

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 FIRST JUDICIAL DISTRICT AT JUNEAU

2016 MAY 16 AM 11:25

3 STATE OF ALASKA,

4 Plaintiff,

PS

5 vs.

6 MARK ANTHONY DE SIMONE

7 DOB: 01/03/1963

8 APSIN ID: 6234081

9 DMV NO.: 6234081 AK

ATN: 112850622

10 Defendant.

11 No. 1JU-16-00485 CR (Mark Anthony De Simone)

12 INFORMATION

13  
14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.  
The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

16 Count I - AS 11.41.100(a)(1)(A)

17 Murder In The First Degree

18 Mark Anthony De Simone - 001

19 Count II - AS 11.41.110(a)(1)

20 Murder In The Second Degree

21 Mark Anthony De Simone - 002

22 Count III - AS 11.41.110(a)(2)

23 Murder In The Second Degree

24 Mark Anthony De Simone - 003

25 Count IV - AS 11.41.120(a)(1)

26 Manslaughter

27 Mark Anthony De Simone - 004

Count V - AS 11.41.130

Criminally Negligent Homicide

Mark Anthony De Simone - 005

**THIS MATTER IS FORMALLY  
ASSIGNED TO  
THOMAS G. NAVE  
DISTRICT COURT JUDGE**

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THE DISTRICT ATTORNEY CHARGES:

COUNT I:

That in the First Judicial District, State of Alaska, on or about May 15, 2016, at or near Excursion Inlet, MARK ANTHONY DE SIMONE intentionally caused the death of another person.

All of which is a Felony class U offense being contrary to and in violation of 11.41.100(a)(1)(A) and against the peace and dignity of the State of Alaska.

COUNT II:

That in the First Judicial District, State of Alaska, on or about May 15, 2016, at or near Excursion Inlet, MARK ANTHONY DE SIMONE with intent to cause serious physical injury to another person or knowing that the conduct was substantially certain to cause death or serious physical injury to another person, caused the death of any person.

All of which is a Felony class U offense being contrary to and in violation of 11.41.110(a)(1) and against the peace and dignity of the State of Alaska.

COUNT III:

That in the First Judicial District, State of Alaska, on or about May 15, 2016, at or near Excursion Inlet, MARK ANTHONY DE SIMONE knowingly engaged in conduct that resulted in the death of another person under circumstances manifesting an extreme indifference to the value of human life.

All of which is a Felony class U offense being contrary to and in violation of 11.41.110(a)(2) and against the peace and dignity of the State of Alaska.

COUNT IV:

1 That in the First Judicial District, State of Alaska, on or about May 15, 2016, at  
2 or near Excursion Inlet, MARK ANTHONY DE SIMONE recklessly caused the death of  
3 another person.

4 All of which is a Felony class A offense being contrary to and in violation of  
5 11.41.120(a)(1) and against the peace and dignity of the State of Alaska.

COUNT V:

7 That in the First Judicial District, State of Alaska, on or about May 15, 2016, at  
8 or near Excursion Inlet, MARK ANTHONY DE SIMONE with criminal negligence,  
9 caused the death of another person.

10 All of which is a Felony class B offense being contrary to and in violation of 11.41.130  
11 and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 police report AK16035087 submitted to date.

14 On May 15, 2016, at approximately 7:38 p.m., the Alaska State Troopers  
15 received a report from the United States Coast Guard that there had been a report of a  
16 person shot in the head in Excursion Inlet, which is located approximately 25 miles north  
17 of Hoonah. USCG reported that they received a call on VHF radio requesting that  
18 Troopers respond after a male subject had been shot in the head. Troopers arrived by  
19 aircraft at Excursion Inlet at approximately 9:19 p.m.

20 Upon arrival, Trooper Ryan Anderson observed six men standing on the beach in  
21 front of a cabin. Four of the men had their hands above their heads. One man was sitting  
22 on a rock away from the others, and the last man was the person who had called the  
23 USCG, who was securing the scene. Trooper Anderson identified the man on the rock as  
24 MARK DE SIMONE, whom initial reports had identified as the shooter. One of the men  
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1 handed Trooper Anderson a .41 magnum double action revolver and stated that it was  
2 likely the firearm that was used in the shooting.

3 Trooper Anderson located a male lying in a pool of blood under a picnic table  
4 outdoors. The male was later identified as Duilio Antonio "Tony" Rosales by his Alaska  
5 identification. Rosales had what appeared to be two gunshot wounds, approximately one  
6 inch apart, to the back of his head. Trooper Anderson observed what appeared to be exit  
7 wounds on Rosales' left cheek, approximately two to three inches apart. Rosales was  
8 obviously deceased. Rosales appeared to have been sitting on the picnic bench removing  
9 his boots when he was shot and rolled onto the ground. There was blood spatter on the  
10 railing of the deck, on the bench of the table, and there was a large pool of blood  
11 underneath his head. Trooper Anderson also observed that Rosales was wearing an  
12 empty holster on his right hip.

13 Trooper Anderson conducted an interview with Seth Bradshaw, who was on the  
14 scene when the shooting occurred. Seth Bradshaw stated that he was urinating behind the  
15 cabin just in the woods at approximately 7:00 p.m. when he heard what he believed to be  
16 two gunshots. Seth Bradshaw stated that he initially thought the gunshots came from  
17 someone target shooting, but as he walked to the front of the cabin, he ran into DE  
18 SIMONE. Bradshaw stated that DE SIMONE told him, "I shot Tony. I shot him. It's  
19 my fault."

20 Seth Bradshaw stated that he called for his brother, Samuel Bradshaw, who was  
21 hunting in the woods behind the cabin. Seth Bradshaw said that DE SIMONE wanted to  
22 walk into the woods, but that Seth Bradshaw made him stay. Samuel Bradshaw reported  
23 that he returned from the woods and Seth Bradshaw told him that Tony was shot and  
24 looked like he was dead. Samuel Bradshaw stated that he saw DE SIMONE walking on  
25 a trail next to the cabin. Samuel Bradshaw stated that DE SIMONE was mumbling  
26 something to the effect that he shot Tony, but that he could not make out what DE  
27 SIMONE was saying.

Dated at Juneau, Alaska, this 16th day of May, 2016.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By: Amy Paige  
Amy W. Paige  
Assistant District Attorney  
Alaska Bar No. 0811099

Department of Law, Criminal Division

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