

INTERIM COMPLAINT

STATE OF ARIZONA

Date 1/25/26

vs.

Court Justice

Pima County, State of Arizona

ANDRES MCKALE 2/26/2005

No. 2

Defendant's Name (Please Print)

Precinct No. 2

BOND RECOMMENDATION

Arresting Agency Tucson Police Dept

High Bond _____ Low Bond _____

Agency Case No. P2601220191

No Recommendation

Arresting Officer LARA 51916

Hold Without Bond _____

INTERIM COMPLAINT: To be used only where necessary to comply with the provisions of Rule 4.1, *Arizona Rules of Criminal Procedure*.

PLEASE PRINT CHARGING INFORMATION

The undersigned, having appeared personally and having been duly sworn does, upon information and belief, accuse ANDRES MCKALE of the crime(s)

of FIRST DEGREE MURDER, ARMED ROBBERY

committed on the 22ND day of JANUARY, 20 26, in Pima County, in violation of A.R.S. Section 13-1105A1 (CLASS 1 FELONY), 13-1904A2 (CLASS 2 FELONY)

Statute(s)

Offense Time/Date: 1/25/26

By LARA 51916
Complaining Witness

Offense Location: [REDACTED]

Arrest Time/Date: [REDACTED]

Arrest Location: [REDACTED]

Name and Agency (Please Print)

Statement of Probable Cause:

Scott Kennedy worked at the 7-Eleven at 4295 E. 29th St. On 1/22/26 at approximately 2300 hours, Scott, another employee, and an associate of theirs were in the convenience store when two males walked into the store together. They were later identified as Andres McKale and Carlitos Rivera. Carlitos went to the register and made a purchase while Andres removed numerous alcoholic items from the coolers at the back of the store. Carlitos exited the store and walked away southbound. Scott positioned himself near the front door. Andres paced back and forth in front of the back coolers, glancing at the front door several times. Andres, with a pistol in his right hand and held down at his side, rounded the corner into the aisle that led to the front door of the store.

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1/25/26

LARA / 51916

Date

Reporting Officer / Badge No.

This court has found reasonable cause to believe that such offense was committed and that the defendant committed it.

1/25/26

Date

Justice of the Peace / Magistrate

(6)

Defendant's Name: ANDRES MCKALE P2601220191
Agency Case No. _____

Statement of Probable Cause continued:

He walked towards the front door with about eight alcoholic drinks cradled in his left arm and hand. Scott was standing at the other end of the aisle, blocking the front door. Scott confronted Andres and demanded the items back. Andres pointed the pistol at Scott's head from several feet away. Scott had a pistol in a holster on his right hip. Scott placed his hand on the grip of his pistol but did not pull it out. Witnesses reported that at that point, Scott told Andres to take the items out of his pockets and said that he needed to pay for them. Andres told Scott to get out his way and that he was going to shoot him. Scott responded that Andres would have to shoot him because he's not going to move. Andres then fired one gunshot, striking Scott in the head. Andres fled from the store, running southbound in the same direction as Carlitos. Witnesses called 911 and performed CPR on Scott but he was pronounced deceased by paramedics.

Tucson Police Homicide detectives responded to the 7-Eleven to continue the investigation. Approximately 2 hours and 45 minutes after the murder, Andres' sister, Cecilia McKale, called and informed Communications that her brother, Andres McKale, had texted her that he shot someone at the 7-Eleven. He said his friend "Carlos" was in an altercation with a male. Andres grabbed Carlos' firearm and fired it. Cecilia provided additional information about Carlos that assisted investigators with identifying him as Carlitos Rivera.

The surveillance video and testimony from witnesses show that Andres falsely reported to Cecilia that he grabbed the gun from Carlos during an altercation with the victim. No Evidence supports that claim.

Surveillance video from the 7-Eleven showed Andres wearing a black hooded sweatshirt with red trim at the zipper pull tabs, grey sweatpants, and black and white Nike Dunk sneakers. He was wearing a black balaclava mask pulled down below his chin, exposing his face. The hood of his sweater up. When he walked to the store exit, he had pulled the mask up over his mouth and nose. Investigators compared recent known images of Andres to the shooter's face and noted similar physical characteristics. The shooters' body build was also consistent with Andres' known body build.

On 1/24/26, Andres was located and arrested on an unrelated felony Parole Violation warrant. Post Miranda, Andres stated the following: On the night of the homicide, Andres intended on going to the 7-Eleven to shoplift liquor. Andres had discussed this with other unnamed people. Those people informed him that the 7-Eleven has an employee, "a white guy", who appears to be regularly armed with gun. Andres was shown photographs of the employee. One of the unnamed people gave him a .22 caliber pistol to help with the theft. Andres went to the 7-Eleven. A person he knows named Carlos walked into the store at the same time as him. He insisted that Carlos did not come with him, contrary to what surveillance video showed. When Andres entered the store, he saw a white guy that appeared to be the armed employee he saw in the photographs. Carlos purchased some alcohol and left the store. Andres took liquor drinks called "Buzz Balls", "Smirnoff Ice", and "Beat Box" wine drinks with the intention of stealing them. He saw the employee was watching him and standing by the front door. Andres walked down the aisle towards the front door where the employee was. Andres had his hand on his gun, which remained tucked in the front of his waistband. The employee placed his hand on the right side of his hip, leading Andres to believe he had a gun there. The employee made a movement towards Andres so he fired a single gunshot at the employee in self defense. Andres did not know where he struck the victim. He ran out of the store and to a friend's house. He admitted that several of the clothing items he was wearing were the same that he wore during the shooting. When investigators confronted him about having his gun in his hand and visible when he rounded the aisle corner and walked towards the employee, he said that he doesn't remember a lot from that night. He said was remorseful for killing a man who was just doing his job so Andres tried to kill himself by taking lots of drugs that night.

Justification for Bond Recommendation: