered the United States unlawfully, given that he had an active arrest warrant in Canada, assuming the false identity of “David He.” David then set up a new network of companies. David appears to have accumulated thousands of vials labeled as dangerous pathogens, as well as expensive medical equipment. Based on the labeling found at the lab by local officials after the CDC’s inspection, the Reedley Biolab operators may have possessed the Ebola virus, one of the deadliest viruses known to humanity. He was able to acquire these apparent pathogens even though he was a wanted fugitive and operated an unlicensed and unregistered laboratory.”

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Arresting Officer: [REDACTED] LEP

David lived in the PRC in the early 2000s, David served as the Vice Chairman of a PRC state-controlled enterprise based in Xinxiang, Henan Pioneer Aide Biological Engineering Company Limited (“Pioneer Aide China”). David also served as Chairman of the Board and General Manager of Aide.

“Modern Cattle Industry (China) Company Limited (“Aide Cattle China”), a company whose directors included an executive for a PRC defense firm and a company on the U.S. Entity List. Shareholders in Aide Cattle China include PRC state-controlled entities and individuals who have invested in other PRC state-controlled entities. Through Aide Cattle China, David was the primary shareholder of 11 PRC cattle companies”.

“After David moved to Canada and created additional corporations there, his Canadian company, IND Modern Cattle Development Group Corporation (IND Group), became a minority shareholder in Pioneer Aide China”.

“This connection to cattle was important because, at some point while David managed these PRC businesses, he traveled to Canada and created dozens of companies in Canada, the PRC, and elsewhere. These companies engaged in massive theft of American cattle-related intellectual property, resulting in a CAD \$330 million judgment against David and his coconspirators. As David stated in documents that the Select Committee obtained from the Reedley Biolab, “the Company is looking to seize the opportunity to develop the operational platform for the rapid growth in the Chinese dairy industry, fulfilling [PRC] Premier [and CCP Politburo Member] Wen Jiabao’s wish to ‘provide every Chinese, especially children, sufficient milk every day.’” At that time, China faced a pressing milk crisis and the PRC’s government were pursuing “policies to develop the high yielding dairy cattle market.”

Specifically, David created IND Lifetech Group—an affiliate of IND Group—and entered a business relationship with XY, Incorporated, a U.S. company that specialized in biological engineering techniques that allowed for a high rate of selection for female (and thus milk-producing) Holstein cattle.

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Arresting Officer: [REDACTED]

LEP

“During the decade or so following his arrival in Canada, David created dozens of corporations (including IND and Ai De / Aide) in China, Canada, the United States, the British Virgin Islands, the Cayman Islands, and Uruguay. Court records indicate that, while David employed many PRC nationals in these companies and even had them named as shareholders, they “were only shareholders ‘on paper’ and that, ‘in reality,’ David owned these companies.” Additionally, “although the various companies appear to have been set up for different purposes, they were, from David’s point of view, interchangeable as his wishes dictated” as “they were all under the common control and direction of David as he dictated for his own purposes”.

“David used these corporations to steal valuable American intellectual property and unlawfully transfer it to the PRC. David accomplished this in part by directing the wrongful transfer of confidential information and technology obtained from XY in Canada to IND’s PRC arms and affiliated PRC-based entities and individuals. (IND’s presence in the PRC was significant—by October 2014, David employed between 400-500 workers in the PRC at just one of IND’s locations in Qingdao.) David estimated that this intellectual property would greatly benefit him and PRC state-affiliated entities indicating in a 2013 business plan that the combined market value of assets he brought to the PRC was “estimated at \$1.37 billion.””

“In 2016, after years of litigation with XY over his IP theft, the Supreme Court of British Columbia, found David guilty of “fraud on an ‘epic scale’ that ‘resulted in one of the largest awards in a Canadian court.’” The court found that “David, whose operations extend to China as well as Canada, planned to steal the technology to the point where XY’s market would collapse.” The IP theft directly benefited PRC state-controlled enterprises like some of David’s PRC-based companies, and it also benefited IND Group’s “two head offices in China, in

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Arresting Officer: [REDACTED] LEP

Beijing and Qingdao.””

“The court found that David and his PRC co-conspirators made many disturbing statements as part of their plan. These include instances where David, in response to a co-conspirator’s reference to “American imperialism,” replied that “the law is strong, but the outlaws are ten times stronger.” In another instance, David claimed that his fraudulent activity would help “defeat the American aggressor and wild ambitious wolf!””

“The Canadian court found David and his co-conspirators guilty of civil IP theft, conspiracy, and other claims, issuing a \$330 million judgment against them in June 2016. David failed to appear before the court for sentencing, resulting in the judge issuing an arrest warrant for civil contempt of which carries a prison sentence of six months. David then fled Canada to USA and assumed the alias of David He.”

On October 13th, 2023, Federal agents arrested David on a criminal complaint for manufacturing and distributing misbranded medical devices. David is currently in custody at Taft Correctional Institution which is a low-security federal correctional institution for male inmates. David has been housed at Taft since October of 2023.

Kelly Tip and Interview:

On January 9th, 2026, FBI Las Vegas received a tip from FBI Sacramento (SC) of potential lab equipment, PPE, and medical waste being discovered at an Airbnb/ Short Term Rental (STR) located at 979 Sugar Springs Drive, Las Vegas, NV 89110. The reporting party of this information was a female by the pseudonym “Kelly”. Kelly stated, she was a contracted home cleaner for a male by the name of “Ori” Solomon, for his STR property’s that he manages. Kelly provided additional information to FBI SA [LEP] that she is the prior employee of Solomon and worked as a house cleaner on several properties. Two of the houses she cleaned were 979 Sugar Springs Drive, and 971 Temple View Drive, Las Vegas, NV 89110. Kelly mentioned the names of Jei Bu aka David He, and Wang Zhao Yan as the owners of the residences and the employer to Solomon. Wang is said to be monitoring the cameras on property, while in China, absconding from Federal Indictment. It is believed Wang and David are married and have an infant child in common. Kelly advised, cameras are installed in both the front and back yards of the residences. Kelly has not been to the property in approximately six months but spoke with a tenant by the name of “Mark” who stated the garage is always locked. On January 17th, 2026, 1640 hours at the number [PRVCY] a recorded phone interview was conducted with “Kelly”. Present on this phone call were the following individuals:

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Arresting Officer: [REDACTED] LEP

LEP (FBI)

LEP (FBI)

Det LEP (LVMPD SNCTC)

Det LEP (LVMPD SNCTC)

The following is a summation of the key points of the interview, the full interview will be uploaded and transcribed at a later date for review:

Kelly did not want to provide her real name or information due to wanting to remain anonymous, due to the how high David's previous case involving the federal government and due to having a family. Kelly stated, she called STR code enforcement to report the possibility of a biolab being located at 979 Sugar Springs address, it was later determined she called January 6th, 2026. Once she contacted Nevada code enforcement, she additionally called Reedley, California to report the same situation, due to her existing knowledge of the Reedley biolab and David's involvement. It was later determined, she called on January 7th, 2026. Kelly states she knew of a male by the name of Mark, who has lived at the Sugar Springs address for approximately one year. Kelly worked for Ori Solomon DOB: PII/1970 as a residential cleaner for several properties in the Las Vegas Valley to include Temple View and Sugar Springs. Kelly stated that both properties, 979 Sugar Springs and 971 Temple View, are owned by David He aka David. Clark County Assessor's page revealed 971 Temple View shows the owners as Yao, Xiugin and Wang with a mailing address of 979 Sugar Springs Dr. While 979 Sugar Spring Drive showed a recorded owner of David Destiny Discovery LLC and a matching mailing address of 979 Sugar Springs.

The Nevada Secretary of State Business Registration shows David Destiny LLC is Nevada Domestic Limited Liability Company filed on April 5th, 2022. The company's filling address status is listed as Active with a File # of E22293582022-6. The registered Agent on File for David Destiny Discovery LLC is David He, with two company contacts, Xiuqin Yao and Zhaoyan Wang. Both Yao and Wang are identified as managing members.

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Arresting Officer: LEP

Kelly stated that at one time, the back door that leads to the side yard and into the garage was left open. Kelly informed Ori, of the unsecure door, who instructed her to make sure that door was shut and locked, normally Mikey (positively identified as Michael Richey Harold DOB: **PII**/1974) who also works for Ori ensures the doors are always locked. Kelly was previously advised numerous times and with strong emphasis to make sure the doors were always locked, in addition always be and that the garage-maintained power. Kelly stated when she went to lock the door she looked inside the garage. When she looked inside, she saw three (3) refrigerators, with extension cords running to the electrical outlets. Kelly was instructed to make sure they were still plugged in and running.

There were also large glass beakers inside the garage which had some type of reddish liquid inside of them. There were also “arrowhead” bottles with the same reddish liquid inside with cups on top of them. Kelly described the garage smelled, like a hospital (not like a clean hospital but more of a foul stale stagnant air smell). When asked about Mikey, she advised he works for Ori as a maintenance employee/Janitor. Mikey advised Kelley he also wanted nothing to do with the garage, due to him being the one who moved all the equipment from the location on Charleston to the house. The location on Charleston refers to Prestige Biotech of the Reedley, CA case registered in Las Vegas, NV under PBI Diagnostic LLC, where Wang and Yao are listed as the President. PBI Diagnostic Laboratory, LLC attempted to obtain a laboratory license in the State of Nevada at 1807 W. Charleston (pictured below). In which David, Wang and Yao attempted to open an alternative Diagnostic Lab in Las Vegas separate from the Reedley, CA Laboratory.

On April 4th, 2023, the Department of Health and Human Services received an application for PBI Diagnostic Laboratory LLC. The application was for a Medical Laboratory for 1807 W Charleston, Las Vegas, Nevada 89102. The application listed Zhaoyan Wang as the owner with 100% control of the company, it further listed Rey Villanueva as the primary contact person, and Henry Soloway as the lab director. The Lab application listed the following test and requested to perform onsite:

On July 17th, 2023, Rey Villanueva contacted the Department of Human Health and Services, who spoke with Bradley Waples who is the acting manager of Medical Laboratory Services and informed Waples that they've been fired from PBI Diagnostic which included (Rey Villanueva), the laboratory director (Dr. Henry Soloway, and all lab staff. Rey informed Waples that the owners were bringing in a new laboratory director by the name of Marissa Li. Li's laboratory director's license expired April 21st, 2021. Waples reached out to Li who was informed that she would need to reactivate her license for them to approve the laboratory license. Dr. Li inquired about the status of the license for PBI but also stated she was out of town but was going to be coming to Las Vegas to evaluate the laboratory and provided a status update to Waples. Li then sent an email to Waples informing him the following:

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Arresting Officer: **PII**

LEP

"I made my first visit of this laboratory last week and after much consideration we have decided to rescind our application for the state medical laboratory license and CLIA certificate of registration/compliance. There is a lot of work to be done to get this lab ready for the next phase. Since we are committed to establishing a strong and quality driven clinical laboratory, I believe it is in the best interest to pause and reset before embarking on the path of applying for the appropriate licensure.

Kelly and Mikey got "deathly ill" after going into the garage. Approximately five (5) days after entering the garage, she was left with breathing issues, fatigue, "could not get out of bed", and muscle aches. Mikey had the same symptoms as Kelly. Kelly stated that Mikey believed entering the garage was the reason that they both were sick. Kelly further stated that Ori's wife who she knew by the name of "Moon" got sick after entering the garage. Kelly said she would not trust us talking to Mikey because she believes he would tip off Ori. Mikey has made numerous threats to Ori about reporting the lab that he has. One female who rented a room at the residence asked for permission to park her vehicle inside the garage, but Ori declined. Kelly said the female then informed her the next time she went to clean the residence that she had observed lab equipment in the garage. Kelly further stated that the female who observed the lab equipment was a nurse. The nurse inquired with Kelly if she knew if the owners wanted the lab equipment which Kelly stated she did not know and didn't continue with the conversation.

Kelly then described a machine which was made of glass where you stick your arms into to protect yourself (reference photo below not exact equipment actual photo confirmed below in secondary interview).

Kelly then described also seeing a "Beckman Coulter machine" which looked like a xerox machine to her which she believed to be a centrifuge. This machine is used to separate subcellular particles, viruses, and viral particles. It has a maximum speed of 120,000 rpm (rotations per minute) and can be set from temperatures 0degrees- 40degrees Celsius. (pictured below is a sample photo not the exact machine equipment actual photo confirmed below in secondary interview).).

Kelly did not believe that the lab was actively being used due to the house being run as an STR/ Air BnB. She does not know this to be completely true but stated it could be possible. Kelly stated David was running a lab in Las Vegas prior to being arrested for the Reedley lab. Kelly said there were no aftermarket ventilation systems that she observed in the garage. Kelly said it was not typical for the door to be unlocked due to Ori putting an aftermarket lock on the door once they started using the house for an Airbnb/ STR. Kelly said that the Temple View house is rented out by the whole house, and the Sugar Springs address is rented out by the room. Kelly said the liquid inside the beakers was reddish tinted, and the refrigerators were running and plugged in. Kelly knows of one female who is still cleaning residences for Ori but not the specific houses.

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Arresting Officer: [REDACTED]

LEP

Kelly said in the garage in the Temple Drive address there were approximately five (5) full boxes of drug tests. Kelly said one was for fentanyl/opioids, and the other was THC test. Kelly said these boxes were shipped from a Chinese address and have been at the houses for the last three (3) years. Kelly said she was allowed in the Temple View garage all the time as she entered normally through the garage. The time that Kelly entered the Sugar Springs garage was April 2025. Kelly said that she believes that Ori is still in contact with David He while he is in federal prison. She believes this due to Ori saying that David calls him every day to check on the residences. David's wife still manages the property but believes she is in China but still has access to the cameras to monitor them. Kelly provided [REDACTED] PRVCY [REDACTED] and stated Ori owns YZ incorporated, but stated if we contacted Ori, he would have the lab moved out of the garage immediately. The first time Kelly was sent to the two addresses was at the end of 2022 or the early months of 2023. Ori manages approximately 37 Airbnb's/STR's. Right after Kelly was entrusted to clean the Temple View, and Sugar Springs address Kelly was instructed by Ori numerous times to make sure the garage door was shut and that there was always power to the garage. When you enter the garage from the side yard you open the door to the back of two refrigerators and one more to the left of the door. There are file cabinets inside the garage, and a large piece of cardboard hanging to block the view if the main overhead garage door is open or if you look in the garage windows. If you enter the house garage door, you immediately see a large white machine with arms to protect you inside of it (pictured above what it is believed to be).

When Kelly started working at the residences, Mikey was the one who told her about the Reedley lab, and that David was in custody of the Reedley Biolab. Ori got mad at Mikey for telling Kely all the information about David. There is also a fourth smaller fridge that has a metal rod down the center of it, with buttons on the outside of it. Kelly said Mikey informed her that those fridges and lab equipment were moved from the Charleston address laboratory to the residence.

Kelly provided a phone number for Mikey being [REDACTED] PRVCY [REDACTED] Mikey works for Ori and is his go to guy for labor, maintenance worker/janitor. Kelly said a lot of people who have lived inside the house have gotten sick. One female ended up in the hospital with severe respiratory issues. Kelly also noted when she was cleaning the house there would be many dead crickets found in the master bedroom. Kelly noted this as being super uncommon as she had lived in Las Vegas for numerous years and never seen anything like that before. Kelly also stated the refrigerators that she saw were not medical grade ones but ones you would find in a normal home (this matches the same type of fridge used it the Reedley Biolab (pictured below).

Also pictured below shows how the Reedley Biolab was jury-rigged with additional electrical outlets and extension cords for additional refrigerators/freezers.

Equipment Consistent with Reedley to Operate an Unlicensed Business:

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Arresting Officer:

[REDACTED] LEP [REDACTED]

During the seizure of property from the Reedley Biolab officials located numerous laboratory equipment to include 30 refrigerator/freezers, fluid samples which appear to be reddish in color, biological safety cabinet, and a centrifuge. This equipment is similar in nature and description to the equipment described by Kelly. The centrifuge brand was not listed from the Reedley Biolab, but Kelly described seeing a Beckman Coulter Centrifuge at the Sugar Springs address. Kelly also described seeing a large white box with arms attached which is a similar description to a biological safety cabinet (class III). Kelly also described seeing a glass beaker with reddish tint liquid inside which matches pictures obtained from the Reedley Biolab (pictured below).

The refrigerators that were used in the Reedley biolab where older home style refrigerators are mixed in with laboratory grade refrigerator/freezers. Which is similar in description as Kelly gave of the refrigerators located inside the garage.

Also located in the Reedley Biolab were numerous gallon sized water bottles with a reddish colored liquid (pictured below actual photo confirmed below in secondary interview.) inside which contained presumably biological substance but were never tested. This matches the story of Kelly saying there were arrowhead water bottles with a reddish colored liquid inside.

NV Energy Report:

Your affiant provided the Nevada Energy customer records to Sergeant [REDACTED] LEP [REDACTED] for review and to conduct a power comparison of our target locations, 971 Temple View and 979 Sugar Springs Las Vegas, NV 89110. A power comparison is conducted by retrieving power consumption records for suspected premises and then comparing it to other addresses in the vicinity that have equal or slightly larger square footage and in this instance similar home features (pool, Solar etc.)

Sgt. [REDACTED] LEP [REDACTED] has been a police officer with LVMPD for over 24 years. He was assigned as a detective to the Narcotics Section from 2008 – 2016 and as a sergeant in the Narcotics Section from 2021 to January of 2026. He is currently assigned to LVMPD's Criminal Intelligence Section. Sgt. [REDACTED] LEP [REDACTED] has extensive training and experience investigating clandestine laboratories.

Your Affiant learned that the current power subscriber for both target addresses 971 Temple View Drive, Las Vegas, Nevada 89110 and 979 Sugar Springs, Las Vegas, Nevada 89110 is Wang, Zhaoyan.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: [REDACTED] LEP [REDACTED]

Both target addresses are in the same neighborhood, approximately 700 feet apart and the addresses compared apply to both target addresses. Target address 1 is 971 Temple View, Las Vegas, Nevada 89110 and has a total living space of 4,028 square feet (SQFT). Target Address 2 is 979 Sugar Springs Dr., Las Vegas, Nevada 89110 and has a total living space of 4,028 square feet (SQFT). The addresses utilized for this comparison were ~~PRVCY~~ Temple View, Las Vegas, Nevada 89110 which has a total living space of 4,028 square feet (SQFT); ~~PRVCY~~ Sugar Springs Dr., Las Vegas, Nevada 89110 which has a total living space of 4,028 square feet (SQFT); and ~~PRVCY~~ Sugar Springs Dr., Las Vegas, Nevada 89139 has a total living space of 3,369 square feet (SQFT). The following are the power consumption records from NV Energy.

Based on Sgt. **LEP** examination of the electrical consumption records for 971 Temple View and 979 Sugar Springs, Las Vegas, Nevada 89110, it is apparent both residences are using a significantly larger amounts of electricity when compared with homes that are similar in size and construction (see above charts).

Based on your Affiant's training and experience and speaking with Sgt. **LEP**, who has participated in numerous clandestine lab investigations, the power consumption at 971 Temple View and 979 Sugar Springs Las Vegas, NV 89110 is higher than the addresses to which they were compared which is indicative of a residence being utilized for the purpose of illegally producing narcotics or other illicit high energy demand operations.

Short Term Rental (STR) Information:

A formal complaint was filed through County Code Enforcement against 971 Temple View Drive, Las Vegas, NV 89110, and 979 Sugar Springs Drive Las Vegas, NV 89110 on 01/06/2026. The complaints were filed under CE26-00454 (Temple View) and CE26-00452 (Sugar Springs) for operating as a Short-Term Rental (STR).

The complaints corroborate the claims made by the cleaner of the two houses, establishing both residences were used outside of residential means, and operated as Short Term Rental. Assembly Bill 363 (AB363) in the 2021 Nevada legislative session mandated the County to enact an ordinance to authorize short-term rentals subject to the provisions of AB363 and any further policies put in place by the Board of County Commissioners. On June 21, 2022, the Board of County Commissioners passed an ordinance related to the regulation of the short-term rental industry, which has been codified in Chapter 7.100 of the Clark County Code. Per Clark County Regulated Businesses Section, Short Term Rental Units - A complete application for a Short-Term Rental Unit License must have been submitted by no later than Aug. 21, 2023. Late or incomplete applications are not being considered.

Jail Calls made by David He:

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: **LEP**

David He is currently housed at the Taft Correctional Institute in Module A2-51. Phone calls of David He under Inmate ID# 83044510, were reviewed. The search referenced all jail phone calls during 01/01/2025 – 01/23/2026. During that duration, David He made over 6945 calls, where he attempted/connected on a variety of calls. Of those calls, two numbers were highlighted for excessive recent use, [REDACTED] PRVCY [REDACTED] and [REDACTED] PRVCY [REDACTED]. Through investigative means it was determined the phone number ending in 8860 is being operated and used by Wang, while 4944 is being used and operated by Solomon. During the year duration, He placed 467 calls to Solomon, while also placing 3524 calls to Wang. During the phone calls with Wang, it was determined they were communicated via Mandarin. The recorded phone calls are actively being monitored and translated for additional review.

Call to Code Enforcement Officer Harper:

CDC only tested 15% of the stuff found in Reedley. CDC was only able to test the labeled items. This included about 20 total viruses. In the lab was BSL3 (Biological Safety Cabinet Level 3) for tuberculosis, everything else that was labeled and tested was BSL2. There was a fridge labeled Ebola but none of the individual samples inside the fridge were labeled Ebola so they refused to test them so they could not confirm what was inside the fridge. Due to the description of the biological safety cabinet, she believes that it could be a BSL4 lab due to the safety equipment. Reedley was a chemical and a bio safety lab.

The BSL acronym represents Biosafety Level. The term Biosafety is associated with a specialized facility designed to handle and study biological agents while minimizing risks. The BSL's are ranked in level from 1-4 with 1 (one) being the lowest, and 4 (four) being the highest.

BSL1 lab are used to work with agents which do not generally cause disease in healthy humans. These agents generally pose minimal potential hazard to laboratory personnel (some of these agents researched at this level are Escherichia Coli(E-Coli), Staphylococcus, and Bacillus Subtilis).

BSL2 labs are used to work on agents of moderate potential hazards to personnel. This includes work on various microbes that cause mild diseases to humans or are difficult to contract via aerosol in a lab setting. BSL3 labs are used to work on microbes that can cause serious and potentially lethal diseases via inhalation (some of these agents researched at this level are Sars-CoV-2, Hepatitis A/B/C, Human immunodeficiency (HIV), and Salmonella).

BSL3 lab must have certain features to ensure appropriate containment (some of these agents researched at this level are Sars-CoV-1, Mycobacterium Tuberculosis, Chlamydia Psittaci, and Francisella Tularensis).

BSL4 labs are the highest level of biosafety precautions and are used to work on agents that could easily be aerosol transmitted within the laboratory and cause sever to fatal diseases in humans (some of these agents researched at this level are Ebola, Marburg Virus, or smallpox).

Second Interview with “Kelly”:

On January 22nd, 2026, a second recorded phone interview was done with “Kelly”. Detective [REDACTED] LEP, and Detective [REDACTED] LEP were present on the call. Kelly was asked about the lab equipment she observed. She was provided with the above picture detailed in the report to check with the consistency of the items recovered in Reedley. Pictures were sent to her via email at her provided email of [REDACTED] PRVCY [REDACTED]

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer:

LEP

Kelly stated the middle of this machine with the glass panel and arms inside were consistent with the machine she observed in the garage, but the top and bottom portion of the machine were inaccurate. "Kelly" stated the machine had an open undercarriage and was on wheels.

"Kelly" was then provided the below picture.

"Kelly" stated this is almost identical to the machine she observed in the garage but she did not recall it having the side box on the right side.

Kelly was also provided with the picture below of a Beckham Coulter centrifuge (pictured below).

"Kelly" stated that the machine was too new and the one she observed was an older style of that machine. "Kelly" went on to the internet and located an image of the exact machine she found.

This machine is an older style centrifuge with the same purpose for laboratory work.

"Kelly" was then provided the picture of the glass beaker located in Reedley (pictured below) and informed detectives it was not the same shape as the one she observed in the garage.

"Kelly" was then provided with a stock image of various beakers used in laboratory work (pictured below).

"Kelly" stated it was identical to the second beaker from the right with the long glass neck and bulbous bottom. She said it was larger like the beaker found in Reedley.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer:  LEP

“Kelly” was then provided a picture of a gallon water jug located in Reedley biolab with reddish liquid inside (pictured below).

“Kelly” stated the container was a 5-gallon arrowhead water bottle and not as small as the one gallon pictured above. Kelly did state that the liquid inside of the bottle in the garage appeared to be the same consentience and color as the one found in the bio lab just in a larger water bottle. Kelly said that the arrowhead bottle she observed was $\frac{1}{4}$ of the way full of the red liquid.

Additional information gathered from the CDC Reedley Report:

The above picture is labeled and was taken inside of the Reedley biolab. It should be noted that the bottom left picture is the same type of centrifuge as described by Kelly inside the garage. It should also be noted that the picture on the right is a Biological Safety Cabinet which is similar in style to the one described by Kelly, only missing the glass panel and gloves attached.

This picture was also obtained from the CDC report of photographs obtained from inside of the Reedley biolab. This is the picture that was provided to Kelly to which she confirmed the liquid inside of the gallon jug in the center picture is similar in consistency and color to the liquid she observed in the 5-gallon arrowhead jug in the garage. It should also be noted that the jugs below appear to be 2.5-gallon jugs also housing similar liquid. This tends to show that David was using various size water containers to store biological substances. The below picture also shows additional water jugs being used to house additional biological substances in what is believed to be 5-gallon water jugs.

Summary:

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer:

LEP

In early 2023 a code enforcement officer in Reedley California located a biolab operating without the proper documentation. The result of this was the arrest of “David He”(actual name Jai Bei “Jesse” David) who was using an alias due to having an active warrant out of Canada for intellectual property theft with a judgement of 330 million dollars pending. David has a background in biology with a master’s from China. David has set up numerous shell corporations for his continued fraud in the United States.

In early January 2026 a tip was received by the FBI from a woman who identified only as “Kelly”. Kelly informed them that she believed David was still housing biological substances and laboratory equipment at the two houses located in the Las Vegas valley. One being 979 Sugar Springs Drive Las Vegas, Nevada 89110, and the other being 971 Temple View Driver Las Vegas, Nevada 89110. The two residences are located approximately 700 feet from each other. Kelly entered the garage while working as a house cleaner for Ori Salomon at 979 Sugar Springs in April 2025 and observed approximately 3 (three) refrigerators/freezers, glass beakers with reddish liquid inside, a 5-gallon arrowhead water bottle with reddish liquid inside, a Beckman Coulter centrifuge machine, and a biological safety cabinet (class III). This equipment and storage of the reddish liquid is consistent with the items located inside the Reedley biolab in 2023.

Kelly knew of a male by the name of “Mikey” who works as a handyman under Ori Salomon and Mikey is his go to man for handman, moving, and janitorial services. Mikey told Kelly that he had moved the lab equipment and fridges/freezers from an address on Charleston (1807 Charleston) from a failed lab start up for David. After entering the garage with her and Mikey in April 2025 they both became severely ill and believed it to be from the biolab in the garage. Mikey informed Kelly, that David was involved in the Reedley biolab and he also owned the properties that they were servicing.

A laboratory application was located for Zhao Yan Wang Dob PII/1986 with the company name PBI Diagnostic Laboratory INC. The owner of this laboratory was Wang, who is a co-conspirator in the Reedley biolab and she shares a child in common with David. Wang is also now the current owner on 971 Temple View after it was transferred from David Destiny Discovery LLC (a company owned by David) on 12/18/2025. Wang also purchased the 979 Sugar Springs Drive address on 05/27/2022 and transferred the property to David Destiny Discovery LLC on 10/22/2022.

It is believed that the Sugar Springs address is being used to house the biolab equipment, viruses, and biological substances. It is also believed that there may be additional storage for the lab at the Temple View address due to Kelly seeing numerous boxes with testing kits and Chinese labels on them.

Ori Connections to Zhu:

Ori has been the property manager of Zhu’s residences in Las Vegas for numerous years. Ori is in constant communication with Zhu while he is housed at Taft Community Correctional Facility on charges stemming from the Reedley Biolab. During those conversations Ori and Zhu communicate about the management of properties, and transfer of financial funds. Ori organized the transfer of material from 1807 W Charleston (the failed Las Vegas Lab) to 979 Sugar Springs address for storage. Michael learned of Zhu’s ties to the Reedley biolab by Ori, which shows that Ori has a deep knowledge of the business dealings of Zhu and has a direct tie to him. This also shows a deeper conspiracy by Zhu having Ori manage his buildings and enterprise while he is in custody. Zhu has also informed Ori to transfer money to Wang while she is in China, and furthermore Zhu has instructed Wang to send business related documents to Ori at his direction.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: LEP

Ori also has numerous businesses and LLC's set up in Las Vegas with some of them not being active as of present date. During an open-source search of Ori Salomon (Nv Silver Flume), a company owned and operated by Ori was located. The name of this company is YZ Company USA Inc the registered agent for this company is listed as Ori Salomon, and he is also listed as the President, Secretary, Treasure, and Director of the Company. The registered address of this business is listed as 3315 Birtcher Dr, Las Vegas, Nv 89118. This address was updated as of 12/12/2025.

PRVCY :

Per the Clark County assessor page Ori Salomon has been the owner of 9108 Covered Wagon Ave since May 28th, 2003. Ori's driver license is also listed at 9108 Covered Wagon Ave. vehicles also owned by Ori have the same listed address as 9108 Covered Wagon. Ori has been observed leaving this residence by SSG.

Surveillance of Ori:

LEP

Specialized Surveillance Group (SSG) conducted surveillance on Ori on January 29th, 2026. Ori was observed leaving his residence of 9108 Covered Wagon at 1530 hours traveling to a Little Ceasars pizza shop buying two pizzas, then traveling to 3315 Birtcher Dr, Las Vegas, Nv 89118. SSG discontinued surveillance on Ori at 1700 hours. LEP

LEP

Photo of Ori at Little Caesars on January 29th, 2026.

It was also observed by SSG that there is a sign (pictured below) on the door of 3315 Birtcher Driver, Las Vegas Nevada, 89118. The sign reads "YZ Company USA Inc." with business hours located below.

Summary:

Ori is the property manager and business partner of Zhu. Zhu is currently in federal custody after housing an illegal biolab in Reedley California, for committing wire fraud, and Distribution of Adulterated and Misbranding Medical Devices. Since Zhu's arrest he has been in constant communication with Ori more than 460 calls attempted or completed to Ori since January 2025. Ori is known to execute the business dealings for Zhu and transferring of funds to Wang back in Canada.

Ori was the individual tasked with moving the laboratory equipment from 1807 W Charleston to 979 Sugar Springs. This shows Ori has a direct knowledge of the biolab being owned and operated by Zhu. Due to Ori and Zhu being in constant communication with Zhu it is believed there will be evidence located on his phone with emails, messages, and possibly pictures to confirm his involvement in the larger scale enterprise set up by Zhu in Las Vegas.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: LEP

Ori operates YZ Company Usa Inc out of 3315 Birtcher Dr which could also house additional biolab equipment, virus, toxins business documents, electronic storage devices related to his business dealing with Zhu. Your affiant is requesting the search and seizure of the above listed property to prove or disprove Ori's criminal involvement in violation of NRS 202.466.

Search Warrant Service:

On January 31, 2026 at approximately 0551 hours, I, Detective [REDACTED] LEP [REDACTED] assigned to LVMPD's Southern Nevada Counter Terrorism Section along with LVMPD SWAT, executed a search warrant at 979 Sugar Springs Drive Las Vegas, NV 89110. Swat Officers executed a search warrant at 979 Sugar Springs in connection with an investigation into a possible unlawful biolab containing live biological agents. Service of the search warrant was performed by a joint task force of LVMPD's SWAT and ARMOR units, and the FBI.

During the search of the residence's garage, officers located multiple pieces of laboratory grade chemical and biosafety equipment, multiple refrigerators and freezers, and multiple vials of unmarked liquid. The composition of the equipment and related materials were similar in appearance and storage to another unauthorized biolab from 2023 in Reedley, CA. The principal owners and operators of the Reedley biolab, David He (Zhu), are the owners of the 979 Sugar Springs residence. During the investigation into the Clark County biolab, Ori Solomon was developed as a principle agent and conspirator with David He in the operation and storage of the unlawful biolab materials at 979 Sugar Springs. Specifically, Solomon has been identified as the property manager for David's properties, including 979 Sugar Springs. Solomon has direct access to and control over the residence. Additionally, Solomon, through his employee Mikey (Harold Michael Richey, transported the biolab equipment and materials specifically to the garage at the 979 Sugar Springs residence. Mikey transported the items from failed Prestige Biotech Industries Diagnostic Laboratory LLC start up at 1807 W Charleston, at the direction of Ori Solomon.

During service of the search warrant, law enforcement located multiple hazardous chemicals and presumptive chemical precursors for the testing and development of biological agents. In an apparently abandoned and open box, stored haphazardly on an open shelf, in a box marked "corrosive", officers located 4 bottles of Hydrochloric acid. Although hydrochloric acid is a component of many household cleaners, pure hydrochloric acid is not a common household substance. In its pure form, hydrochloric acid is commonly used in laboratory settings and industrial refinement processes. Hydrochloric acid is classified as a "strong acid" and is known to be extremely caustic and lethal if ingested. Hydrochloric acid can also cause substantial permanent injuries to the human body if exposed to the skin, inhaled or ingested. The location of these bottles was neither secured, nor stored in a way to avoid inadvertent exposure or ingestion. As a result, the failure to properly dispose of these chemicals imperiled the lives of anyone in or near the garage. Moreover, hydrochloric acid is known to be volatile if airborne and can cause respiratory injury if inhaled. The improper storage and disposal of these bottles subjected them to the possibility of the bottles falling from their shelf, breaking, and aerosolizing. This is particularly troubling where, as here, the 979 Sugar Springs residence was additionally being used as a short term rental property with multiple occupants, including an elderly male living mere yards away from the entry to that garage.

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Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: [REDACTED] LEP [REDACTED]

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NRS 459.600 Operation without permit or in violation of condition of permit or order; disposal or discharge of hazardous waste in unauthorized manner; penalty. A person who, intentionally or with criminal negligence:

1. Violates NRS 459.590, subsection 1 of NRS 459.515 or any term or condition of a permit issued pursuant to NRS 459.520;
2. Violates an order issued by the Department relating to hazardous waste, if:
 - (a) The violation threatens or harms the environment or the personal safety of other persons; and
 - (b) The person has not made a good faith effort to comply with the order; or
3. Disposes of or discharges hazardous waste in any manner not authorized by the provisions of this chapter or regulations adopted thereunder;

Ori is guilty of a category D felony and shall be punished as provided in NRS 193.130, or by a fine of not more than \$50,000 for each day of the violation, or by both fine and the punishment provided in NRS 193.130.

Due to the above Nevada Revised Statute, Ori Solomon failed to follow NRS Subsection 3 by the disposing of/ discharging of hazardous waste in any manner not authorized. Specifically, Solomon, who, acting as a conspirator and agent of David He (Zhu), had exclusive control over the garage of the residence, and abandoned an open box of hydrochloric acid in an unsecured shelf in that garage, thereby imperiling the health and lives of everyone residing in the home. By leaving the items in such a manner Ori Solomon and associates have greatly compromised the safety of the greater Las Vegas Valley.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer:

LEP

Due to the above facts and circumstances Ori was taken into custody without incident and transported to CCDC for NRS 459.600

***** End *****

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: B REDD

P#: 16963

PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

PRVCY

Privacy Interests

The record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person's privacy interests.

In *Reno Newspapers v. Sheriff*, 126 Nev. 211, 218, 234 P.3d 922, 927 (2010), the Nevada Supreme Court recognized that an individual's privacy must be balanced with the public's general right to open government, "especially because private and personal information may be recorded in government files"). Later, in *Clark County Sch. Dist. v. Las Vegas Review-Journal*, --- Nev. ---, 429 P.3d 313, 319-20 (2018), the Court adopted a balancing test in which the burden shifts to the requester of a record if the public agency demonstrates a "nontrivial personal privacy interest" including "intrusion[s] into a person's reasonable expectation of privacy, seclusion, or solitude." Privacy interests include information that may cause "embarrassment, shame, stigma, [or] harassment" or "endangerment, or similar harm." *Las Vegas Metro. Police Dep't v. Las Vegas Review-Journal*, 136 Nev. Ad. Op 86, --- P.3d -- (2020). Medical information, personnel files, details about sexual orientation, and other information about a person's life give rise to privacy interests. *Clark County Office of the Coroner/Medical Examiner v. Las Vegas Review-Journal*, 136 Nev. Adv. Op. 5, --- P.3d -- (2020).

The Nevada Supreme Court equates the type of information that should be withheld under the Nevada Public Records Act with the common law tort of invasion of privacy. *Clark County Sch. Dist.*, *supra*, at 708, 549 P.3d at 320. "The tort of invasion of privacy embraces four different tort actions: '(a) unreasonable intrusion upon the seclusion of another; or (b) appropriation of the other's name or likeness; or (c) unreasonable publicity given to the other's

private life; or (d) publicity that unreasonably places the other in a false light before the public.” *Franchise Tax Bd. of Cal. v. Hyatt*, 133 Nev. 826, 842, 407 P.3d 717, 733 (2017), overturned on other grounds by *Franchise Tax Bd. v. Hyatt*, 139 S. Ct. 1485 (2019) quoting RESTATEMENT (SECOND) OF TORTS § 652A (1977); see also *PETA v. Bobby Berosini, Ltd.*, 111 Nev. 615, 629, 895 P.2d 1269, 1278 (1995), overruled on other grounds by *City of Las Vegas Downtown Redevelopment Agency v. Hecht*, 113 Nev. 644, 650, 940 P.2d 134, 138 (1997).

Here, the record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person’s privacy interests. Therefore, they are confidential and must be withheld or redacted.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records that contain sensitive information.

A law enforcement agency may withhold records under the Nevada Public Records Act when its interest in nondisclosure clearly outweighs the public's presumed right to access. *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 628 (2011). There is a presumption that records are not confidential, that exceptions must be narrowly construed, that redactions are preferred over withholding, and that the purpose of the Nevada Public Records Act is to facilitate government transparency. However, Nevada law and public policy recognize the importance of maintaining the integrity of law enforcement records. See, for example:

- NRS 179A.070 – 179A.100 (strictly regulating the dissemination of records of criminal history; in particular, there is no requirement to disseminate records of criminal history to the general public; moreover, records of criminal history are not public records pursuant to NRS 239.010(1) (listing statutes that are exempted from the Nevada Public Records Act, including NRS 179A.070)).
- *Donrey v. Bradshaw*, 106 Nev. 630, 636, 798 P.2d 144, 148 (1990) (in a public records case, recognizing that law enforcement files could be confidential when pertaining to a “pending or anticipated criminal proceeding” or if there is a danger of “denying someone a fair trial” and concluding that records could be made public because there was “no pending or anticipated criminal proceeding; there [were] no confidential sources or investigative techniques to protect; there was no possibility of denying someone a fair trial; and there was no potential jeopardy to law enforcement personnel.” *Id.* at 636, 798 P.2d at 148.
- *Reno Newspapers v. Gibbons*, 127 Nev. 873, 878, 266 P.3d 623, 627 (2011). (recognizing that the balancing test first announced in *Donrey* had been modified by legislative changes to the Nevada Public Records Act, but nonetheless noting that the result in *Donrey* was “based on the facts that no criminal proceeding was pending or anticipated, no confidential sources or investigative techniques were contained in the

report, there was no possibility of denying anyone a fair trial, and disclosure did not jeopardize law enforcement personnel”).

- NRS 49.335 – 49.355 (making the identity of informants who provide information to law enforcement confidential until they testify).
- *Las Vegas Metro. Police Dep't v. Anderson (In re 12067 Oakland Hills, Las Vegas)*, 134 Nev. 799, 806, 435 P.3d 672, 678 (Nev. Ct. App. 2018) (noting that, generally, the police do not need to return evidence seized from its owner if the “property [is] related to an ongoing criminal investigation”).
- Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports, including records concerning subjects who have never been arrested”).
- Nev. Const., art. I, § 8A (Marsy’s Law, constitutionalizing victims’ rights to privacy, safety, and a diligent pursuit of justice).
- NRS 174.235 (making the disclosure of police files and evidence collected subject to strict discovery rules in open criminal prosecutions); see also *Tennessean v. Metro. Gov't of Nashville & Davidson Cty.*, 485 S.W.3d 857 (Tenn. 2016) (interpreting criminal rule of procedure similar to NRS 174.235 and holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request); *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding that when balancing a person’s Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a *police* entry and seizure but it does not justify the *media*’s entry and/or seizure).
- NRS 179.045(4) (making search warrant applications, which regularly contain detailed facts gathered in open criminal investigations, confidential upon a showing of good cause).
- *In re Search Warrants Regarding Seizure of Documents*, 2023 WL 2861201 (Nev. Ct. App. 2023) (unpublished) (holding that good cause existed to keep search warrant application under seal because dissemination would threaten the integrity of an active and ongoing criminal investigation).
- NRS 172.245. Evidence and information obtained by grand juries during their investigations are confidential. The purposes of confidentiality include: (1) To prevent the escape of those whose indictment may be contemplated. (2) To insure the utmost freedom to the grand jury in its deliberations and to prevent persons subject to indictment, or their friends, from importuning the grand jurors. (3) To prevent subornation of perjury or tampering with the witnesses who may testify before the grand jury and later appear at the trial of those indicted by it. (4) To encourage free

and untrammeled disclosures by persons who have information with respect to the commission of crimes. (5) To protect an innocent accused, who is exonerated, from disclosure of the fact that he has been under investigation. *Shelby v. Sixth Judicial Dist. Court*, 82 Nev. 204, 210, 414 P.2d 942, 945 (1966).

- *Houston v. County of Maricopa*, -- F.4th --, 2024 U.S. App. LEXIS 22564, 2024 WL 4048897 (9th Cir. Sep. 5, 2024) (holding that dissemination of a pretrial detainees' booking photo to the public is generally unconstitutional under the substantive due process clause of the 14th Amendment because it constitutes punishment without due process).

Given the totality of the law governing the disclosure of information concerning law enforcement records, the following non-exclusive factors are considered in evaluating whether law enforcement interests in confidentiality clearly outweigh the public's presumed interest in access:

- Whether protecting the integrity of the investigation better enables detectives and prosecutors to evaluate the credibility of any information that may come in the future. If a future witness were to know what other witnesses have said, or what other evidence has revealed, the future witness' statements will not be as reliable.
- Whether witnesses and informants have provided information that, if disclosed, could create danger or at least embarrassment to them.
- Whether any privacy interests and/or constitutional rights of any victims, witnesses, or subjects (including subjects never arrested) would be impacted by disclosure.
- Whether premature disclosure would have a chilling effect on future witnesses coming forward to provide information in this or other cases.
- Whether law enforcement officers have acted in an undercover capacity, or whether any witnesses have provided information as confidential informants.
- Whether disclosure would reveal confidential techniques or tactics that would risk enabling subjects to circumvent the law in the future.

In this case, after a careful examination of all factors, law enforcement's interest in nondisclosure clearly outweighs the public's presumed interest in access. Therefore, the information you seek is confidential.