

**Nos.** \_\_\_\_\_

**IN THE**  
**213<sup>th</sup> JUDICIAL DISTRICT COURT**  
**Tarrant County, Texas**

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**BARTON R. GAINES,**  
**Applicant,**  
**v.**  
**SHAREN WILSON**  
**(Tarrant Co. Dist. Atty.),**

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**APPENDIX 3**

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**BARTON R. GAINES**  
**244 SIESTA COURT**  
**GRANBURY, TEXAS 76048**  
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**PRO SE ATTORNEY FOR APPLICANT**  
**BARTON R. GAINES**

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 2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT REPORT PAGE 1  
 3 ENTRY TIME 1058 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:OPEN UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): NOAH, W J 2659  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR:  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 WITNESS #001 INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 CANTEY, REBECCA W H F 35 [REDACTED] APT. CITY ST NONE  
 38 HOME ADDRESS APT. CITY ST PHONE  
 39 005225 SOUTHCREST CIR FT WORTH TX 924-7609  
 40 BUSINESS ADDRESS CITY ST PHONE  
 41 FORT WORTH TX  
 42  
 43 WITNESS #002 INFORMATION  
 44 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 45 0 0 APT. CITY ST NONE  
 46 HOME ADDRESS APT. CITY ST PHONE  
 47 BUSINESS ADDRESS CITY ST PHONE  
 48  
 49  
 50  
 51 REPORTING PERSON #001 INFORMATION  
 52 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 53 HORVATH, ANDREW W N M 17 [REDACTED] APT. CITY ST NONE  
 54 HOME ADDRESS APT. CITY ST PHONE  
 55 003113 CLOVERMEADOW FT WORTH TX 263-7115  
 56 BUSINESS ADDRESS CITY ST PHONE  
 57 FORT WORTH TX  
 58 REMARKS GSW TO ARM/TRANSPORTED TO JPS  
 59  
 60 GENERAL MO INFORMATION  
 61 DESCRIPTION OF MO  
 62  
 63 FORCE USED? UNK TOOL DESCRIPTION:  
 64 OTHER ACTS OR TRADEMARKS

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT REPORT PAGE 2  
 3 ENTRY TIME 1058 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 -- CRIME TRACKING FLAGS --  
 6 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 7 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 8 DRIVE BY SHOOTING :  
 9 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 10 ----- U S E O F F O R C E -----  
 11 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 12  
 13 GENERAL VEHICLE #001 INFORMATION  
 14 YR MAKE MODEL STYLE LICENSE NUMBER VIN VALUE  
 15 77 DATS 02 [REDACTED]  
 16 COLOR 1: BROWN COLOR 2: COLOR 3:  
 17  
 18 SUSPECT VEHICLE #001 INFORMATION  
 19 YR MAKE MODEL STYLE LICENSE NUMBER VIN VALUE  
 20 00 CHEV PK 00  
 21 COLOR 1: GRAY COLOR 2: COLOR 3:  
 22 ADDITIONAL DESCRIPTION  
 23 2000 CHEVROLET PICKUP SHORTBED EXTENDED CAB; POSSIBLY GOLD IN COLOR  
 24  
 25 SUSPECT #001 INFORMATION  
 26 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 27 W N M  
 28 ADDRESS:  
 29  
 30 EYE COLOR: HAIR COLOR:  
 31 HAIR STYLE: UNK.  
 32 FACIAL HAIR: UNK.  
 33 EYES: UNK.  
 34 FACIAL ODDITIES: UNK.  
 35 TEETH: UNK.  
 36 COMPLEXION: UNK.  
 37 SPEECH: UNK.  
 38 MISSING BODY PARTS: UNK.  
 39 TATTOO: UNK.  
 40 SCAR/BIRTHMARK/MOLE: UNK.  
 41 GENERAL APPEARANCE: UNK.  
 42 SUSPECT WORE: UNK.  
 43 R/L HANDED: UNKNOWN  
 44 BUILD: UNK.  
 45  
 46 SUSPECT #002 INFORMATION  
 47 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 48 W H M  
 49 ADDRESS:  
 50  
 51 EYE COLOR: HAIR COLOR:  
 52 HAIR STYLE: UNK.  
 53 FACIAL HAIR: UNK.  
 54 EYES: UNK.  
 55 FACIAL ODDITIES: UNK.  
 56 TEETH: UNK.  
 57 COMPLEXION: UNK.  
 58 SPEECH: UNK.  
 59 MISSING BODY PARTS: UNK.  
 60 TATTOO: UNK.  
 61 SCAR/BIRTHMARK/MOLE: UNK.  
 62 GENERAL APPEARANCE: UNK.  
 63 SUSPECT WORE: UNK.  
 64 R/L HANDED: UNKNOWN



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT REPORT PAGE 3  
3 ENTRY TIME 1058 DEPARTMENTAL COPY SOUTH DIVISION  
4 BUILD: UNK.

5  
6 SUSPECT #003 INFORMATION  
7 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
8 W H M  
9 ADDRESS:  
10  
11 EYE COLOR: HAIR COLOR:  
12 HAIR STYLE: UNK.  
13 FACIAL HAIR: UNK.  
14 EYES: UNK.  
15 FACIAL ODDITIES: UNK.  
16 TEETH: UNK.  
17 COMPLEXION: UNK.  
18 SPEECH: UNK.  
19 MISSING BODY PARTS: UNK.  
20 TATTOO: UNK.  
21 SCAR/BIRTHMARK/MOLE: UNK.  
22 GENERAL APPEARANCE: UNK.  
23 SUSPECT WORE: UNK.  
24 R/L HANDED: UNKNOWN  
25 BUILD: UNK.  
26 ADDITIONAL DESCRIPTION  
27 ALL SUSPECTS LATE TEENS TO EARLY 20'S  
28

29 SUSPECT WEAPON #001 INFORMATION  
30 MAKE MODEL GAUGE SERIAL NUMBER VALUE  
31  
32 WEAPON TYPE: SHOTGUN  
33 WEAPON FEATURE: SAWED OFF  
34 ADDITIONAL DESCRIPTION  
35 12 GAUGE  
36

37 ORIGINAL NARRATIVE  
38 DECOR ENTRY BY: 067  
39 CALLING OFFICER: NOAH, W J 2659  
40 ORO CODING BY: K803 SOURCE: V  
41 ON 02/21/02, OFCR W J NOAH 2659, WORKING J216, WAS DISPATCHED  
42 TO <5217 SOUTHCREST CT>, <PEPPERTREE APTS>, REFERENCE SHOTS FIRED CALL  
43 AT 2107 HRS. DETAILS OF THE CALL STATED 3 TO 4 SHOTS FIRED IN  
44 PARKING LOT. WHILE EN ROUTE TO THE OFFENSE LOCATION, OFCR NOAH WAS  
45 FLAGGED DOWN AT <5124 JAMES AV> AT THE <NEW LUCKY STOP> AT 2113 HRS.  
46 OFCR SPOKE WITH THE COMP WHO WAS LYING ON THE SIDEWALK IN FRONT  
47 OF THE BUSINESS RELATED HE HAD BEEN SHOT AT THE <PEPPERTREE APTS>.  
48 COMP HAD WHAT APPEARED TO BE A GUNSHOT WOUND IN HIS UPPER BACK  
49 LEFT SHOULDER AND A SECOND WHAT APPEARED TO BE A GUNSHOT WOUND  
50 ON HIS UPPER LEFT ARM. COMP WAS CONSCIOUS AND COHERENT, BUT HE  
51 COULD GIVE VERY LITTLE DETAIL AS TO THE SHOOTING. THE COMP WAS  
52 TRANSPORTED BY MEDSTAR UNIT #36 WITH AN ARRIVAL TIME OF 2118 HRS  
53 AND TRANSPORT OF 2122. COMP WAS TRANSPORTED TO HARRIS HOSPITAL  
54 WHERE HE WAS LISTED IN FAIR CONDITION AT THE TIME OF THIS REPORT.  
55 RP1, WHO IS THE COMP'S FRIEND, WAS ALSO TRANSPORTED BY MEDSTAR  
56 FROM THE OFFENSE LOCATION TO JOHN PETER SMITH HOSPITAL. MEDSTAR #54  
57 TRANSPORT DISPATCH TIME OF 2110 AND ARRIVAL AT 2112 HRS. ASSIST  
58 OFCRS I216 AND J221 ARRIVED AT THE OFFENSE LOCATION AND SECURED THE  
59 CRIME SCENE AND WITNESS. W1 RELATED THAT SHE HAD THE GUNSHOTS  
60 IN THE PARKING LOT AND THAT SHE OBSERVED THE SUSPECT VEHICLE,  
61 A GRAY CHEVROLET PICKUP LEAVING THE SCENE. W1 HAD NO FURTHER  
62 INFORMATION. RP1 WAS INTERVIEWED AT JOHN PETER SMITH HOSPITAL.  
63 RP1 RELATED THAT HE AND THE COMP WERE AT THE <PEPPERTREE APTS>  
64 VISITING A FRIEND. THE FRIEND WAS NOT HOME AND THAT WHEN THE

Andy

Mike

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT REPORT PAGE 4  
3 ENTRY TIME 1058 DEPARTMENTAL COPY SOUTH DIVISION  
4 COMP AND RP1 RETURNED TO THEIR GENERAL VEHICLE, THE S1, S2, AND S3  
5 PULLED BESIDE THEM IN THE SUSPECT VEHICLE. RP1 RELATES THAT THE  
6 SUSPECTS STEPPED OUT OF THE VEHICLE AND APPROACHED THE COMP AND RP1.  
7 RP1 STATES HE WAS STRUCK IN THE FACE BY ONE OF THE SUSPECTS AND HIS  
8 WALLET TAKEN. RP1 STATES AS THE SUSPECTS WERE ENTERING THE SUSPECT  
9 VEHICLE, THE DRIVER REACHED BEHIND THE SEAT OF THE SUSPECT VEHICLE,  
10 PULLED OUT A 12 GUAGE SAWED OFF SHOTGUN AND FIRED AT THE COMP AND  
11 RP1 AS THE SUSPECTS FLED THE SCENE. CRIME SCENE LOG WAS MAINTAINED  
12 BY I216. CRIME SCENE W484 WAS DISPATCHED AND DID PROCESSED THE  
13 CRIME SCENE. THE GENERAL VEHICLE, BELONGING TO RP1, WAS THEN  
14 PD PULLED TO THE FT WORTH AUTO POUND AT 1301 E NORTHSIDE AND A HOLD  
15 PLACED ON THAT VEHICLE FOR DETECTIVE SMITH.  
16 SGT. MALDONADO  
17 ENTERED BY K803  
18 REFER TO SUPPLEMENT #01 FOR ADDITIONAL DETAILS  
19  
20  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #01 PAGE 5  
 3 ENTRY TIME 2120 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 WITNESS #002 UPDATED INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 MORENO, GERARDO G W H M 16 [REDACTED] APT. CITY ST PHONE  
 38 HOME ADDRESS  
 39 521100 SOUTHCREST CT FT WORTH TX 923-6928  
 40 BUSINESS ADDRESS CITY ST PHONE  
 41  
 42 REMARKS CALLED THE POLICE  
 43  
 44 GENERAL MO INFORMATION  
 45 DESCRIPTION OF MO  
 46  
 47 FORCE USED? UNK TOOL DESCRIPTION:  
 48 OTHER ACTS OR TRADEMARKS  
 49  
 50 -- CRIME TRACKING FLAGS --  
 51 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 52 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 53 DRIVE BY SHOOTING :  
 54 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 55 ----- USE OF FORCE -----  
 56 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 57  
 58 SUPPLEMENT #01 NARRATIVE  
 59 DECOR ENTRY BY: 379  
 60 CALLING OFFICER: SMITH, C B 2214  
 61 ORO CODING BY: K868 SOURCE: S  
 62 ON 2-21-02, DET. SMITH WAS NOTIFIED OF A SHOOTING WITH TWO PEOPLE  
 63 SHOT. I MADE THE LOCATION AND SPOKE WITH OFCR NOAH ON THE SCENE. HE  
 64 ADVISED HE MADE THE TURN ONTO SOUTHCREST AND OBSERVED THE COMP DOWN



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/22/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #01 PAGE 6  
3 ENTRY TIME 2120 DEPARTMENTAL COPY SOUTH DIVISION  
4 IN THE PARKING LOT OF THE STORE AT THAT LOCATION. HE WAS INFORMED THAT  
5 THERE WAS AN ADDITIONAL VICTIM AT THE ORIGINAL CALL LOCATION. BOTH  
6 VICTIMS WERE TRANSPORTED BY MED STAR. OFCRS MADE THE SCENE AT THE  
7 HOSPITAL AND OBTAINED GENERAL INFORMATION ABOUT THE VICTIMS AND THAT  
8 THE SUSPECT VEHICLE WAS A GOLD GMC PICKUP WITH 3 HISPANIC MALE ACTORS.  
9 INSIDE THE CRIME SCENE TAPE WAS BLOOD, A SMALL SCALE TO MEASURE  
10 SMALL AMOUNTS, A CARMEX JAR, A POCKET KNIFE SCATTERED IN THE PARKING  
11 LOT. THE GENERAL VEHICLE WAS PARKED IN A PARKING SPACE FACING WEST.  
12 I LEFT THE SCENE AND WENT TO HARRIS HOSPITAL WHERE I SPOKE WITH COMP  
13 COMP WAS IN SEVERE PAIN AND WAS ASKING FOR PAIN MEDICATION. HE HAD  
14 VISIBLE ENTRY WOUNDS TO HIS LEFT ARM AND THE BACK OF HIS LEFT SHOULDER  
15 THE DOCTOR TREATING HIM ADVISED HIS ARM WAS FRACTURED IN TWO PLACES  
16 AND HIS SHOULDER BLADE WAS ALSO FRACTURED WITH A BULLET REMAINING  
17 IMBEDDED IN THE BONE IN HIS SHOULDER.  
18 COMP TOLD ME THAT HE WAS VISITING A FRIEND AND THAT THE SUSPECTS  
19 WERE GUYS HE HAD SEEN EARLIER WITH A GIRL HE KNEW FROM CROWLEY HIGH  
20 SCHOOL. HE SAID HE HAD SEEN THEM AT THE WALMART AT MCCART AND SYCAMORE  
21 SCHOOL RD. COMP RELATED THAT AS HE LEFT HIS FRIEND'S APARTMENT, THE  
22 SUSPECT'S GOT OUT OF THE VEHICLE AND POINTED WHAT HE BELIEVED TO BE  
23 A DOUBLE BARRELLED SHOTGUN AT HIM AND DEMANDED THAT HE EMPTY HIS  
24 POCKETS. HE PLACED THE CONTENTS OF HIS POCKETS ON THE STEPSIDE OF THE  
25 PICKUP AND THEN TURNED TO RUN. AT SOME POINT THE MAN WITH THE SHOTGUN  
26 STRUCK HIM WITH THE GUN TWICE AND THEN SHOT HIM AS HE TURNED TO RUN.  
27 COMP STATED HE DID NOT KNOW THE SUSPECTS BUT WOULD BE ABLE TO PICK OUT  
28 THE GIRL HE HAD SEEN THEM WITH IF I COULD PROVIDE A CROWLEY YEAR BOOK.  
29 I WENT TO JPS HOSPITAL AND MET WITH RP1(HORVATH) WHO WAS BEING  
30 TREATED FOR MULTIPLE WOUNDS IN HIS RIGHT ARM. HIS ARM WAS BROKEN ALSO  
31 AND HE HAD MULTIPLE ENTRY WOUNDS. RP1 STATED HE TOOK COMP OVER TO SEE  
32 A FRIEND OF COMP'S AND THESE GUYS CAME UP IN THE TRUCK AND ROBBED THEM  
33 AND THEN SHOT THEM. HE DID NOT KNOW THE GUYS. HE RAN FOR HELP AND  
34 MADE IT TO W2'(MORENO) PORCH BEGGING HIM TO CALL 911.  
35 I LEFT MY CARD WITH RP1'S PARENTS AND ADVISED THEM I WOULD CONTACT  
36 THEM THE FOLLOWING DAY.  
37 IT SHOULD BE NOTED THAT WHILE ON THE OFFENSE SCENE I DID SPEAK WITH  
38 W2(MORENO) WHO STATED HE HEARD THE SHOTS AND CAME OUTSIDE TO SEE THE  
39 RP1 RUNNING TOWARD HIM TELLING HIM TO CALL FOR HELP THAT HE HAD BEEN  
40 SHOT. RP1 STATED HE WAS GOING TO CALL BUT HIS MOTHER HAD ALREADY MADE  
41 THE CALL. HE DID NOT KNOW THE ACTORS OR THE COMP AND RP.  
42 I ALSO SPOKE WITH W1(CANTU). SHE STATED SHE WAS IN HER APARTMENT  
43 WHEN SHE HEARD A SHOT. SHE STEPPED OUTSIDE AND SAW A TRUCK PULLING OFF  
44 AND HEARD TWO MORE SHOTS AS THEY PULLED OFF. SHE STATED SHE HAD NEVER  
45 SEEN THE TRUCK BEFORE AND DID NOT KNOW WHO WAS IN IT.  
46 ON 2-22-02, I RECEIVED A CALL FROM ARTHUR WILLIAMS WHO IDENTIFIED  
47 HIMSELF AS COMP'S FATHER. HE SAID THAT HE HAD BEEN SPEAKING WITH HIS  
48 SON AND HIS SON HAD NOT BEEN COMPLETELY FORTHCOMING WITH ME. MR.  
49 WILLIAMS ADVISED THAT THE SHOOTING RESULTED FROM A DRUG DEAL GONE BAD.  
50 I WENT TO CROWLEY HIGH SCHOOL AND BORROWED A 2000 AND 2001 YEAR  
51 BOOK. I MET WITH THE COMP AT THE HOSPITAL AND SHOWED HIM THE YEARBOOKS  
52 HE LOOKED THROUGHT THE 2001 YEARBOOD AND IDENTIFIED MINDY KEISEL  
53 ON PAGE 164 AS THE PERSON HE HAD SEEN TALKING WITH THE SUSPECTS PRIOR  
54 TO THE SHOOTING.  
55 COMP RELATED THAT HE AND THE RP HAD GONE TO A BACK ROAD WHERE KIDS  
56 HANG OUT AND SMOKE MARIJUANA. THERE WERE SEVERAL PEOPLE THERE  
57 INCLUDING KEISEL AND THE SUSPECTS. THE SUSPECTS APPROACHED THE COMP  
58 AND ASKED HIM IF HE KNEW WHERE THEY COULD SCORE SOME MORE DRUGS. HE  
59 TOLD THEM HE DID. HE AGREED TO SHOW THEM WHERE THEY COULD BUY DRUGS.  
60 THEY WERE GOING TO FOLLOW HIM THEN PASSED HIM AND SAID THEY WERE GOING  
61 TO BUY BEER AT WALMART. THEY FOLLOWED THE SUSPECTS TO WALMART AT  
62 MCCART AND SYCAMORE SCHOOL. THEY ALL PULLED UP DIRECTLY IN FRONT OF  
63 THE SOUTH DOORS OF WALMART. A SECURITY GUARD PULLED UP AND TOLD THEM  
64 THEY COULD NOT PARK THERE. THE S1 HAD ALREADY ENTERED THE WALMART SO

who was a criminal of  
his own right.

And so Mike's dad put  
the fear of God in him,  
as surely as Mike scared  
him. And so Mike spun a  
tale because he was in  
trouble, both with his dad  
and the cops.



1SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2ENTRY DATE 02/22/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #01 PAGE 7  
3ENTRY TIME 2120 DEPARTMENTAL COPY SOUTH DIVISION

4 ONE OF THE OTHER SUSPECT'S MOVED HIS VEHICLE AND DROVE AROUND THE  
5 PARKING LOT. THE COMP SAID HE PULLED INTO A PARKING SPACE AND WAITED  
6 FOR THE SUSPECT TO COME OUT. THE SUSPECT CAME OUT AND THE COMP LED  
7 THEM TO THE OFFENSE LOCATION. HE TOLD THEM HE WOULD GO SEE ABOUT THE  
8 DRUGS. HE WENT TO THE HOUSE HE HAD PURCHASED DRUGS FROM BEFORE. THEY  
9 TOLD HIM THEY DID NOT HAVE ANY DRUGS. HE RETURNED TO THE PARKING LOT  
10 WHERE THE SUSPECTS AND RP WAITED. THE SUSPECTS WERE STILL IN THEIR  
11 VEHICLE WHICH WAS PARKED NEXT TO THE GENERAL VEHICLE. COMP TOLD THEM  
12 THAT THERE WERE NO DRUGS AND THE SUSPECT 1 JUMPED OUT OF THE SUSPECT  
13 VEHICLE AND PULLED THE GUN OUT WITH HIS LEFT HAND. HE ASKED THE COMP  
14 IF HE WAS TRYING TO WASTE THEIR TIME OR IF HE WAS A COP. HE THEN  
15 ORDERED THE COMP TO LIFT UP HIS SHIRT TO SHOW IF HE WAS WEARING A WIRE  
16 OR A GUN. WHEN THE COMP COMPLIED THE SUS1 STRUCK HIM WITH THE SIDE OF  
17 THE GUN AND THEN HIT HIM IN THE HEAD WITH THE BUT OF THE WEAPON. ONE  
18 OF THE OTHER SUSPECTS PUNCHED HIM IN THE MOUTH. S1 ORDERED HIM TO  
19 EMPTY HIS POCKETS AND HE DID, PLACING EVERYTHING ON THE STEPSIDE OF  
20 THE SUSPECT VEHICLE. DURING THIS TIME HE WAS AWARE OF THE OTHER  
21 SUSPECTS ASSAULTING THE RPL. COMP WAS SCARED AND STARTED TO RUN OFF  
22 WHEN HE HEARD A SHOT. HE STATED HE THOUGHT HE MIGHT HAVE BEEN HIT AND  
23 HE RAN TO THE STORE. HE SAID HE ONLY REMEMBERS HEARING ONE SHOT. HE  
24 THEN WAS AWARE THAT A VEHICLE SPED BY AND HE BELIEVES IT WAS PROBABLY  
25 THE SUSPECT VEHICLE.

26 COMP STATED HE HAD NEVER SEEN ANY OF THE SUSPECT'S BEFORE. THE GIRL  
27 WAS NOT WITH THE SUSPECT BUT HAD BEEN TALKING TO THEM AT THE SMOKING  
28 PLACE. COMP DID RECALL THAT THE TRUCK HAD A SILVER TOOLBOX IN THE BED  
29 OF THE TRUCK. THERE WERE NO SPECIAL FEATURES OR WHEELS ON THE TRUCK.

30 I WENT TO WALMART AND VIEWED SOME VIDEO OF THE TIME THAT THE COMPS  
31 AND SUSPECTS WERE THERE. I BELIEVE I MIGHT HAVE SEEN THE TRUCK ON TAPE  
32 BUT DUE TO THE GENERAL DESCRIPTION OF THE SUSPECT I AM NOT SURE IF HE  
33 WAS ON THE VIDEO INSIDE THE STORE. I HOPE TO OBTAIN A MORE DETAILED  
34 DESCRIPTION FROM RPL.

35 I DID ATTEMPT TO MEET WITH THE W1 BUT SHE WAS NOT AT HOME. I REQUEST  
36 THIS CASE BE PLACED IN PENDING STATUS AS THE INVESTIGATION CONTINUES.

37 SGT. LANKFORD

38 REFER TO SUPPLEMENT #02 FOR ADDITIONAL DETAILS  
39  
40  
41  
42  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/24/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #02 PAGE 8  
 3 ENTRY TIME 0156 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SHIPP, JF 3101  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 WITNESS #003 INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 MUNCY, CLINTON W N M 20 [REDACTED] APT. CITY ST NONE  
 38 HOME ADDRESS APT. CITY ST PHONE  
 39 009005 CHESHIRE ST FT WORTH TX  
 40 BUSINESS ADDRESS CITY ST PHONE  
 41 FORT WORTH TX  
 42  
 43 WITNESS #004 INFORMATION  
 44 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 45 RENTZELL, ROBERT W N M 20 [REDACTED] APT. CITY ST NONE  
 46 HOME ADDRESS APT. CITY ST PHONE  
 47 000106 CHERRY LN BURLESON TX 447-8858  
 48 BUSINESS ADDRESS CITY ST PHONE  
 49 FORT WORTH TX  
 50  
 51 WITNESS #005 INFORMATION  
 52 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 53 UNIDENTIFIED FEMALE W N F APT. CITY ST NONE  
 54 HOME ADDRESS APT. CITY ST PHONE  
 55 001532 EASTVIEW ST FT WORTH TX 293-2149  
 56 BUSINESS ADDRESS CITY ST PHONE  
 57 FORT WORTH TX  
 58  
 59 PHYSICAL EVIDENCE INFORMATION  
 60 PHYSICAL EVIDENCE: DRUGS/PARAPHA.  
 61 DISPOSITION: 350 W BELKNAP ST TAG NO:  
 62 OFFICER MARKING EVIDENCE: FINEMAN, SG 2675 ID MARK: SGF2675  
 63 SEE NARRATIVE FOR INVENTORY OF EVIDENCE ITEM  
 64

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/24/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #02 PAGE 9  
 3 ENTRY TIME 0156 DEPARTMENTAL COPY SOUTH DIVISION  
 4 GENERAL MO INFORMATION  
 5 DESCRIPTION OF MO  
 6  
 7 FORCE USED? UNK TOOL DESCRIPTION:  
 8 OTHER ACTS OR TRADEMARKS  
 9  
 10 -- CRIME TRACKING FLAGS --  
 11 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 12 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 13 DRIVE BY SHOOTING :  
 14 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 15 ----- U S E O F F O R C E -----  
 16 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 17  
 18 CONFISCATED VEHICLE001 INFORMATION  
 19 YR MAKE MODEL STYLE LICENSE NUMBER VIN VALUE  
 20 00 CHEV PU 02 [REDACTED]  
 21 COLOR 1: GRAY COLOR 2: COLOR 3:  
 22  
 23 SUSPECT #002 UPDATED INFORMATION  
 24 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 25 W H M  
 26 ADDRESS:  
 27  
 28 EYE COLOR: HAIR COLOR:  
 29 HAIR STYLE: UNK.  
 30 FACIAL HAIR: UNK.  
 31 EYES: UNK.  
 32 FACIAL ODDITIES: UNK.  
 33 TEETH: UNK.  
 34 COMPLEXION: UNK.  
 35 SPEECH: UNK.  
 36 MISSING BODY PARTS: UNK.  
 37 TATTOO: UNK.  
 38 SCAR/BIRTHMARK/MOLE: UNK.  
 39 GENERAL APPERANCE: UNK.  
 40 SUSPECT WORE: UNK.  
 41 R/L HANDED: UNKNOWN  
 42 BUILD: UNK.  
 43  
 44 SUSPECT #003 UPDATED INFORMATION  
 45 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 46 W H M  
 47 ADDRESS:  
 48  
 49 EYE COLOR: HAIR COLOR:  
 50 HAIR STYLE: UNK.  
 51 FACIAL HAIR: UNK.  
 52 EYES: UNK.  
 53 FACIAL ODDITIES: UNK.  
 54 TEETH: UNK.  
 55 COMPLEXION: UNK.  
 56 SPEECH: UNK.  
 57 MISSING BODY PARTS: UNK.  
 58 TATTOO: UNK.  
 59 SCAR/BIRTHMARK/MOLE: UNK.  
 60 GENERAL APPERANCE: UNK.  
 61 SUSPECT WORE: UNK.  
 62 R/L HANDED: UNKNOWN  
 63 BUILD: UNK.  
 64 ADDITIONAL DESCRIPTION



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/24/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #02 PAGE 10  
3 ENTRY TIME 0156 DEPARTMENTAL COPY SOUTH DIVISION  
4 ALL SUSPECTS LATE TEENS TO EARLY 20'S

5  
6 SUSPECT #004 INFORMATION  
7 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
8 COKER, JOHN BRADLEY W N M 25 [REDACTED]  
9 ADDRESS: 001532 EASTVIEW ST  
10 FT WORTH TX PHONE: 293-2149  
11 EYE COLOR: HAIR COLOR:  
12 HAIR STYLE: UNK.  
13 FACIAL HAIR: UNK.  
14 EYES: UNK.  
15 FACIAL ODDITIES: UNK.  
16 TEETH: UNK.  
17 COMPLEXION: UNK.  
18 SPEECH: UNK.  
19 MISSING BODY PARTS: UNK.  
20 TATTOO: UNK.  
21 SCAR/BIRTHMARK/MOLE: UNK.  
22 GENERAL APPERANCE: UNK.  
23 SUSPECT WORE: UNK.  
24 R/L HANDED: UNKNOWN  
25 BUILD: UNK.  
26

27 ARRESTED PERSON #001 INFORMATION  
28 TRN: " " DATE ARRESTED: 02/24/02  
29 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
30 GAINES, BARTON R W N M 19 [REDACTED] 5 10 160  
31 ADDRESS: 000732 DANIELS  
32 CROWLEY TX  
33 EYE COLOR: BRO HAIR COLOR: BRO  
34 HAIR STYLE: SHORT  
35 FACIAL HAIR: UNK.  
36 EYES: UNK.  
37 FACIAL ODDITIES: UNK.  
38 TEETH: UNK.  
39 COMPLEXION: UNK.  
40 SPEECH: UNK.  
41 MISSING BODY PARTS: UNK.  
42 TATTOO: UNK.  
43 SCAR/BIRTHMARK/MOLE: UNK.  
44 GENERAL APPERANCE: UNK.  
45 SUSPECT WORE: UNK.  
46 R/L HANDED: UNKNOWN  
47 BUILD: UNK.  
48

49 SUPPLEMENT #02 NARRATIVE  
50 DECOR ENTRY BY: p35  
51 CALLING OFFICER: SHIPP, JF 3101  
52 ORO CODING BY: L173 SOURCE: S  
53 \*\*\*\*\* NARRCOTIC EVIDENCE \*\*\*\*\*  
54 EVIDENCE ITEM DESCRIPTION  
55 1- PURPLE COLORED CROWN ROYAL BAG CONTAINING THE FOLLOW-  
56 ING ITEMS. A PAIR OF METAL PLIERS W/ DISCOLORED TIP,  
57 A BROWN LEATHER WALLET CONTAINING NUMEROUS CLEAR ZIP-  
58 LOCK BAGGIES, AN ALTOIDS TIN CONTAINING A CLEAR BAG  
59 WITH A WHITE CRYSTALLINE POWDER INSIDE, A PAPER  
60 TEMPORARY PERMIT #11449864 IN THE NAME OF SUSP4-  
61 COKER.  
62 \*\*\*\*\*  
63 \*\*\*\*\* NARRATIVE \*\*\*\*\*  
64 ON 022402 AT 0006 HRS, I OFF JF SHIPP 3101 WORKING 2315 SOUTH DIV CRT

1 WAS ON A SPECIAL DETAIL ATTEMPTING TO LOCATE APL-GAINES ON A CRIM  
2 ATTEMPT CAPITAL MURDER WARRANT THAT WAS BRIEFED TO US FROM DET SMITH  
3 ON 022302. OFF RO BUSH 3028 2317 OBSERVED CON VEH PARKED IN THE  
4 STREET IN FRONT OF 1532 EASTVIEW ST. WE KNEW THAT THE CONV VEH WAS  
5 BELIEVED TO BE DRIVEN BY APL-GAINES. I BEGAN TO PERFORM SURVEILLANCE  
6 ON THE RESIDENCE DUE TO THE FACT THAT I WAS IN AN UNMARKED VEH AND IN  
7 IN PLAIN CLOTHES. OFF SG FINEMAN MADE CONTACT WITH THE DRIVER OF A  
8 BLK 2DR VEHICLE THAT PULLED UP TO THE SAME LOCATION AS THE CONF VEH  
9 AND LEFT THE AREA WHEN THEY NOTICED SEVERAL MARKED POLICE UNITS IN THE  
10 AREA. OFF FINEMAN DETERMINED THAT THE APL WAS NOT IN THE VEHICLE.

11 THE DRIVER IDENTIFIED WHICH HOUSE ALL THE VEHICLES IN THE STREET WERE  
12 GOING TO AS 1532 EASTVIEW ST. I THEN APPROACHED THE HOUSE TO  
13 DETERMINE IF THE HOUSE WAS ABLE TO BE SECURED TO PREVENT SOMEONE FROM  
14 ESCAPING THROUGH A BACK DOOR WHILE A CONTACT WAS MADE AT THE FRONT  
15 DOOR. AS I WAS APPROACHING THE HOUSE, I OBSERVED SOMEONE PEERING OUT  
16 THE FRONT WINDOW. I CONTACTED SGT DT HANLON 2386 2310 THAT THEY WERE  
17 NERVOUS AND THAT WE SHOULD MAKE CONTACT WITH THE RESIDENCE.  
18 OFF FINEMAN AND I WENT TO THE BACK YARD TO SECURE THE BACK YARD, WHILE  
19 OTHER CRT OFFICERS SECURED THE REMAINING SIDES. SGT HANLON AND OFF  
20 KA SAVOY 2752 2311 WENT TO THE FRONT DOOR AND KNOCKED. WIT-UNIDENT  
21 WOMAN ANSWERED THE DOOR AND WENT OUT TO THE PORCH TO SPEAK WITH SGT  
22 HANLON. OFF SAVOY WAS LOOKING IN THE WINDOWS TO DETERMINE IF APL  
23 WAS IN PLAIN VIEW. AS CONTACT WAS BEING MADE IN THE FRONT, OFF  
24 FINEMAN AND MYSELF HEARD SOMEONE OPENING A BACK WINDOW AND START  
25 CLIMBING OUTSIDE OF THE RESIDENCE. I HAD A COLOR PHOTOGRAPH OF APL  
26 AND OFF FINEMAN TURNED HIS FLASHLIGHT ONTO THE PERSON. I POSITIVELY  
27 IDENTIFIED THE PERSON ATTEMPTING TO LEAVE THE RESIDENCE AS THE APL.  
28 WE ATTEMPTED TO TAKE APL INTO CUSTODY BUT HE REENTERED THE HOUSE AND  
29 CLOSED THE WINDOW. WE RADIOED TO OTHER UNITS THAT WE IDENTIFIED APL  
30 IN THE HOUSE. SGT HANLON AND OFF SAVOY THEN MADE ENTRY FROM THE FRONT  
31 DOOR. OFF SAVOY RECOGNIZED APL COMING FROM A BACKROOM AND ORDERED  
32 HIM TO LAY ON THE GROUND AND PLACE HIS HANDS WHERE THEY COULD BE SEEN.  
33 APL-GAINES SLOWLY BENT OVER AND BEGAN TO REACH DOWN WITH HIS LEFT HAND  
34 TOWARDS AN AREA THAT WAS NOT EASILY VIEWED BT OFF SAVOY. BECAUSE THE  
35 AP HAD A FELONY WARRANT FOR CRIM ATTEMPT CAPITAL MURDER AND WAS NOT  
36 LEAVING HIS HANDS IN PLAIN VIEW, AND THERE WERE 3 OTHER MALES IN THE  
37 ROOM, OFF SAVOY USED OPEN HAND CONTROL TO PLACE THE AP ON THE GROUND  
38 AND SECURED HIM WITH HANDCUFFS. AFTER EVERYONE WAS SECURED AND THE  
39 HOUSE WAS SECURED, OFF BUSH OBSERVED A CROWN ROYAL BAG LYING ON A  
40 TABLE IN THE LIVING ROOM. DUE TO HIS PREVIOUS EXPERINCE, OFF BUSH  
41 KNEW THAT DRUGS ARE OFTEN KEPT IN THESE TYPES BAGS. OFF BUSH ASKED  
42 SUSP4-COKER WHOSE BAG IT WAS, COKER REPLIED IT WAS APL-GAINES.  
43 OFF FINEMAN THEN ASKED IF SUSP4-COKER WOULD MIND IF WE LOOKED IN THE  
44 BAG. OFF FINEMAN OPENED THE BAG AND FOUND EVIDENCE ITEM 1.  
45 APL WAS TRANSPORTED TO 3128 W BOLT TO MEET WITH DET SMITH. APL WAS  
46 THEN TRANSPORTED TO MLEC BY OFF BUSH. THE CV WAS CONF DUE TO THE  
47 FACT THAT IT WAS USED IN THE COMMISSION OF THE OFFENSE. OFF HYSMITH  
48 2830 2312 FOLLOWED THE CONVEHICL TO 1301 E NORTHSIDE DR AND HAD IT  
49 SECURED UNTIL A SEARCH WARRANT COULD BE OBTAINED TO LOOK FOR EVIDENCE.  
50 I REQUEST THAT A COPY OF THIS REPORT BE FORWARDED TO NARCOTICS.  
51 CSSU NOT NEEDED.  
52 SGT HANLON.

53 REFER TO SUPPLEMENT #03 FOR ADDITIONAL DETAILS  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64

Brett

and probably he  
was the one who  
called the them  
where I was.

Added  
reason to  
enter  
without a  
warrant

What, like by holding it up  
and doing a quick  
comparison of me with this  
person who supposedly  
stuck his head out a back  
window before getting it  
blown off?

If I really was doing as  
Shipp narrated, I'd've  
taken 2 or more to my  
center mass; unless  
times were different from  
the way they are now.  
They were worse.



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/24/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #03 PAGE 12  
 3 ENTRY TIME 1200 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, CB 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW TX PHONE: 297-7895  
 27 CROWLEY TX  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 WITNESS #006 INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 KEISEL, MINDY W U F 17 NONE  
 38 HOME ADDRESS APT. CITY ST PHONE  
 39 000332 HEIGHTS DR CROWLEY TX 297-6501  
 40 BUSINESS ADDRESS CITY ST PHONE  
 41 FORT WORTH TX  
 42  
 43 GENERAL MO INFORMATION  
 44 DESCRIPTION OF MO  
 45  
 46 FORCE USED? UNK TOOL DESCRIPTION:  
 47 OTHER ACTS OR TRADEMARKS  
 48  
 49 -- CRIME TRACKING FLAGS --  
 50 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 51 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 52 DRIVE BY SHOOTING :  
 53 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 54 ----- U S E O F F O R C E -----  
 55 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 56  
 57 SUPPLEMENT #03 NARRATIVE  
 58 DECOR ENTRY BY: 379  
 59 CALLING OFFICER: SMITH, CB 2214  
 60 ORO CODING BY: K308 SOURCE: S  
 61 ON 2-23-02, RPL(HORVATH) CAME TO THE DETECTIVE OFFICE AND DID  
 62 PROVIDE A DEPOSITION. HE ADVISED THAT HE AND COMP WENT TO THE "SMOKING  
 63 PLACE" OFF CROWLEY RD AND RAN INTO TWO GIRLS IN A RED CAR AND THE  
 64 SUSPECTS. THEY HUNG OUT AND SMOKED SOME MARIJUANA AND TALKED. RP SAID

THAT COMP TOLD HIM THEY WERE LEAVING TO GO TO HIS FRIEND'S HOUSE AND THE SUSPECTS WOULD FOLLOW. THEY STARTED AND THE SUSPECTS FLASHED THEIR LIGHTS AND PULLED UP AND TOLD COMP AND RP THAT THEY WERE GOING TO GO TO WALMART TO GET SOME BEER. THE SUSPECTS PULLED IN FRONT OF THE RP AND COMP AND WENT TO THE WALMART ON THE CORNER OF MCCART AND SYCAMORE SCHOOL RD. THEY ALL PULLED UP IN FRONT OF THE SOUTH DOORS IN THE PEDESTRIAN WALKWAY. A SECURITY GUARD PULLED UP AND TOLD THEM THEY COULD NOT PARK THERE. HE TOLD THEM THEY COULD DRIVE AROUND UNTIL AP CAME OUT OF THE STORE. RP AND COMP PARKED IN THE BACK OF THE PARKING LOT WHILE ONE OF THE OTHER SUSPECTS DROVE THE CONFISCATED VEHICLE AROUND UNTIL THE AP CAME OUT. COMP THEN DIRECTED RP TO DRIVE TO THE OFFENSE LOCATION. RP PARKED THE CAR AND THE SUSPECTS PARKED ONE SPACE OVER. THE COMP GOT OUT AND WENT TO ONE OF THE APARTMENTS WHILE RP AND THE SUSPECTS WAITED. COMP RETURNED AND WALKED UP TO THE DRIVER'S DOOR OF THE CONFISCATED VEHICLE. RP STATED HE SAW THE AP GRAB THE COMP BY HIS SHIRT. RP STARTED TO GO OVER THERE AND THE AP GOT OUT AND GRABBED THE SHOTGUN AND THE OTHER SUSPECTS GOT OUT. THE BLOND GUY DEMANDED THE RP'S WALLET AND PUNCHED HIM IN THE MOUTH. HE WAS HIT MORE THAN ONCE AND FELL TO THE GROUND. HE HEARD AP TELL THEM TO GET HIS WALLET AND THE BLOND ONE SAID HE ALREADY HAD. HE SAW THE COMP RUN AND THE AP SHOT HIM. THE RP WAS ON THE GROUND WITH HIS HAND UP TO DEFLECT ANY FURTHER BLOWS WHEN THE AP AND THE SUSPECTS GOT BACK INTO THE CONF VEH AND BACKED UP AND DROVE NEAR THE RP AND FIRED THE SHOTGUN DIRECTLY AT THE PRONE RP, STRIKING THE RP. THE VEHICLE THEN FLED OFF. THE RP THEN CALLED FOR HELP AND THEN MADE HIS WAY TO THE PORCH OF W2 WHO HAD YELLED TO RP THAT HE COULD NOT LEAVE HIS PORCH DUE TO HIS MONITOR.

RP STATED HE DID BELIEVE HE WAS ABOUT TO BE KILLED AND DOES BELIEVE THE AP INTENDED TO KILL HIM WHEN HE SHOT HIM WITH THE SHOTGUN.

RP SUFFERED A BUSTED LIP REQUIRING 8 STITCHES AND A FRACTURED ELBOW. AT THE PRESENT TIME HE IS UNABLE TO USE HIS HAND. DOCTORS TOLD HIM THAT THEY DO NOT KNOW IF THAT WILL CHANGE. HE MAY NEED SURGERY TO REPAIR THE NERVES.

I LOCATED THE W6(KEISEL) ADDRESS AND WENT TO HER HOME. I MET WITH HER MOTHER AND EXPLAINED I WAS INVESTIGATING A SHOOTING AND I HAD BEEN INFORMED THAT HER DAUGHTER MIGHT KNOW THE SHOOTERS. W6 MOTHER CALLED HER TO THE LIVING ROOM AND I EXPLAINED THAT I HAD A PERSON WHO HAD BEEN SHOT WHO IDENTIFIED HER THROUGH THE YEARBOOK AS THE PERSON HE HAD SEEN TALKING WITH THE SUSPECTS PRIOR TO THE SHOOTING. I DESCRIBED THE TRUCK AND SHE TOLD ME THAT THE GUYS IN THE TRUCK WERE BRAD GAINES, JASON TUCKER AND DANIEL. SHE SAID SHE DID NOT KNOW DANIEL'S LAST NAME BECAUSE HE HAD RECENTLY MOVED TO THE AREA FROM CALIFORNIA. SHE DENIED KNOWLEDGE OF THE SHOOTING WHEN HER MOTHER ASKED IF SHE HAD HEARD ABOUT IT.

SHE SAID THAT BRAD DROVE A DODGE STEPSIDE TRUCK, NEWER IN A KIND OF GOLD COLOR.

I THEN WENT TO CROWLEY POLICE DEPARTMENT AND MET WITH THE DISPATCHER CHRIS LACHANCE. I ASKED HIM IF HE WAS FAMILIAR WITH BRAD GAINES AND JASON TUCKER AND HE SAID HE HAD HEARD THE NAMES. A SGT. CAME OUT AND STATED THEY HAD DEALT WITH THOSE SUBJECTS QUITE A FEW TIMES AND DIRECTED LACHANCE TO PROVIDE ME WITH THEIR INFO. HE ALSO ADVISED THAT THE TRUCK GAINES DROVE WOULD BE A CHEVROLET IN A KIND OF SILVER COLOR THAT DEPENDING ON HOW THE LIGHT HIT IT COULD LOOK GOLD. HE THEN TOOK ME OUT AND SHOWED ME HIS TRUCK OF THE SAME COLOR. I NOTIFIED SGT. HANLON OF SGT THAT I HAD THE SUSPECTS TENTATIVELY IDENTIFIED. BY THE TIME I REACHED THE DETECTIVE OFFICE SGT. HANLON HAD PULLED UP THE TICKET FILE AND HAD A PLATE ON THE SUSPECT VEHICLE.

COMP CALLED AND HAD JUST BEEN RELEASED FROM HARRIS HOSPITAL. I PUT TOGETHER A PHOTOSPREAD CONTAINING GAINES IN POSITION 4 WITH 5 SIMILAR MALES. COMP CAME TO THE OFFICE AND VIEWED THE PHOTOSPREAD AND IMMEDIATELY AND WITHOUT HESITATION POINTED TO GAINES AND SAID, "THAT'S HIM, THAT'S HIM." I ASKED WHAT HE MET AND HE SAID, "THAT'S THE GUY



4 THAT SHOT ME." I THEN SHOWED HIM A PHOTOSPREAD CONTAINING TUCKER IN  
5 POSITION #3 WITH 5 OTHER SIMILAR MALES. CMP WAS UNABLE TO IDENTIFY  
6 TUCKER.

7  
8 COMP THEN PROVIDED A DEPOSITION REFERENCE THIS OFFENSE. HE STATED  
9 THAT HE AND RP HAD GONE TO THE SMOKING PLACE AND HAD FOUND THE W6 AND  
10 ANOTHER GIRL IN A RED CAR ALONG WITH THE SUSPECTS IN THE SUSPECT VEH.  
11 THEY HUNG AROUND AND TALKED AND THEN S1/AP ASKED COMP IF HE KNEW WHERE  
12 HE COULD GET SOME MARIJUANA. COMP TOLD HIM HE DID AND THE SUSPECTS  
13 AGREED TO FOLLOW RP AND COMP. THEY DROVE OFF AND THE SUSPECTS FLASHED  
14 THEIR HEADLIGHTS AND THEN PULLED UP AND TOLD COMP THEY WANTED TO GO  
15 TO WALMART TO GET BEER FIRST. THE SUSPECTS PULLED AHEAD AND THE RP  
16 AND COMP FOLLOWED THEM TO WALMART WHERE THEY ALL PARKED IN THE  
17 PEDESTRIAN WALK. THE S1/AP GOT OUT AND WENT INSIDE AND THE SECURITY  
18 GUARD CAME UP AND TOLD THEM TO MOVE THEIR VEHICLES. COMP AND RP  
19 PARKED IN THE BACK OF THE LOT AND WAITED UNTIL S1/AP GOT INTO HIS  
20 TRUCK THAT HAD BEEN DRIVING AROUND THE LOT. THE SUSPECTS THEN PULLED  
21 UP AND SAID THEY WERE READY TO GO BUY MARIJUANA. COMP DIRECTED THE  
22 RP TO DRIVE TO THE OFFENSE LOCATION AND PARK IN THE MIDDLE OF THE  
23 DUPLEX, COMPLEX BECAUSE HE WAS NOT SUPPOSED TO TAKE STRANGERS TO THE  
24 DOOR OF THE DOPE HOUSE. HE WENT TO THE SUSPECTS AND ASKED THEM HOW  
25 MUCH THEY WANTED. THEY TOLD HIM A POUND. HE THEN WENT TO THE DOPE  
26 HOUSE AND WAS TOLD THAT THEY DID NOT HAVE THAT MUCH AVAILABLE THEY  
27 ONLY HAD A QUARTER POUND. HE RETURNED TO THE SUSPECT VEHICLE AND  
28 WALKED UP TO THE DRIVER'S DOOR WHERE S1/AP WAS SITTING. HE TOLD THEM  
29 THAT THE DOPE HOUSE DID NOT HAVE A POUND. ONE OF THE OTHER SUSPECTS  
30 WAS TELLING HIM TO GO AHEAD AND GET A FEW OUNCES. THE S1/AP STARTED  
31 DEMANDING TO SEE THE MARIJUANA. COMP TOLD HIM HE NEEDED TO SEE THE  
32 MONEY FIRST. AT THAT TIME THE S1/AP GRABBED THE COMP BY THE SHIRT AND  
33 ASKED HIM IF HE WAS A COP. HE PULLED THE COMP AROUND AND LOOKED UNDER  
34 HIS SHIRT AT HIS WAISTBAND AND PATTED HIS BUTT. COMP ASSURED HIM HE  
35 WAS NOT A COP. AT THAT TIME THE S1/AP EXITED HIS TRUCK AND IN A SWIFT  
36 MOVEMENT REACHED UNDER HIS TRUCK SEAT WITH HIS LEFT HAND AND CAME OUT  
37 WITH THE SUSPECT WEAPON/SHOTGUN. HE POINTED THE GUN AT THE COMP AND  
38 DEMANDED THAT CMP EMPTY HIS POCKETS. S1/AP THEN STRUCK THE COMP WITH  
39 THE GUN ON THE HEAD AND THEN HIT HIM AGAIN WITH THE GUN DEMANDING  
40 COMP GIVE HIS WALLET. COMP STATED HE COMPLIED AND PUT THE THINGS IN  
41 HIS POCKET ON THE STEPSIDE OF THE SUSPECT VEHICLE. ONE OF THE OTHER  
42 SUSPECTS PUNCHED THE COMP IN THE MOUTH. HE LOOKED OVER AND SAW THAT  
43 THE OTHER SUSPECTS WERE BEATING THE RP. THE S1/AP TURNED TO LOOK THAT  
44 WAY AND THE COMP BEGAN RUNNING TOWARD SOUTHCREST. HE HEARD A GUNSHOT  
45 AND THEN FELT SOMETHING HIT AND HE CONTINUED RUNNING TO THE STORE AT  
46 THE CORNER OF JAMES AND SOUTHCREST WHERE HE ASKED FOR HELP. THE CLERK  
47 HANDED HIM PAPER TOWELS AND TOLD HIM TO GO CALL ON THE PAY PHONE OUT-  
48 SIDE. HE SAID THAT HE DID NOT HEAR ANY MORE SHOTS BUT HIS HE WAS  
49 RUNNING AND HIS HEART WAS POUNDING. HE HEARD A VEHICLE SPEED BY AND  
50 THEN FINALLY THE AMBULANCE ARRIVED.

51 COMP STATED HE DID BELIEVE THAT HE WAS GOING TO DIE WHEN THE S1/AP  
52 POINTED THE GUN AT HIM. HE DOES BELIEVE THAT THE S1/AP MEANT TO KILL  
53 HIM AND THE RP.

54 COMP SUFFERED A LACERATION TO THE TOP OF THE HEAD AND A KNOT ON THE  
55 BACK OF THE HEAD. HE HAS A FRACTURED LEFT ELBOW AND HAS BONE FRAGMENTS  
56 AND SHRAPNEL IN HIS ELBOW AND IN HIS SHOULDER BLADE. HE IS SUFFERING  
57 HEADACHES AND SOMETIMES SHAKES VIOLENTLY FROM SHOCK. HE STATED HE HAS  
58 BEEN HAVING NIGHTMARES SINCE THE OFFENSE.

59 COMP STATED HE DOES BELIEVE HE CAN IDENTIFY THE OTHER SUSPECT WHEN  
60 I FIND OUT WHO HE IS.

61 THIS INVESTIGATION IS CONTINUING.  
62 SGT. LANKFORD

63 REFER TO SUPPLEMENT #04 FOR ADDITIONAL DETAILS  
64



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/26/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #04 PAGE 15  
 3 ENTRY TIME 1643 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SALAZAR, J 1483  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
 37  
 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
 40  
 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 ARRESTED PERSON #001 UPDATED INFORMATION  
 50 TRN: " " DATE ARRESTED: 02/24/02  
 51 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 52 GAINES, BARTON R W N M 19 [REDACTED] 5 10 160  
 53 ADDRESS: 000732 DANIELS  
 54 CROWLEY TX  
 55 EYE COLOR: BRO HAIR COLOR: BRO  
 56 HAIR STYLE: SHORT  
 57 FACIAL HAIR: UNK.  
 58 EYES: UNK.  
 59 FACIAL ODDITIES: UNK.  
 60 TEETH: UNK.  
 61 COMPLEXION: UNK.  
 62 SPEECH: UNK.  
 63 MISSING BODY PARTS: UNK.  
 64 TATTOO: UNK.

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/26/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #04 PAGE 16  
3 ENTRY TIME 1643 DEPARTMENTAL COPY SOUTH DIVISION  
4 SCAR/BIRTHMARK/MOLE:UNK.  
5 GENERAL APPERANCE: UNK.  
6 SUSPECT WORE: UNK.  
7 R/L HANDED: UNKNOWN  
8 BUILD: UNK.  
9

10 SUPPLEMENT #04 NARRATIVE

11 DECOR ENTRY BY: 089  
12 CALLING OFFICER: SALAZAR, J 1483  
13 ORO CODING BY: K578 SOURCE: T  
14 JOB #168815

15 ON 022502 DET C B SMITH OF THE SOUTH DIVISION CIU OBTAINED  
16 ARREST WARRANT 02-F-0377-SD ON A BARTON GAINES, DOB 102582 ON A CHARGE  
17 OF CRIMINAL ATTEMPT CAPITAL MURDER. ON THIS DATE DET SMITH DID MAKE A  
18 REQUEST IN REGARDS TO AP GAINES WHO IS CURRENTLY IN CUSTODY IN  
19 MANSFIELD JAIL, 1601 HERITAGE LANE. AP GAINES HAD PREVIOUSLY BEEN  
20 ARRESTED ON AN ADDITIONAL CHARGE AND WAS BEING HELD AT THE MANSFIELD  
21 UNIT IN REGARDS TO THAT ARREST. DET SALAZAR OF THE FUGITIVE UNIT ON  
22 THIS DATE DID CONFIRM BY SPEAKING WITH A BOOKING OFFICER, MS THOMPSON  
23 THAT AP GAINES WAS STILL AT THIS LOCATION AT THE MANSFIELD JAIL PEND-  
24 ING TRANSFER OR POSTING BOND. DET SALAZAR THEN FAXED A COPY OF THE  
25 ARREST WARRANT TO THE BOOKING DEPARTMENT AT MANSFIELD LAW ENFORCEMENT  
26 CENTER ON THIS DATE.

27 DET SALAZAR ON 022602 DID CONFIRM THAT THE CHARGE HAD BEEN ADDED  
28 ON AP GAINES, WARRANT #02-F-0377-SD FOR THE CHARGE OF CRIMINAL ATTEMPT  
29 MURDER, RECOMMENDED BOND \$350,000 DOLLARS. THE WARRANT WAS THEN  
30 CANCELLED ON THE 022502 AFTER CONFIRMING THE ADD ON CHARGE AND DETAIN-  
31 ER HOLD ON AP GAINES.  
32 SGT MCMATH

Guess they did not want me making bond by adding  
the detainer. Very constitutional!

33 REFER TO SUPPLEMENT #05 FOR ADDITIONAL DETAILS  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/26/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #05 PAGE 17  
 3 ENTRY TIME 2036 DEPARTMENTAL COPY SOUTH DIVISION

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5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N

---

10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213

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17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214

---

22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS

---

30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM

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35 WITNESS #001 UPDATED INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 CANTEY, REBECCA W H F 35 [REDACTED] APT. CITY ST NONE  
 38 HOME ADDRESS PHONE  
 39 005225 SOUTHCREST CIR FT WORTH TX 924-7609  
 40 BUSINESS ADDRESS CITY ST PHONE  
 41 FORT WORTH TX

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43 WITNESS #006 UPDATED INFORMATION  
 44 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 45 KEISEL, MINDY W U F 17 [REDACTED] APT. CITY ST NONE  
 46 HOME ADDRESS PHONE  
 47 000332 HEIGHTS DR CROWLEY TX 297-6501  
 48 BUSINESS ADDRESS CITY ST PHONE  
 49 FORT WORTH TX

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50 REMARKS AP/SUSPECTS FRIEND

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52 WITNESS #007 INFORMATION  
 53 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 54 GREEN, KARA W U F 17 [REDACTED] APT. CITY ST NONE  
 55 HOME ADDRESS PHONE  
 56 000624 E SMITH CROWLEY TX 297-3478  
 57 BUSINESS ADDRESS CITY ST PHONE  
 58 FORT WORTH TX

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60 GENERAL MO INFORMATION  
 61 DESCRIPTION OF MO  
 62  
 63 FORCE USED? UNK TOOL DESCRIPTION:  
 64 OTHER ACTS OR TRADEMARKS



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/26/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #05 PAGE 18  
3 ENTRY TIME 2036 DEPARTMENTAL COPY SOUTH DIVISION

4  
5 -- CRIME TRACKING FLAGS --  
6 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
7 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
8 DRIVE BY SHOOTING :  
9 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
10 ----- U S E O F F O R C E -----  
11 N/W FOB : S/E FOB : ESB : OSB : SSB :  
12

13 SUPPLEMENT #05 NARRATIVE

14 DECOR ENTRY BY: 379  
15 CALLING OFFICER: SMITH, C B 2214  
16 ORO CODING BY: L126 SOURCE: S  
17 ON 2-24-02, I WAS NOTIFIED THAT THE AP HAD BEEN ARRESTED AND WISHED  
18 TO SPEAK WITH ME. I MET WITH THE AP AND DID READ HIM THE MIRANDA  
19 WARNING AND ASKED HIM TO SIGN IT. HE ASKED WHAT IT WAS ABOUT AND I  
20 TOLD HIM TWO PEOPLE HAD BEEN INJURED ON THURSDAY. HE SAID THAT HE WAS  
21 AT HOME ALL DAY THURSDAY AND HIS PARENTS WOULD VOUCH FOR THAT. I THEN  
22 ASKED HIM TO SIGN THE MIRANDA FORM AGAIN AND HE SAID HE WANTED TO CALL  
23 HIS LAWYER TO ASK IF HE SHOULD SIGN. I TOLD HIM THAT THE INTERVIEW WAS  
24 OVER. I STARTED TO WALK OUT AND HE SAID HE WANTED TO TALK TO ME. I  
25 AGAIN TOLD HIM TO SIGN THE MIRANDA FORM AND HE SAID HE WANTED TO ASK  
26 HIS LAWYER IF HE SHOULD. I TERMINATED THE INTERVIEW. AS OFCRS WERE  
27 DOING THE JAIL PAPERWORK, THE AP STATED HE HAD NOT DONE ANYTHING. I  
28 ASKED HIM WHY HE WAS CLIMBING OUT THE WINDOW AT THE HOUSE HE WAS  
29 ARRESTED AT. HE TOLD ME THAT WAS NOT HIM. HE SWORE ON HIS LIFE THAT IT  
30 WAS NOT HIM CLIMBING OUT THE WINDOW IN SPITE OF THE FACT THAT OFCR  
31 FINEMAN AND OFCR SHIPP POSITIVELY IDENTIFIED HIM.  
32 AP TOLD SGT. HANLON THAT THE \$100,000 BOND WAS NOT A PROBLEM BECAUSE  
33 HE HAD A \$50,000 TRUST FUND AND HE WOULD BE OUT IN NO TIME.  
34 ON 2-24-02, I MET WITH RP(HORVATH) AT HIS HOME. I SHOWED HIM THE  
35 PHOTOSPREAD CONTAINING AP(GAINES) AND 5 SIMILAR MALES. HE POINTED TO  
36 GAINES AND POSITIVELY IDENTIFIED HIM AS THE PERSON WHO SHOT HIM. I  
37 THEN SHOWED HIM THE PHOTOSPREAD CONTAINING S1(TUCKER) AND 5 SIMILAR  
38 MALES. HE POINTED TO TUCKER AND THEN TO THE STITCHES IN HIS LIP AND  
39 SAID, "HE DID THIS."  
40 ON 2-24-02 W6(KEISEL) AND W7(GREEN) CAME TO THE OFFICE AND PROVIDED  
41 SWORN DEPOSITIONS RELATING THE EVENTS OF 2-21-02. THEY STATED THAT  
42 THEY MET WITH THE AP AND SUSPECTS IN A FIELD NEAR A POND. THE COMP  
43 AND RP DROVE UP. THE W6 AND W7 WENT OVER TO SEE WHO IT WAS. THE AP  
44 THEN CAME OVER AND LEANED IN THE WINDOW OF THE GEN VEH AND ASKED THE  
45 COMP AND RP IF THEY COULD GET HIM A POUND OF MARIJUANA. COMP SAID THEY  
46 COULD. W6 AND W7 SAID THAT AP DOING THAT MADE THEM NERVOUS BECAUSE  
47 THEY THOUGHT HE WAS UP TO SOMETHING. COMP AGREED TO TAKE THE AP AND  
48 SUSPECT TO BUY A POUND. AP ASKED THE W6 AND 7 IF THEY WANTED TO GO.  
49 THEY FEARED WHAT HE WAS GOING TO DO AND SAID NO. THE COMP LEFT AND THE  
50 AP AND SUSPECTS FOLLOWED. A FEW MINUTES LATER W7(GREEN) CALLED THE  
51 AP AND ASKED WHAT HE WAS DOING. HE TOLD HER HE WAS AT WALMART BUYING  
52 BULLETS. SHE ASKED HIM WHY AND HE SAID BECAUSE, "THEY MIGHT BE  
53 STRAPPED."  
54 THE WITNESSES THEN RETURNED TO CROWLEY AND A FEW MINUTES LATER THE  
55 AP AND THE SUSPECTS PULLED UP IN THE CONF. VEHICLE. S3(DANIEL) WAS  
56 BLEEDING FROM A HAND WOUND. THE WITNESSES ASKED THEM WHAT HAD HAPPENED  
57 AND NO ONE WOULD TELL THEM. THE WITNESSES AND THE AP AND SUSPECTS WENT  
58 TO W7(GREEN)'S HOME. W6-7 BOTH SAID THAT S1 AND S2 WERE ACTING STRANGE  
59 AND THEY ASKED WHAT HAD HAPPENED. S1 AND S2 ASKED W7(GREEN) TO TAKE  
60 THEM HOME AND SHE TOOK THEM TO S2(DANIEL)'S HOUSE. WHEN SHE RETURNED  
61 THE AP WAS STILL THERE AND WAS LOOKING THROUGH A WALLET. HE SAID THEY  
62 HAD ROBBED THESE GUYS AND LEFT THEM FOR DEAD. HE SAID HE HAD NEVER  
63 KILLED ANYONE BEFORE AND IT WAS EXCITING AND A RUSH. HE SAID THAT  
64 THEY DIDN'T GET ANY MONEY BUT HELD UP A LOTTERY TICKET AND SAID, "I

If Jason punched  
Andy, that means,  
according to say,  
Daniel was sitting  
in the middle.

Yeah, right, Charla.

False. They had  
curfew. And Jason was  
the one who asked  
them, not if they wanted  
to go, but for a ride.



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GOT A LOTTERY TICKET." HE TOLD THEM ABOUT THE SHOOTING AFTER MAKING THEM SWEAR THEY WOULD NEVER TELL. AP SPENT THE NIGHT AT THE W7(GREEN)'S HOME.

THE NEXT DAY AT SCHOOL THE W6(KEISEL) HEARD PAUL GRIFFIN TALKING ABOUT HIS FRIEND BEING SHOT. HE SAID THAT HE HAD SEEN A GIRL THAT HE RECOGNIZED FROM CROWLEY HIGH SCHOOL WITH THE SHOOTERS PRIOR TO THE SHOOTING. PAUL GRIFFIN SAID THAT THE COMP HAD ASKED FOR A YEARBOOK AND WAS GOING TO IDENTIFY THE GIRL THAT WAY SO THE POLICE COULD TALK TO HER.

W6(KEISEL) WENT HOME AND CALLED W7(GREEN) AND TOLD HER THAT THE POLICE WOULD BE LOOKING FOR HER SOON. THEY THEN WENT TO S1(TUCKER)'S HOUSE AND TOLD HIM THAT THEY WERE GOING TO THE POLICE. HE CALLED HIS PARENTS AND THEY CAME HOME. THEY AGREED THAT THE GIRLS SHOULD GO TO THE POLICE BUT ASKED THEM TO WAIT UNTIL THEY COULD GET A LAWYER FOR S1(TUCKER). S1(TUCKER) TOLD THEM HE WOULD BE GOING TO THE POLICE ON 2-23-02. W6(KEISEL) STATED THAT SINCE SHE THOUGHT THAT THE ONLY THING THE POLICE WOULD WANT FOR HER WOULD BE THE NAMES OF THE SUSPECTS AND SHE BELIEVED THE S1 WAS GOING TO COME FORWARD, SHE DID NOT THINK IT WAS NECESSARY TO GO TO THE POLICE. THEN THE DETECTIVE CAME TO HER

HOUSE. SHE PRETENDED SHE DID NOT KNOW ANYTHING ABOUT THE SHOOTING. THEN AP CALLED AND W6(KEISEL)'S MOTHER PICKED UP THE PHONE AND OVERHEARD THE CONVERSATION AND REALIZED THAT W6(KEISEL) HAD FAR MORE KNOWLEDGE OF THE OFFENSE THAN SHE HAD ADMITTED. SHE THEN CALLED THIS DETECTIVE TO TELL ME THAT THE BOYS HAD CONFESSED TO THE W6 AND W7.

W6(KEISEL) STATED THAT ON 2-23-02, AP CALLED HER AND TOLD HER THAT HE HAD DONE ANOTHER ROBBERY AND SHOOTING ON 2-22-02 AND HAD HID THE PROPERTY AND WAS GOING WITH S2(DANIEL) TO PAWN IT. HE DID NOT SAY WHERE HE HAD DONE THE SHOOTING. HE ALSO TOLD HER HE HAD HIDDEN THE GUN

W6 TOLD HIM THAT SHE HAD HEARD THAT THE COMP COULD ID HER AND THAT SHE THOUGHT THE POLICE WOULD BE LOOKING FOR HER SOON. HE TOLD HER TO DENY THAT SHE KNEW THE BOYS IN THE TRUCK. SHE TOLD HIM SHE COULD NOT DO THAT. HE THEN TOLD HER TO MAKE UP NAMES AND TELL THE POLICE IT WAS THEM. SHE TOLD HIM SHE COULD NOT DO THAT. HE THEN TOLD HER THAT IF SHE REALIZED IT WAS GETTING "HOT" TO LET HIM KNOW SO HE AND S1 COULD HEAD FOR MEXICO. SHE AGREED TO DO SO. HE CONTINUED TO CALL SEVERAL TIMES A DAY ASKING WHAT SHE KNEW AND IF THE POLICE HAD TALKED TO HER. SHE DENIED IT AND HE WAS ARRESTED ON SAT. NIGHT.

I WENT TO WALMART AND VIEWED THE SURVEILLANCE VIDEOS. IT SHOWS THE AP ENTERING THE WALMART STORE AT 2025 HRS WEARING A RED, WHITE AND BLACK SHIRT WITH A HOOD. HE GOES TO THE SPORTING GOODS AND TELLS THE CLERK WHAT HE WANTS. THE CLERK CANNOT FIND IT AND THE AP LEANS ACROSS THE COUNTER TO POINT. FINALLY THE AP GOES BEHIND THE COUNTER TO SHOW THE CLERK WHAT HE WANTS. HE PURCHASES A BOX OF 12 GAUGE 00 AND A BOX OF 12 GAUGE SLUGS FOR A TOTAL OF \$7.12. THE ELECTRONIC REGISTER SHOWS A TIME OF 20:36 ON THE SALE. HE THEN EXITS THE STORE. ANOTHER VIDEO SHOWS THE GEN VEHICLE DRIVE TO THE END OF THE WALMART PARKING LOT AND THE CONF VEHICLE DRIVING AROUND. AROUND THE TIME THAT THE AP EXITS THE STORE THE CONF VEHICLE IS SEEN HEADING ACROSS THE PARKING LOT TO WHERE THE GEN VEHICLE IS STOPPED. THE GEN VEHICLE THEN PULLS OFF FOLLOWED BY THE CONF VEHICLE AT 20:38 HOURS.

-WALMART LOSS PREVENTION WINFRED MORNEY DID DUB THE MULTIPLEX STORE VIDEOS ONTO A REGULAR VIDEO SO THAT IT COULD BE VIEWED ON A REGULAR VCR. At Foran's directive

I THEN MET WITH W6(KEISEL) AND W7(GREEN) AND KODI MORRIS WHO HAD ALL BEEN WITH THE AP LESS THAN AN HOUR PRIOR TO THE SHOOTING. I MET WITH THEM AT W6(KEISEL)'S HOME. ALL VIEWED THE TAPE AND ALL AGREED THAT THE SUBJECT ENTERING THE WALMART WEARING A RED WHITE AND BLACK SHIRT WITH A HOOD WAS UNDOUBTABLY THE AP(GAINES). THEY SAID HE WAS WEARING THE SAME SHIRT HE WAS WEARING PRIOR TO AND AFTER THE SHOOTINGS, HE WALKED THE SAME WAY AND IT WAS JUST HIM. THIS WAS ALSO CONFIRMED BY THE

W6(KEISEL)'S MOTHER WHO WAS ON THE SCENE.

W6(KEISEL) ADVISED THAT PRIOR TO THE SHOOTING THAT W7(GREEN) HAD TAKEN DIGITAL PHOTOGRAPHS OF THE GROUP. SHE SAID THEY WERE WEARING THE SAME CLOTHING. I WENT WITH W7(GREEN) TO HER HOME AND HER PARENTS SHOWED ME THE PHOTOS ON THE DIGITAL CAMERA. THEY WERE UNABLE TO GET THE PRINTER TO WORK BUT DID HAND OVER THE KODAK PICTURE CARD WITH THE PHOTOS ON IT.

W7(GREEN) STATED SHE DROVE PAST THE S3(DANIEL)'S HOUSE TO GET THE ADDRESS. ON THE MAILBOX IT SAID "ARANDA WOOD." SHE BELIEVED THAT MIGHT BE THE STREET NAME. DUE TO THE FACT THAT ON AN EARLIER POLICE REPORT THE AP MADE, HE HAD LISTED A FRIEND BY THE NAME OF DANIEL ARANDA, I BELIEVED THAT TO BE THE NAME OF THE HOME OCCUPANT. A CHECK OF THE DRIVER'S LICENSES IN TX REGISTERED TO DANIEL ARANDA REVEALED ONE WITH AN ADDRESS OF 557 LINACRE, CROWLEY. THOSE WERE THE SAME NUMBERS W7 SAW ON THE MAILBOX. ON THE DL INFORMATION IT SHOWED THAT HE HAD SURRENDERED A CALIFORNIA LICENSE ON 4-5-01. THAT PERSON HAD A DOB OF 10-10-58. AS THE S3 IS DESCRIBED AS BETWEEN 17-19, I DO BELIEVE THAT THE SUSPECT IS PROBABLY THE SON OF THE DANIEL ARANDA WITH THE TEXAS DL. I WILL ATTEMPT TO OBTAIN A PHOTOGRAPH OF THE YOUNG DANIEL ARANDA.

DUE TO THE FACT THAT TWO PEOPLE WERE ROBBED AND SHOT I DID ISSUE A SECOND WARRANT FOR THE ARREST OF AP(GAINES) FOR CRIMINAL ATTEMPT CAPITAL MURDER. JUDGE CATALANO DID SIGN THE WARRANT AND ASSESS A BOND OF \$350,000 DUE TO THE FACT THAT THE AP WAS TALKING OF GOING TO MEXICO AND BRAGGING THAT \$100,000 WOULD NOT KEEP HIM IN.

W6 AND W7 STATED THEY HAD HEARD RUMORS THAT AP HAD THREATENED TO KILL S1 AND HIS FAMILY IF THEY TALKED. HE HAD BEEN SEEN OUTSIDE THEIR HOUSE PRIOR TO HIS ARREST.

I HAVE PREPARED WARRANTS FOR THE ARREST OF S1(TUCKER) FOR TWO COUNTS OF CRIMINAL ATTEMPT CAPITAL MURDER FOR THE ROBBERY SHOOTINGS OF THE CMP AND RP.

ON 2-26-02, I MET WITH ADA FORAN AT HIS OFFICE. HE REVIEWED THE DEPOSITIONS I HAD OBTAINED AND ADVISED ME ON WHAT WOULD BE NEEDED TO FURTHER THIS CASE.

SGT. LANKFORD.

REFER TO SUPPLEMENT #06 FOR ADDITIONAL DETAILS

And rather than redo their affidavits, she added to them the necessary ingredients to prove Foran's mental state elements for the crime charged. Too bad she didn't re-notarize them. Tarah and Mindy were but putty in their hands, less they risk trouble.

Only she didn't realize the pictures completely contradicted everything she had said up until that point, unless she created another who took them, i.e., beside Mike. It would seem a redirect to distract against the Walmart call addition.



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/27/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #06 PAGE 21  
 3 ENTRY TIME 2030 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 WITNESS #008 INFORMATION  
 36 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 37 HAMZA, FALWZI U U M 52 [REDACTED] APT. CITY ST NONE  
 38 HOME ADDRESS FORT WORTH TX PHONE  
 39 BUSINESS ADDRESS CITY ST PHONE  
 40 FORT WORTH TX  
 41 BEST CONTACT AT: BUSINESS  
 42 REMARKS SENTRY PROTECTION SECURITY  
 43  
 44 WITNESS #009 INFORMATION  
 45 NAME R/E/S/A DOB HEIGHT WEIGHT SSN RELATION  
 46 AHMED, AFTAB U U M 41 [REDACTED] APT. CITY ST NONE  
 47 HOME ADDRESS FORT WORTH TX PHONE  
 48 BUSINESS ADDRESS CITY ST PHONE  
 49 FORT WORTH TX 346-6120  
 50 BEST CONTACT AT: BUSINESS  
 51 REMARKS WALMART EMPL 266-0256 SOLD SHELL  
 52  
 53 GENERAL MO INFORMATION  
 54 DESCRIPTION OF MO  
 55  
 56 FORCE USED? UNK TOOL DESCRIPTION:  
 57 OTHER ACTS OR TRADEMARKS  
 58  
 59 -- CRIME TRACKING FLAGS --  
 60 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 61 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 62 DRIVE BY SHOOTING :  
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2 ENTRY DATE 02/27/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #06 PAGE 22  
3 ENTRY TIME 2030 DEPARTMENTAL COPY SOUTH DIVISION  
4 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
5 ----- U S E O F F O R C E -----  
6 N/W FOB : S/E FOB : ESB : OSB : SSB :

7  
8 SUSPECT #002 UPDATED INFORMATION  
9 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
10 ARANDA, DANIEL W H M 19 [REDACTED]  
11 ADDRESS: 000557 LINACRE  
12 CROWLEY TX  
13 EYE COLOR: BRO HAIR COLOR: BLA  
14 HAIR STYLE: UNK.  
15 FACIAL HAIR: UNK.  
16 EYES: UNK.  
17 FACIAL ODDITIES: UNK.  
18 TEETH: UNK.  
19 COMPLEXION: UNK.  
20 SPEECH: UNK.  
21 MISSING BODY PARTS: UNK.  
22 TATTOO: UNK.  
23 SCAR/BIRTHMARK/MOLE: UNK.  
24 GENERAL APPEARANCE: UNK.  
25 SUSPECT WORE: UNK.  
26 R/L HANDED: UNKNOWN  
27 BUILD: UNK.

28  
29 ARRESTED PERSON #002 INFORMATION  
30 TRN: 000 DATE ARRESTED: 02/27/02  
31 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
32 TUCKER, JASON W U M 18 [REDACTED] 5 11 160  
33 ADDRESS: 000108 WATER ST  
34 CROWLEY TX  
35 EYE COLOR: HAZ HAIR COLOR: BLO  
36 HAIR STYLE: SHORT  
37 FACIAL HAIR: UNK.  
38 EYES: UNK.  
39 FACIAL ODDITIES: UNK.  
40 TEETH: UNK.  
41 COMPLEXION: MEDIUM  
42 SPEECH: UNK.  
43 MISSING BODY PARTS: UNK.  
44 TATTOO: ARM  
45 INITIALS  
46 SCAR/BIRTHMARK/MOLE: FACE  
47 GENERAL APPEARANCE: UNK.  
48 SUSPECT WORE: UNK.  
49 R/L HANDED: UNKNOWN  
50 BUILD: UNK.

51  
52 SUPPLEMENT #06 NARRATIVE  
53 DECOR ENTRY BY: 379  
54 CALLING OFFICER: SMITH, C B 2214  
55 ORO CODING BY: K861 SOURCE: S  
56 ON 2-27-02, ATTORNEY BARRY ALFORD CONTACTED ME AND ASKED TO MAKE AN  
57 APPOINTMENT TO BRING JASON TUCKER IN TO SPEAK WITH ME ABOUT THIS  
58 OFFENSE. HE CAME IN AT 1700 HOURS ALONG WITH HIS MOTHER AND ATTORNEY.  
59 I DID READ THE MIRANDA WARNING TO HIM. HE SIGNED THAT HE UNDERSTOOD  
60 AND WISHED TO SPEAK WITH ME. *Charla's twist, or Jason's?*  
61 AP2(TUCKER) THEN STATED THAT HE AND SOME FRIENDS WERE RIDING AROUND  
62 AND ABOUT 4 P.M. ON 2-21-02 MET UP WITH AP1(GAINES). THEY FOLLOWED S3  
63 (ARANDA) HOME SO HE COULD DROP OFF HIS VEHICLE. THEY GOT INTO AP1'S  
64 TRUCK AND WENT TO THE "RICE PADDY" WHERE THEY MET WITH THE THREE GIRLS

Another discrepancy between the truth and Charla's narrative. They may have been riding around, but I was not with them (I was at work until 3 pm). I do remember them saying they had been out in Daniel's dad's Avalanche, but I was not following them around, etc. Also, or so it would seem, Jason and Daniel were joy-riding Daniel's dad's car around before he got home. Grounded, they or Jason decided to set sail with me, old-faithful.



AP2 = Jason

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4 AP2 SAID THEY GOT THE SHOTGUN OUT AND EACHED FIRED A ROUND INTO THE  
5 AIR. SOME GUYS CAME AND THEY ALL GOT OUT AND INTRODUCED THEMSELVES AND  
6 THEN AP1 ASKED IF THEY KNEW WHERE HE COULD GET SOME WEED. THEY SAID  
7 THEY DID AND AP1, AP2, AND S3 WERE GOING TO FOLLOW THEM TO THAT  
8 LOCATION. AS THEY WERE FOLLOWING, AP1 BEGAN FLASHING THE LIGHTS AND  
9 HONKING TO GET THE COMP AND RP TO PULL OVER. AP1 PULLED UP BESIDE THE  
10 COMP AND TOLD THEM THEY WERE GOING TO WALMART TO GET BEER. AP1 WENT  
11 INSIDE AND CAME OUT WITH NOTHING IN HIS HANDS. THE COMP ASKED HIM  
12 WHERE THE BEER WAS AND HE SAID THEY DIDN'T HAVE IT. THE APS THEN  
13 FOLLOWED THE COMP AND RP TO A LOCATION AND COMP GOT OUT AND WENT TO  
14 AN APARTMENT. HE CAME BACK AND SAID HE COULDN'T GET MUCH. AP1 TOLD HIM  
15 THAT HE WISHED TO BUY A 1/4 LB OF WEED. COMP WENT BACK TO THE APT  
16 WHILE RP STAYED IN THE PARKING LOT. COMP RETURNED AND SAID THERE WAS  
17 NO DOPE TO BE HAD. HE OFFERED TO TAKE THE APS TO THE NORTHSIDE WHERE  
18 HE COULD GET THEM SOME DOPE. THE AP1 SUDDENLY GOT OUT OF THE TRUCK  
19 AND PULLED SOMETHING OUT FROM UNDER THE SEAT AND POINTED A SHOTGUN AT  
20 THE COMP. AP THEN STRUCK THE COMP IN THE HEAD WITH THE GUN TWICE.  
21 AP2 STATED THAT S3(ARANDA) DID THEN PUNCH THE RP KNOCKING HIM TO THE  
22 GROUND. COMP STARTED TO RUN AND THE AP1 SHOT HIM. AP2 STATED THAT AP1  
23 THEN TURNED TO THE RP AND DEMANDED HIS WALLET. AP2 SAID THAT HE TOLD  
24 THE RP, "GIVE ME THE FUCKIN WALLET, LOOK WHAT HE DID TO YOUR FRIEND."  
25 THE RP GAVE THE AP2(TUCKER) THE WALLET AND THEN AP1(GAINES) WALKED UP  
26 TO WITHIN 10 FEET OF THE RP AND SHOT HIM. THEY THEN GOT IN THE TRUCK  
27 AND LEFT. AP2 SAID HE DID NOT KNOW WHAT BECAME OF THE WALLETS OR THE  
28 GUN. HE STATED THAT S3 TOLD HIM THAT AP1 HAD SAID HE HID THE GUN BUT  
29 AP2 DID NOT KNOW WHERE. AP2 SAID THAT HE AND S3 HAD W7(GREEN) TAKE  
30 THEM TO S3'S HOUSE.

31 AP2 SAID THAT S3 TOLD AP2 LATER THAT AP1 HAD TOLD HIM HE HAD ROBBED  
32 AND SHOT SOMEONE ON THE FOLLOWING DAY AND HAD THE STOLEN PROPERTY HE  
33 HAD TAKEN. Ellen.

34 AP2 SAID THAT LATER S3(ARANDA) TOLD HIM THAT THE AP1 HAD TOLD S3  
35 THAT HE MIGHT HAVE TO KILL AP(TUCKER) AND HIS MOTHER. ON 2-23-02 PRIOR  
36 TO THE AP1'S ARREST, AP2 LOOKED OUT HIS WINDOW AND SAW THE AP1(GAINES)  
37 TRUCK PARKED TWO HOUSES DOWN. WHEN AP2'S NEIGHBOR ARRIVED HOME HIS  
38 HEADLIGHTS HIT THE AP1'S VEHICLE AND AP1 RAN TO HIS VEHICLE AND LEFT.  
39 AP2 STATED HE FEARED THAT AP1(GAINES) WOULD CARRY THROUGH ON HIS  
40 THREAT.

41 I ASKED IF AP2 WOULD WRITE DOWN WHAT HE HAD TOLD ME AND HE DID AGREE  
42 TO DO SO. THE ATTORNEY ASKED ME TO STEP OUTSIDE. HE ASKED ME WHAT THE  
43 APS WERE FACING AND I TOLD HIM CRIMINAL ATTEMPT CAPITAL MURDER. HE  
44 ASKED WHAT HIS CLIENT AP2 WAS FACING. I TOLD HIM CRIMINAL ATTEMPT  
45 CAPITAL MURDER. HE ASKED WHY AND I TOLD HIM THAT AP2 WAS A PARTICIPANT  
46 IN THIS CASE. HE TOLD ME THAT AP2 SAID HE WAS NOT. I TOLD HIM THAT  
47 HE WAS AN ACTIVE PARTICIPANT. THE ATTORNEY ASKED WHERE I GOT MY  
48 INFORMATION FROM AND I TOLD HIM FROM MY VICTIMS THAT HAD BEEN SHOT.  
49 THE ATTORNEY MADE A CALL AND TOLD ME THAT IF I PLANNED TO ARREST AP2  
50 THEN HE WAS GOING TO STOP HIM FROM WRITING OUT A STATEMENT. THE AP2  
51 HAD ALREADY BEGUN THE STATEMENT AND THE ATTORNEY STOPPED HIM. THE  
52 ATTORNEY THEN ASKED ME WHEN I PLANNED TO ARREST THE AP2. I TOLD HIM  
53 "NOW". HE TOLD ME I WOULD HAVE TO GET THE WARRANT SIGNED AND I TOLD  
54 HIM THE WARRANT WAS ALREADY SIGNED. HE THEN ASKED WHAT THE BOND WAS  
55 AND I TOLD HIM IT WAS A TOTAL OF \$200,000 FOR BOTH WARRANTS. HE THEN  
56 ASKED TO SEE THE WARRANT AFFIDAVIT AND I WAS ADVISED BY SGT. LANKFORD  
57 TO ALLOW HIM TO SEE IT. HE READ THE AFFIDAVIT AND RETURNED IT TO ME.

58 OFCR HYSMITH ARRIVED AT THE SECTOR AND DID TAKE CUSTODY OF THE AP2  
59 AND TRANSPORT HIM TO JAIL AND SIGN OFF ON THE WARRANTS THAT WERE  
60 ISSUED BY JUDGE WILLIAMSON.

61 WHEN AP2 WAS GIVING ME HIS ORAL STATEMENT I ASKED IF HE KNEW WHERE  
62 DANIEL LIVED AND WHEN HIS BIRTHDAY WAS. THE AP2 SAID THAT DANIEL LIVED  
63 OFF HEMPHILL RD. HE SAID THAT DANIEL WAS 19 AND HAD JUST HAD A  
64 BIRTHDAY ON FEB 12.

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3 ENTRY TIME 2030 DEPARTMENTAL COPY SOUTH DIVISION  
4 I WILL PREPARE A WARRANTS FOR S3(ARANDA) FOR CRIMINAL ATTEMPT  
5 CAPITAL MURDER.  
6 REFER TO SUPPLEMENT #07 FOR ADDITIONAL DETAILS  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #07 PAGE 25  
 3 ENTRY TIME 1220 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
 37  
 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
 40  
 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #07 NARRATIVE  
 50 DECOR ENTRY BY: 379  
 51 CALLING OFFICER: SMITH, C B 2214  
 52 ORO CODING BY: L335 SOURCE: S  
 53 ON 2-27-02 I MET WITH W8(HAMZA) WHO WAS WORKING ON THE DATE OF THE  
 54 OFFENSE AS SECURITY IN THE WALMART PARKING LOT. THE CMP AND RP SAID  
 55 THAT THE SECURITY GUARD TOLD THEM TO MOVE THEIR VEHICLES OUT OF THE  
 56 PEDESTRIAN CROSSWALK.  
 57 W8 CONFIRMED THAT HE WAS WORKING SECURITY AT THE WALMART THAT NIGHT  
 58 AND DID SAY HE TELLS MANY VEHICLES TO MOVE ON EVERY SHIFT. HE DID NOT  
 59 RECALL DEALING WITH THE COMPS AND THE SUSPECTS. SHE WAS UNABLE TO  
 60 IDENTIFY ANYONE OUT OF THE PHOTOSPREAD OF AP2(TUCKER).  
 61 I MET WITH W9(AHMED) WHO WAS WORKING IN SPORTING GOODS AT THE  
 62 WALMART ON 2-21-02 WHEN AP1 PURCHASED THE SHOTGUN SHELLS. W9 STATED  
 63 HE DID REMEMBER THE INCIDENT BECAUSE NO ONE ELSE HAD EVER COME BEHIND  
 64 THE SALES COUNTER TO LOCATE THE KIND OF SHELLS HE WANTED. I DID SHOW

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3 ENTRY TIME 1220 DEPARTMENTAL COPY SOUTH DIVISION  
4 W9 THE PHOTOSPREAD CONTAINING AP1. HE LOOKED AT IT FOR A LONG TIME  
5 BUT SAID ALL THE PHOTOGRAPHS LOOKED TO MUCH ALIKE. W9 STATED THAT AP1  
6 DID PURCHASE SHOTGUN SHELLS AND HE THOUGHT SOME 22 SHELLS.  
7 AFTER SPEAKING WITH AP2(TUCKER), I CALLED W6(KEISEL) AND ASKED HER  
8 IF ANYONE GOT THE GUN OUT WHEN THEY WERE AT THE "RICE PADDY." SHE  
9 SAID THAT BART DID GET IT OUT AND HE AND DANIEL FIRED IT 2 OR 3 TIMES.  
10 SHE SAID AP2(TUCKER) WAS IN THE CAR WITH HER AT THE TIME.  
11 I HAVE GONE BY W1(CANTU)'S HOME TWICE AND HAVE LEFT MESSAGES FOR HER  
12 I WAS TOLD SHE IS OUT OF TOWN DUE TO A FAMILY ILLNESS AT THIS TIME.  
13 SGT. LANKFORD  
14 REFER TO SUPPLEMENT #08 FOR ADDITIONAL DETAILS  
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I.e., because she conveniently forgot to explain that little part in her initial narrative, most undoubtedly b/c she shot it. Note the distance she redirected toward Jason & the gun. She's just full of lies, wasn't she?

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 2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #08 PAGE 27  
 3 ENTRY TIME 1922 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
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 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
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 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
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 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
 37  
 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
 40  
 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #08 NARRATIVE  
 50 DECOR ENTRY BY: 379  
 51 CALLING OFFICER: SMITH, C B 2214  
 52 ORO CODING BY: L118 SOURCE: S  
 53 ON 2-28-02 I MET WITH JUDGE CARR AND HE REVIEWED AND SIGNED A SEARCH  
 54 WARRANT FOR THE CONFISCATED VEHICLE. I MET CRIME SCENE OFCR HP GASS  
 55 AT THE AUTO POUND IN THE SECURITY BAY WHERE HE TOOK A SERIES OF  
 56 PICTURES OF THE CONF VEHICLE. I UNLOCKED THE CAR AND OFCR GASS DID  
 57 GO THROUGH THE VEHICLE. IN THE GLOVE COMPARTMENT HE FOUND A 12 GUAGE  
 58 SLUG. HE LOCATED A SPOT OF BLOOD ON THE PASSENGER DOOR WHERE THE  
 59 WITNESS 6 SAID IT WOULD BE BECAUSE DANIEL CUT HIS HAND WHEN HE WAS IN  
 60 A FIGHT.  
 61 I OPENED THE LOCKED TOOL BOX IN THE BED OF THE TRUCK AND FOUND AN  
 62 SKS RIFLE WRAPPED IN A TOWEL. OFCR GASS PICKED UP THE RIFLE AND FOUND  
 63 THAT THERE WAS A ROUND IN THE MAGAZINE. 3 LOOSE SKS ROUNDS WERE FOUND  
 64 IN THE TOOL BOX. ALSO IN THE BED OF THE TRUCK WAS A DRILL PRESS, A



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4 BLACK AND YELLOW TOOL BOX WITH A METAL LID, A FREE STANDING LIGHT, AND  
5 A RED PLASTIC BOX MARKED DO NOT TOUCH MEDICATIONS. INSIDE WAS TOOLS.  
6 ALSO INSIDE THE CAB OF THE TRUCK WAS A PARTIALLY EMPIED BOTTLE OF E &  
7 J BRANDY. AP1'S WALLET CONTAINING HIS DRIVER'S LICENSE, SS CARD AND  
8 \$101.21 IN CASH WAS IN THE DRIVER DOOR CUBBY HOLE.

9 OFCR GASS DID TAKE A BLOOD SAMPLE FROM THE BLOOD ON THE DOOR. HE  
10 AND TAGGED THE RIFLE AND THE ROUNDS. I TOOK CUSTODY OF THE WALLET AND  
11 DID PLACE IT IN THE PROPERTY ROOM MARKED AS PERSONAL PROPERTY.

12 I ALSO DID A CONSENT TO SEARCH ON THE GENERAL VEHICLE WITH THE KEY  
13 PROVIDED BY THE COMP. INSIDE THE CAR I FOUND A PARTIALLY BURNED  
14 CIGAR THAT SMELLED OF MARIJUANA. THERE WAS A ROUND BLUE CONTAINER THAT  
15 HELD CRUMBS OF WHAT LOOKED TO BE MARIJUANA. THERE WAS A LIGHTER THAT  
16 SAID, "STONED AGAIN." A SMALL JAR WITH WHAT LOOKED TO BE A WHITE

17 POWDERY RESIDUE, A PLASTIC CIGARETTE ROLLER AND A BAG OF FIRECRACKERS.

18 I TOOK POSSESSION OF THE ABOVE PROPERTY AND TAGGED ALL EXCEPT THE  
19 FIRECRACKERS AS EVIDENCE. I RELEASED CUSTODY OF THE FIRECRACKERS TO  
20 SGT. HANLON TO DELIVER TO A FIRE STATION.

21 I MET WITH JUDGE REED WHO REVIEWED THE SEARCH WARRANT RETURN AND THE  
22 CONSENT RETURN AND DID SIGN OFF ON BOTH. I THEN WENT TO ID AND HAD  
23 NUMBERS ASSIGNED. THE SEARCH WARRANT WAS GIVEN #12-2-0162-02. THE  
24 CONSENT TO SEARCH WAS GIVEN #12-2-0162-02.

25 I RECEIVED A CALL FROM AN ATTORNEY ED CANAS ASKING IF I WAS LOOKING  
26 FOR A YOUNG MAN NAMED DANIEL WERRERA. DUE TO THE FACT THAT WE HAVE  
27 BEEN SEARCHING FOR A MAN GOING BY DANIEL ARANDA I TOLD HIM YES. HE  
28 ASKED IF THERE WAS A PROBABLE CAUSE WARRANT FOR HIM AND IF HE COULD  
29 DO A WALK THROUGH. I TOLD HIM THAT I WAS NOT UP TO DATE ON THE WALK  
30 THROUGH PROCEDURES SINCE THE CHANGE IN JAIL SITUATION. HE DID TELL ME  
31 THAT HE WOULD LIKE TO TURN DANIEL IN OR DO A WALK THROUGH. HE SAID HE  
32 WAS NOT GOING TO ALLOW HIM TO PROVIDE A STATEMENT. HE AGREED TO  
33 CONTACT ME ON MONDAY IF DANIEL HAS AVOIDED ARREST UNTIL THEN.

34 AS I WAS LEAVING W7(GREEN)'S HOUSE SHE TOLD ME THAT THE BOYS HAD  
35 SAID THAT THEY WERE GOING TO "HIT A LICK" THE AFTERNOON PRIOR TO THE  
36 SHOOTING. "HIT A LICK" IS SLANG FOR ROBBERY OR BURGLARY. SHE DID NOT  
37 SAY WHO MADE THAT COMMENT.

38 THE ELEMENTS TO CRIMINAL ATTEMPT CAPITAL MURDER ARE PRESENT FOR ALL after their talk together.

39 APS/SUSPECT. THE APS/SUSPECT MADE A DEAL WITH THE COMP TO BUY A POUND  
40 OF MARIJUANA. AP1 THEN CHANGED THE PLAN AND MADE AN UNSCHEDULED STOP  
41 AT WALMART TO PURCHASE SHOTGUN SHELLS, WHILE THE COMP AND RP WAITED IN  
42 THE PARKING LOT. ACCORDING TO WHAT WAS TOLD TO W6(KEISEL) AP2 ASKED  
43 HIM WHY HE BOUGHT THE SHELLS. AP1 SAID IN CASE THE COMP AND RP WERE  
44 "STRAPPED" A STREET TERM FOR CARRYING A WEAPON. And we know this to be false.

45 THE AP1 THEN PULLED COMP TO HIM AND SEARCHED HIM BEFORE PULLING THE  
46 SHOTGUN AND STRIKING COMP WITH IT AND ORDERING HIM TO EMPTY HIS  
47 POCKETS. WHILE AP1 WAS ROBBING COMP THE AP2 AND S1 WERE ROBBING THE  
48 RP. THE COMP RAN AND THE AP SHOT HIM. THE RP WAS LAYING ON THE SIDE  
49 WALK WHEN THE AP1 SHOT AT HIM FROM A SHORT DISTANCE AWAY. THE  
50 APS AND SUSPECT 1 THEN FLED THE SCENE WITHOUT OFFERING ANY ASSISTANCE  
51 OR CALLING FOR HELP. AP1 THEN PROUDLY BOASTED THAT HE HAD SHOT TWO  
52 PEOPLE AND LEFT THEM TO DIE. HE SAID THAT HE HAD NEVER KILLED ANYONE  
53 BEFORE AND IT WAS A RUSH.

54 THE COMP AND RP WERE SHOT FROM A SHORT DISTANCE IN THE COMMISSION OR  
55 ACTUALLY AFTER THE COMMISSION OF A ROBBERY. I WILL BE FILING TWO CASES  
56 OF CRIMINAL ATTEMPT CAPITAL MURDER ON EACH ACTOR.

57 SGT. LANKFORD

58 REFER TO SUPPLEMENT #09 FOR ADDITIONAL DETAILS

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #09 PAGE 29  
 3 ENTRY TIME 2024 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): GASS, H P 2949  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
 29  
 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
 34  
 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
 37  
 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
 40  
 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #09 NARRATIVE  
 50 DECOR ENTRY BY: P35  
 51 CALLING OFFICER: GASS, H P 2949  
 52 ORO CODING BY: K588 SOURCE: T  
 53 JOB #169321  
 54 \*\*\*\*\*  
 55 PACKAGE #1 (1 OF 2) CONTAINING:  
 56 #1-SKS 7.62 X 39 MM RIFLE, SN #C169219165 (BOLT CLOSED/#2 IN MAGA-  
 57 ZINE/CHAMBER EMPTY)-FROM TOOLBOX MOUNTED IN BED OF 4KWG64, IN  
 58 SECURED BAY AT AUTO POUND.  
 59 #2-LIVE CARTRIDGE "WINCHESTER 7.62 X 39"-FROM MAGAZINE OF #1.  
 60 #3-LIVE CARTRIDGE "WINCHESTER 7.62 X 39"-FROM TOOLBOX UNDER #1.  
 61 #4-" " " " " " " "  
 62 #5-" " " " " " " "  
 63 #6-LIVE SHOT SHELL "FEDERAL 12 GAUGE"-FROM GLOVEBOX OF 4KWG64-  
 64 SUBMITTED TO PROPERTY ROOM.



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #09 PAGE 30  
3 ENTRY TIME 2024 DEPARTMENTAL COPY SOUTH DIVISION  
4 PACKAGE #2 (2 OF 2) CONTAINING:  
5 #7-SWAB OF POSSIBLE BLOOD-FROM INTERIOR HANDLE OF PASSENGER DOOR  
6 OF 4KWG64.  
7 #8-CONTROL DISTILLED WATER-SUBMITTED TO PROPERTY ROOM.  
8 ONE (1) DISK-RELEASED TO DET SMITH.  
9 \*\*\*\*\*  
10 ON 02/28/02, 1508 HRS, ARRIVED 1301 E NORTHSIDE DRIVE, FWPD AUTO  
11 POUND REF WARRANT... UPON ARRIVAL, MET WITH I415, DET SMITH, IN  
12 SECURED BAY. AT DIRECTION OF DET SMITH PHOTOGRAPHED SUSPECT VEH, 2000  
13 GRAY CHEVY PICKUP, TEXAS LICENSE [REDACTED] ITEMS 1-7 WERE LOCATED AND  
14 RECOVERED AS INDICATED ABOVE.  
15 NO OTHER DETAILS.  
16 SUPV: SGT VALMORES  
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18 REFER TO SUPPLEMENT #10 FOR ADDITIONAL DETAILS  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #10 PAGE 31  
 3 ENTRY TIME 2215 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SHIPP, JF 3101  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
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 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
 32 HARRIS HOSPITAL MEDSTAR FAIR  
 33 GUNSHOT WOUND TO BACK OF LEFT SHOULDER AND UPPER LEFT ARM  
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 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
 37  
 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
 40  
 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 ARRESTED PERSON #003 INFORMATION  
 50 TRN: " " DATE ARRESTED: 02/28/02  
 51 NAME R/E/S/A DOB HEIGHT WEIGHT ALIAS/NICKNAME  
 52 ARANDA, DANIEL W H M 19 [REDACTED] WERRE, DANIEL  
 53 ADDRESS: 000557 LINACRE  
 54 CROWLEY TX  
 55 EYE COLOR: BRO HAIR COLOR: BLA  
 56 HAIR STYLE: UNK.  
 57 FACIAL HAIR: UNK.  
 58 EYES: UNK.  
 59 FACIAL ODDITIES: UNK.  
 60 TEETH: UNK.  
 61 COMPLEXION: UNK.  
 62 SPEECH: UNK.  
 63 MISSING BODY PARTS: UNK.  
 64 TATTOO: UNK.

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 02/28/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #10 PAGE 32  
3 ENTRY TIME 2215 DEPARTMENTAL COPY SOUTH DIVISION  
4 SCAR/BIRTHMARK/MOLE:UNK.  
5 GENERAL APPERANCE: UNK.  
6 SUSPECT WORE: UNK.  
7 R/L HANDED: UNKNOWN  
8 BUILD: UNK.

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10 SUPPLEMENT #10 NARRATIVE

11 DECOR ENTRY BY: 436  
12 CALLING OFFICER: SHIPP, JF 3101  
13 ORO CODING BY: L142 SOURCE: S  
14 ON 022802 AT 1955 HRS, I OFF JF SHIPP 3101 WAS ATTEMPTING TO SERVE A  
15 FELONY WARRANT FOR THE ARREST OF DANIEL ARANDA WM 021283 FOR CRIM  
16 ATTEMPT CAPITAL MURDER. OFF RO BUSH 3028 Z317 WAS IN AN UNMARKED  
17 VEHICLE AND IN PLAIN CLOTHES PERFORMING SURVEILLANCE OF HIS KNOWN  
18 ADDRESS AT 557 LINACRE. OFF BUSH RELATED TO ME THAT A POSSIBLE  
19 SUBJECT HAD JUST ENTERED THE HOUSE. OFF KA SAVOY Z311, SG FINEMAN  
20 Z321, JP ALFARO, AND I APPROACHED THE HOUSE TO ASK IF DANIEL ARANDA  
21 WAS AT THE HOUSE. AS OFF SAVOY KNOCKED ON THE DOOR, AP-ARANDA'S  
22 FATHER ANSWERED THE DOOR AND SAID THAT HE WAS INSIDE THE HOUSE. THE  
23 AP SURRENDERED WITHOUT INCIDENT. AP WAS TRANSFERED TO 3128 W BOLT  
24 TO MEET WITH DET SMITH. AFTERWARDS THE AP WAS TRANSPORTED TO 350 W  
25 BELKNAP TO MLEC WITHOUT INCIDENT. I LEARNED AFTER TRANSPORTING TO THE  
26 JAIL THAT THE AP HAS A POSSIBLE NAME OF DANIEL WERRE WM [REDACTED] AP  
27 WAS READ HIS MIRANDA WARNING BY OFF JF SHIPP 3101 Z315 IN THE  
28 PRESENCE OF HIS PARENTS AT HIS HOUSE BY THE REQUEST OF THE AP AT 2005  
29 HRS.  
30 CSSU NOT NOTIFIED.  
31 SGT HANLON.

32 REFER TO SUPPLEMENT #11 FOR ADDITIONAL DETAILS  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 03/04/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #11 PAGE 33  
 3 ENTRY TIME 0620 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
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 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
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 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
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 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, C B 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
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 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
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 36 DESCRIPTION OF MO  
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 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
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 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #11 NARRATIVE  
 50 DECOR ENTRY BY: 379  
 51 CALLING OFFICER: SMITH, C B 2214  
 52 ORO CODING BY: L173 SOURCE: S  
 53 ON 2-28-02 I WAS NOTIFIED THAT OFCR SHIPP HAD AP3(ARANDA) IN  
 54 CUSTODY. HE TRANSPORTED AP3(ARANDA) TO THE DETECTIVE OFFICE WHERE I  
 55 MET WITH HIM. I READY AP3(ARANDA) THE MIRANDA WARNING AND ASKED HIM  
 56 TO SIGN THE FORM. HE STATED THAT HIS ATTORNEY HAD ADVISED HIM NOT TO  
 57 SIGN ANYTHING. I THEN ASKED IF HIS ATTORNEY HAD ALSO TOLD HIM NOT TO  
 58 SPEAK WITH ME AND HE STATED, "YES." AT THAT TIME I PHOTOGRAPHED THE  
 59 AP3(ARANDA)'S HANDS. HE DID HAVE A CUT ON HIS RIGHT HAND RING FINGER  
 60 WHERE THE W6 AND W7 HAD SAID IT WOULD BE. W7 HAD SAID SHE DOCTORED  
 61 THE CUT WHEN THE APS CAME TO HER HOUSE AFTER THE ROBBERY/SHOOTING. I  
 62 DID ASK THE AP3 WHAT HIS NAME WAS AND HE STATED IT WAS DANIEL ARANDA.  
 63 I ASKED HIM WHY THE LAWYER THAT CALLED ME TOLD ME HE WAS REPRESENTING  
 64 DANIEL WERRERA. HE SAID HE DID NOT KNOW.



1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 03/04/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #11 PAGE 34  
3 ENTRY TIME 0620 DEPARTMENTAL COPY SOUTH DIVISION  
4 HE LATER TOLD OFCR SHIPP THAT DANIEL WERRE IS ACTUALLY HIS NAME AND  
5 HE JUST GOES BY DANIEL ARANDA BECAUSE THAT IS WHAT HIS DAD'S NAME IS.  
6 I WILL ATTEMPT TO GET A PHOTOSPREAD CONTAINING THE AP3 AND SHOW ONE  
7 TO EACH OF THE COMP AND RP TO SEE IF THEY CAN IDENTIFY HIM AS THE  
8 THIRD SUSPECT.  
9 SGT. LANKFORD.  
10 PDR7 379 END OF REPORT 02063 0824  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 03/05/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #12 PAGE 1  
 3 ENTRY TIME 0943 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
 8 REPORT DATE: 02/21/02 HATE CRM: N  
 9  
 10 LOCATION/DATE/TIME/INFORMATION  
 11 OFFENSE LOCATION APT. PRA BUSINESS NAME CODE  
 12 005217 SOUTHCREST CT B429 PEPPERTREE APTS PK LOT 0901  
 13 DATES OF OCCURANCE TIME OF DAY DAY(S) OF OCCURANCE  
 14 02/21/02 2105 0 THU  
 15 WEATHER CONDITIONS: COOL UNIT: J216 BEAT: J213  
 16  
 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): HEDERER SJ 2594  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: GENE INVESTIGATOR: 2214  
 21  
 22 UPDATED COMPLAINANT INFORMATION  
 23 NAME R/E/S/A DOB  
 24 WILLIAMS, MICHAEL W N M 17 [REDACTED]  
 25 HOME ADDRESS  
 26 000304 WILLOW  
 27 CROWLEY TX PHONE: 297-7895  
 28 BUSINESS ADDRESS OCCUPATION WORK HOURS  
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 30 UPDATED INJURED COMPLAINANT  
 31 PERSON TAKEN TO TAKEN BY CONDITION  
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 35 GENERAL MO INFORMATION  
 36 DESCRIPTION OF MO  
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 38 FORCE USED? UNK TOOL DESCRIPTION:  
 39 OTHER ACTS OR TRADEMARKS  
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 41 -- CRIME TRACKING FLAGS --  
 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #12 NARRATIVE  
 50 DECOR ENTRY BY: P35  
 51 CALLING OFFICER: HEDERER SJ 2594  
 52 ORO CODING BY: K308 SOURCE: S  
 53 02/25/02 DET HEDERER WORKING NARCOTIC CIU WAS ASSIGNED THE NARCOTIC  
 54 PORTION OF THIS CASE FOR FOLLOW UP INVESTIGATION.  
 55 03/04/02 DET HEDERER RECEIVED LAB ANALYSIS OF THE DRUG EVIDENCE FROM  
 56 CRIMINALIST STACIE SMITH ON LAB NUMBER 02A0560 WHICH REVEALED:  
 57 DRUG EXHIBIT #1 NO CONTROLLED SUBSTANCE  
 58 DET HEDERER ALSO RECEIVED LAB NUMBER 02A0660 FROM CRIMINALIST MAX  
 59 COURTNEY WHICH REVEALED:  
 60 DRUG EXHIBIT #1 .02G MARIJUANA  
 61 DRUG EXHIBIT #4A .19G MARIJUANA  
 62 DRUG EXHIBIT #4B .66G MARIJUANA  
 63 DET HEDERER WILL FILE NO CHARGES AGAINST DEFENDANT COKER AS THERE WAS  
 64 NO CONTROLLED SUBSTANCE FOUND AND NO CHARGES ON THE MARIJUANA AS IT

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 03/05/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #12 PAGE 2  
3 ENTRY TIME 0943 DEPARTMENTAL COPY SOUTH DIVISION  
4 CAN NOT BE DETERMINED WHO THE ACTUAL OWNER OR THE MARIJUANA IS.  
5 I RECOMMEND THAT THE NARCOTIC PORTION OF THIS CASE BE CLOSED, NO CASES  
6 FILED.  
7 SGT GILL  
8 PDR7 379 END OF REPORT 02064 2034  
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1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
 2 ENTRY DATE 03/05/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #13 PAGE 1  
 3 ENTRY TIME 1932 DEPARTMENTAL COPY SOUTH DIVISION  
 4  
 5 OFFENSE/INCIDENT INFORMATION  
 6 CRIMINAL ATTEMPT CAPITAL MURDER PENAL CODE: 19.02 UCR CLASS: 04.611  
 7 REPORT STATUS:PENDING UCR DISPOSITION:  
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 17 INVESTIGATIVE INFORMATION  
 18 REPORTING OFFICER(S): SMITH, CB 2214  
 19 INVESTIGATIVE DIVISION NOTIFIED: CSSU W484 FAMILY V: N  
 20 FOLLOW-UP ASSIGNED TO: INVESTIGATOR: 2214  
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 42 DRUG RELATED : GANG RELATED : ALCOHOL RELATED :  
 43 RETALIATION : ARGUMENT/FIGHT : INNOCENT BYSTANDER :  
 44 DRIVE BY SHOOTING :  
 45 ARREST FROM TRAFFIC STOP ( ) SEARCH CONDUCTED? ( ) WITH CONSENT ( ) W/O ( )  
 46 ----- U S E O F F O R C E -----  
 47 N/W FOB : S/E FOB : ESB : OSB : SSB :  
 48  
 49 SUPPLEMENT #13 NARRATIVE  
 50 DECOR ENTRY BY: 379  
 51 CALLING OFFICER: SMITH, CB 2214  
 52 ORO CODING BY: SOURCE:  
 53 ON 3-4-02, I OBTAINED A PHOTOSPREAD CONTAINING AP3(ARANDA AKA WERRE)  
 54 FROM MANSFIELD JAIL. AP3 WAS IN POSITION #4. I MET WITH COMP AT HIS  
 55 HOME ON 3-5-02. I SHOWED HIM THE PHOTOSPREAD AND HE IDENTIFIED AP3  
 56 ARANDA/WERRE AS THE PERSON HE SAW ASSAULT RP(HORVATH). HE STATED THAT  
 57 AP3(ARANDA/WERRE) ALSO WAS THE ONE THAT PUNCHED COMP IN THE MOUTH  
 58 CAUSING THE BRUISING AND BUSTED LIPS AFTER AP1(GAINES) PULLED THE GUN  
 59 ON HIM AND HIT HIM WITH THE GUN. COMP SAID THAT AP3(ARANDA/WERRE) WAS  
 60 RIDING IN THE CENTER SEAT OF THE CONFISCATED VEHICLE.  
 61 WHILE MEETING WITH COMP I ASKED HIM WHAT HE WITNESSED OF THE ASSAULT  
 62 ON THE RP(HORVATH). COMP RELATED THAT HE SAW BOTH AP2(TUCKER) AND AP3  
 63 (ARANDA/WERRE) STRIKE RP. HE SAW AP2(TUCKER) TAKE RPS WALLET JUST  
 64 BEFORE COMP RAN OFF AND WAS SHOT.

1 SERVICE NO.02132262 FORT WORTH POLICE DEPARTMENT SERVICE NO.02132262  
2 ENTRY DATE 03/05/02 OFFENSE/INCIDENT SUPPLEMENTAL REPORT #13 PAGE 2  
3 ENTRY TIME 1932 DEPARTMENTAL COPY SOUTH DIVISION  
4 RP(HORVATH) MET WITH ME AT THE DETECTIVE OFFICE AND I DID SHOW HIM  
5 A PHOTOSPREAD CONTAINING AP3(ARANDA/WERRE). HE STUDIED THE PHOTOSPREAD  
6 FOR AWHILE AND THEN POINTED TO AP3(ARANDA/WERRE) AND SAID THAT HE  
7 LYOKED MOST LIKE THE THIRD ROBBERY PERSON. I ASKED HOW SURE HE WAS AND  
8 HE SAID THAT HE WAS THE ONLY ONE IN THE PHOTOSPREAD THAT LOOKED LIKE  
9 HIM. I THEN HAD HIM INITIAL THE PHOTO OF ARANDA/WERRE. I THEN DATED  
10 THE PHOTOSPREAD DUE TO RP'S INJURY THAT MAKES IT DIFFICULT FOR HIM TO  
11 WRITE.  
12 RP STATED HE DID NOT RECALL BEING STRUCK BY THE AP3(ARANDA/WERRE) AS  
13 THE COMP REPORTED. I THEN SHOWED THE RP(HORVATH) THE PHOTOS OF THE  
14 APS AND WITNESSES. HE DID IDENTIFY BOTH AP1(GAINES) AND AP2(TUCKER)  
15 AND AP3(ARANDA/WERRE). HE ALSO STATED THAT IN THE PHOTOS AP3(ARANDA/  
16 WERRE) WAS WEARING THE RP'S DALLAS COWBOY JACKET.  
17 HORVATH ALSO CONFIRMED THAT WHEN THE AP1(GAINES) GOT OUT OF THE  
18 CONFISCATED VEHICLE, AP2(TUCKER) AND AP3(ARANDA/WERRE) ALSO GOT OUT.  
19 AP2(TUCKER) IMMEDIATELY APPROACHED THE RP, PUNCHED HIM IN THE MOUTH,  
20 KNOCKING HIM DOWN AND DEMANDED HIS WALLET EVEN AS THE AP1(GAINES) WAS  
21 POINTING THE GUN AT COMP AND ROBBING HIM.  
22 ALL OF THE ELEMENTS OF CRIMINAL ATTEMPT CAPITAL MURDER HAVE BEEN  
23 MET. THE APS AGREED TO ROB THE COMP AND RP. THE APS THEN WENT TO  
24 WALMART AND AP1 PURCHASED SHOTGUN SHELLS WHILE THE COMP AND RP WAITED  
25 OUTSIDE IN THE PARKING LOT. LESS THAN 30 MINUTES LATER AP1(GAINES)  
26 SHOT BOTH THE COMP AND RP AFTER THEY WERE ROBBED BY ALL THREE ACTORS.  
27 I WILL FILE THIS CASE WITH THE ADA. SGT. LANKFORD  
28 PDR7 379 END OF REPORT 02064 2034  
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# DOC 2: RADIO CALL MASTER SHEET (2-21-02)

1 Page: 1 Document Name: untitled  
2  
3 FWD RADIO CALL MASTER  
4  
5 SERVICE NUM 02132262 DATE 02/21/02 STATUS C SIGNAL 77 CODE 1 PRIORITY 1 RE  
6  
7 LOC OF CALL 5217 SOUTHCREST CT APT ST CODE S5437  
8 AT SOUTHCREST DR ST CODE  
9 MAPSCO 90Q DIV S COUNCIL 6  
10 COMPLAINANT SONIA RAMOS  
11 ADDRESS PHONE 817 9229967  
12  
13 BEAT J213 RPT AREA B429 UNITS J216 I216 J210 J221 I213 J214 OFFICERS 2659  
14 PATROL BEAT J213  
15 RECEIVED 2105 DISPATCH 2107 SCENE 2113 TRANSPORT 0000 ARRIVE 0000 CLEAR 2329  
16  
17 COMPLAINT TAKER D17 PDCY DISPATCHER D50 ROUTING 5  
18  
19 VEHICLE LICENSE YEAR STATE ALARM CO.  
20  
21 REMARK 911/PEPPER TREE ACRE APT/3-4 SHOTS IN PARKING LOT  
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24 PF1>P800 PF2>P830 PF4>P601 PF5>P120 PF7>P198  
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59 Date: 2/22/02 Time: 12:54:44 AM  
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# DOC 3: EVIDENCE COLLECTION LIST (2-21-02)

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**FORT WORTH POLICE DEPARTMENT**  
**CRIME SCENE**  
**EVIDENCE TRANSMITTAL REPORT**

OFFENSE NUMBER: 02132262      INVESTIGATIVE AREA: SOUTH

OFFENSE: C/A CAPITAL MURDER      DATE OF OFFENSE: 2-21-02  
OFFENSE LOCATION: 5217 SOUTHCREST CT      DATE OF INV: 2-21-02  
VICTIM/COMP: MICHAEL WILLIAMS      RACE:      SEX:      AGE:  
OFFICER ON      XXX      XXX      UNIT  
SCENE: CPL. C.S. HENDRIX 2511

SUSPECT (1):      RACE:      SEX:      AGE:  
SUSPECT (2):      RACE:      SEX:      AGE:  
COLLECTED BY: W.L. WALLEES 2273      DEPT/DIV: CSSU W- 484  
SUBMITTED BY: W.L. WALLEES 2273  
DATE SUBMITTED: 2-21-02      TIME SUBMITTED:      PLACE SUBMITTED: CL  
ID BUREAU  
REC'D BY:      DATE:      TIME:      PLACE:  
PKGS: 14      BOXES: \_\_\_\_\_

SEE EVIDENCE LIST

FINGERPRINTS: \_\_\_\_\_

PHOTOGRAPHS: \_\_\_\_\_

**EXAMINATIONS REQUESTED: RETAIN AS EVIDENCE**

| DATE | TIME | REL'D BY | REC'D BY | PKGS | BOXES | ITEMS |
|------|------|----------|----------|------|-------|-------|
|      |      |          |          |      |       |       |
|      |      |          |          |      |       |       |
|      |      |          |          |      |       |       |

SERVICE NUMBER: 02132262      LAB NUMBER: \_\_\_\_\_  
INVOICE NUMBER: \_\_\_\_\_      LOCATION: \_\_\_\_\_

## **EVIDENCE LIST**

ITEM A-THREE ROLLS OF COLOR FILM AND ONE FLOPPY DISK

ITEM 1-ONE PLASTIC SHOT CUP

ITEM 2-PLASTIC SHOT CUP

ITEM 3-ONE KEY CHAIN FLASHLIGHT

ITEM 4-ONE POCKET KNIFE

ITEM 5-POCKET SCALES

ITEM 6-ONE CONTAINER OF CARMEX

ITEM 7-ONE BLUE JACKET

ITEM 8-: ITEM 8-ONE INK PEN,ONE PENCIL SHARPENER,ONE  
QUARTER,FIVE DIMES,ONE NICKEL,ONE KEY ON A KEY RING,  
THREE FLAT PENNIES

ITEM 9-ONE SHOT CUP

ITEM 10-ONE FIRED SHOTGUN SHELL(FEDERAL BRAND)

ITEM 11-ONE FIRED SHOTGUN SHELL(FEDERAL BRAND)

ITEM 12-ONE RED SHIRT

ITEM 13-ONE PIECE OF CIRCULAR RED PLASTIC

ITEM 14- ONE PLASTIC BAG WITH A SMALL AMOUNT OF GREEN LEAFY  
SUBSTANCE

1 PAGE 3  
2 02132262

3  
4  
5 2210 HOURS-OFFICER W.L.WALLES 2273 W484 WAS DISPATCHED TO 5217 SOUTHCREST CT IN REFERENCE  
6 TO A SIG 37.

7  
8 2233 HOURS-OFFICER ARRIVED AND MET WITH CPL. C.E. HENDRIX WHO RELATED THE FOLLOWING  
9 DETAILS: THERE WERE TWO PERSONS SHOT AT THIS LOCATION, APPARENTLY THE RESULT OF A  
10 ROBBERY. THE VICTIMS WERE IN A BROWN DATSUN B210 THAT IS PARKED IN THE PARKING LOT. BOTH  
11 VICTIMS WERE TRANSPORTED TO AREA HOSPITALS. FIREARMS AND OTHER EVIDENCE IS LOCATED IN  
12 THE PARKING LOT AND STREET. THE DETECTIVE INVESTIGATING THE CALL DIRECTED CPL HENDRIX  
13 TO TOW THE VICTIMS CAR TO THE POLICE AUTO POUND IN ORDER FOR IT TO BE PROCESSED AT A  
14 LATER TIME, AS CONSENT OR A SEARCH WARRANT WAS NEEDED.

15 I OBSERVED THE SCENE TO BE LOCATED IN THE STREET AREA OF AN APARTMENT COMPLEX LOCATED  
16 ON THE SOUTH SIDE OF SOUTHCREST STREET. THE INTERIOR STREET (SOUTHCREST COURT) IS  
17 SITUATED IN A NORTH SOUTH DIRECTION AND HAS MODERATE LIGHTING. ON THE WEST SIDE OF THE  
18 STREET A PARKING AREA IS OBSERVED WITH SEVERAL CARS PARKED FACING WEST ALONG THE WEST  
19 CURB. THE COMPLAINANT'S VEHICLE, A BROWN DATSUN B 210, TXLP# L67RZN IS LOCATED NEAR THE  
20 SOUTH END OF THE LOT. I OBSERVED SEVERAL ITEMS OF EVIDENCE IN THE STREET AT THE NORTH  
21 END OF THE PARKING LOT. AMONG THE ITEMS OBSERVED WERE FIREARMS EVIDENCE, (ITEMS 1,2 AND  
22 13). IN THIS SAME AREA I OBSERVED OTHER PERSONAL EFFECTS (ITEMS 3-6). FURTHER SOUTH OF  
23 THESE ITEMS I OBSERVED TWO FIRED SHOT GUN SHELLS (ITEMS 10,11), BOTH OF WHICH APPEARS TO  
24 HAVE BEEN RUN OVER BY A VEHICLE.

25 A BLOOD TRAIL IS OBSERVED FROM THE SIDEWALK THAT BORDERS THE WEST SIDE OF THE PARKING  
26 LOT THROUGH THE PARKING LOT TO THE EAST. IT APPEARS TO TERMINATE AT THE FRONT PORCH OF  
27 AN APARTMENT ACROSS THE STREET. A RED SHIRT (ITEM 12) WITH APPARENT BLOOD STAINS IS ON  
28 THE GROUND NEAR THE APARTMENT.

29 CPL. HENDRIX RELATED THAT ONE OF THE VICTIMS RAN TO THIS AREA.  
30 IN THE SAME AREA WHERE THE BLOOD TRAIL BEGINS I OBSERVED A JACKET (ITEM 7) AND OTHER  
31 PERSONAL PROPERTY (ITEM 8).

32 A PARTIAL BLOOD SHOE PRINT IS OBSERVED IN THIS SAME AREA.

33 A SHOT CUP (ITEM 9) IS OBSERVED UNDER A VEHICLE IN THIS AREA.

34 I COMPLETED A SERIES OF PHOTOS DEPICTING THE SCENE AS OBSERVED.

35 I CONTACTED OFFICER P.C. RAY AND DIRECTED HIM TO LOCATE AND PROCESS THE VICTIMS AT THE  
36 HOSPITALS IF POSSIBLE.

37 I COLLECTED THE ABOVE LISTED ITEMS AND CHANGED LOCATIONS TO THE CSSU OFFICE WHERE THE  
38 ITEMS WERE LATER PHOTOGRAPHED.

39 ITEM 14 WAS DISCOVERED IN THE LET POCKET OF ITEM 7.

40 THE ITEMS WERE PACKAGED AND LATER SUBMITTED TO THE PROPER LOCATIONS.



# MEASUREMENTS

ITEM # 1 DESCRIPTION ONE PLASTIC SHOT CUP

11 ' 0 " NORTH OF THE NORTH CURB PARKING LOT

30 ' 0 " EAST OF THE WEST CURB PARKING LOT



ITEM # 2 DESCRIPTION ONE PLASTIC SHOT CUP

04 ' 10 " SOUTH OF THE NORTH CURB PARKING LOT

25 ' 0 " EAST OF THE WEST CURB PARKING LOT



ITEM # 3 DESCRIPTION ONE KEY CHAIN WITH LIGHT

10 ' 00 " SOUTH OF THE NORTH CURB PARKING LOT

27 ' 3 " EAST OF THE WEST CURB PARKING LOT



ITEM # 4 DESCRIPTION ONE POCKET KNIFE

12 ' 06 " SOUTH OF THE NORTH CURB PARKING LOT

26 ' 3 " EAST OF THE WEST CURB PARKING LOT



ITEM #\_5\_ DESCRIPTION\_\_\_\_\_ONE POCKET SCALES

\_13\_ ' \_07\_" SOUTH OF THE NORTH CURB PARKING LOT\_\_

\_25\_ ' \_6\_" EAST OF THE WEST CURB PARKING LOT\_\_



ITEM #\_6\_ DESCRIPTION\_\_\_\_\_ONE CARMEX JAR

\_28\_ ' \_06\_" SOUTH OF THE NORTH CURB PARKING LOT\_\_

\_23\_ ' \_0\_" EAST OF THE WEST CURB PARKING LOT\_\_



ITEM #\_7\_ DESCRIPTION\_\_\_\_\_ONE ONE JACKET

\_57\_ ' \_00\_" SOUTH OF THE NORTH CURB PARKING LOT\_\_

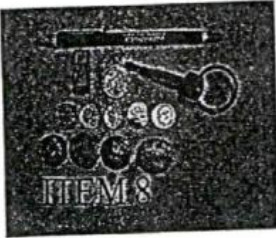
\_00\_ ' \_0\_" EAST OF THE WEST CURB PARKING LOT\_\_





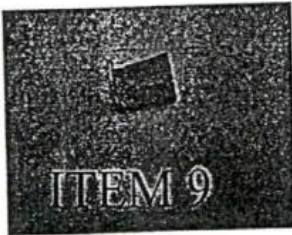
ITEM # 8 DESCRIPTION ITEM 8-ONE INK PEN,ONE PENCIL SHARPENER,ONE QUARTER,FIVE DIMES,  
ON E NICKEL,ONE KEY ON A KEY RING,THREE FLAT PENNIES

62' 00" SOUTH OF THE NORTH CURB PARKING LOT  
00' 0" EAST OF THE WEST CURB PARKING LOT



ITEM # 9 DESCRIPTION ONE SHOT CUP

65' 04" SOUTH OF THE NORTH CURB PARKING LOT  
05' 0" EAST OF THE WEST CURB PARKING LOT



ITEM # 10 DESCRIPTION ONE SHOTGUN SHELL

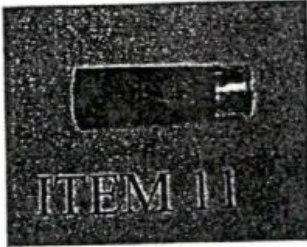
56' 09" SOUTH OF THE NORTH CURB PARKING LOT  
20' 0" EAST OF THE WEST CURB PARKING LOT



ITEM #\_11 DESCRIPTION \_\_\_ONE SHOTGUN SHELL

\_\_\_59\_\_\_' \_\_\_00\_\_\_" SOUTH OF THE NORTH CURB PARKING LOT\_\_\_

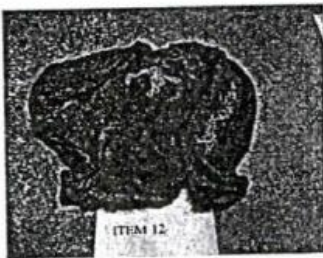
\_\_\_22' \_\_\_06\_\_\_" EAST OF THE WEST CURB PARKING LOT\_\_\_



ITEM #\_12 DESCRIPTION \_\_\_ONE RED SHIRT

\_\_\_NOT MEASURED

\_\_\_NOT MEASURED



ITEM #\_13 DESCRIPTION \_\_\_ONE RED PIECE OF CIRCULAR PLASTIC

\_\_\_9\_\_\_' \_\_\_00\_\_\_" SOUTH OF THE NORTH CURB PARKING LOT\_\_\_

\_\_\_21' \_\_\_00\_\_\_" EAST OF THE WEST CURB PARKING LOT\_\_\_



ITEM #\_14 DESCRIPTION \_\_\_\_ONE PLASTIC BAG CONTAINING GREEN LEAFY SUBSTANCE

NOT MEASURED





## CRIME SCENE LOG

|   |  |                            |                          |        |
|---|--|----------------------------|--------------------------|--------|
| Type Initial Radio Call (Exactly as broadcast - unit number, type, location, etc.): |  | Critical Police Incident:  | Service Number: 02132262 |        |
| Signal 77 5217 Southcrest Ct  |  |                            | Type of Offense:         |        |
| Date and Time Received Call:  | First Unit at Scene:                                 | First Supervisor at Scene: | Victim/Complaint:        |        |
| 02-21-2002  | 5216   | SGT M. McDONALD            |                          |        |
| Unit Handling:  | Crime Scene Log Originator (Name, ID No., Unit No.): |                            | Beat:                    | NPD: 9 |
|   | WINDAH #2659 5216                                    |                            | 5213                     |        |

| All Personnel At Scene (Include above personnel and all persons entering or assigned to crime scene). |          |                 |         |                |           |                              |
|---|----------|-----------------|---------|----------------|-----------|------------------------------|
| Time  | Unit     | Division/Agency | Rank    | Name           | ID Number | Duties                       |
| Arrived   | Departed |                 |         |                |           |                              |
| 2112  | 5216     | FUPD SOUTH      | OFF     | R. ROMERO      | 2996      | FAST OFFICER ON SCENE        |
|   |          | FUPD            | OFF     | W.J. NIDAH     | 2659      | SHEET OFFICER                |
|   |          | F.W.P.A.        | OFF     | (C. Symmon)    | 2711      |                              |
|   |          | FUPD            | CPL     | GL MAHAFFEY    | 2846      | ASSISTED w/ CRIME SCENE TAPE |
|   |          | SOD/GANG        | OFF     | M. J. WAGLO    | 2785      | ASSISTED w/ WITS             |
|   |          | " "             | OLN     | GC BATES       | 2944      | " "                          |
|   |          | " "             |         | GT BRADY       | 2687      | " "                          |
|   |          |                 |         | JM SIMS        | 2691      | " "                          |
|   |          |                 |         | RJ COSTA       | 2679      | " "                          |
|   |          | SOUTH CRT       | OFF     | KA SALVOY      | 2752      | " "                          |
|   |          | SOUTH CRT       | OFF     | S.S. F. NEMAN  | 2675      | " "                          |
| 2226  |          | WITNESS         | CITIZEN | CANTU, REBECCA |           |                              |
|   |          | SOUTH CID       | DET     | SMITH          |           |                              |
|   | 2310     | SOUTH CRT       | SGT     | HANLON         | 2986      |                              |
|   |          | FUPD            |         |                |           | MEDICAL TREATMENT            |
|   |          | MENTAL          |         |                |           | " "                          |
| 2230  | 2318     | SOUTH CRT       | OFF     | J.P. ALFARO    | 2577      | CRIME SCENE LOG              |
| 2238  | 2320     | SOUTH CRT       | CPL     | C.S. HENDRIX   | 2511      | GUARD CRIME SCENE            |
| 2233  | W484     | CRIME SCENE     | OFF     | W.L. WALLACE   | 2273      | PROCESS SCENE                |



DOC 4: CHS YEARBOOK (2001)





Tiasha Green  
 Paul Griffin  
 Tabitha Guess  
 Micah Haertner  
 Spencer Haines  
 April Hairston



Jared Halpern  
 Mark Hanson  
 Taber Hatch  
 Josh Haydon  
 Dale Hayworth  
 Phillip Henderson



Conrad Hermosillo  
 Jose Hernandez  
 Raven Higdon  
 Randal Hightower  
 Quincy Hogan  
 Brian Hohmann



Billy Hollis  
 Jason Horn  
 Harold Hubbard  
 Tim Hubbard  
 Angela Hughes  
 Terry Hughes



Justin Imlay  
 Chase James  
 Victor James  
 Arif Javeed  
 Jesse Jennings  
 Adric Johnson



LaToya Johnson  
 Lindsey Johnson  
 Tavares Johnson  
 Robbie Johnston  
 Aaron Jones  
 Jessica Jones



Shane Jones  
 Tiffany Jones  
 Ashley Kebschull  
 Mindy Keisel  
 Ben Killmer  
 Tiffany Kirkland



Dennis Kobe  
 Billy Kohout  
 Adam Krueger  
 Amanda Krueger  
 Leslie Kubota  
 Erin Lancaster





# DOC 5: NEW: CHARLA'S WARRANT)

WARRANT NO. 02F0365SD

THE STATE OF TEXAS )(   
COUNTY OF TARRANT )(

## WARRANT OF ARREST

TO ANY PEACE OFFICER OF THE STATE OF TEXAS;

The undersigned Magistrate having heretofore found that probable cause exists for the issuance of this warrant, you are hereby commanded to arrest

### BARTON RAY GAINES

a white male date of birth: 10-25-82,  
hereinafter referred to as the suspect, and bring the said suspect  
before a Magistrate in and for Tarrant County, Texas, instanter,  
then and there to answer the State of Texas for an offense against  
the laws of the said State, to-wit



### CRIMINAL ATTEMPT CAPITAL MURDER

of which offense HE the said suspect, is accused by the written affidavit, under oath of Detective CB SMITH, LD. 2214 Fort Worth Police Department filed before me anterior to the issuance of this warrant.

Herein fail not and due return make hereof at the place hereinafter named.

Witness my official signature this the 25 day of Feb, A.D., 2002.

TIME: 10:25pm

Chas S. Cox  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

Fort Worth Wm. Ct.  
TITLE AND OFFICE HELD BY MAGISTRATE

BOND SET BY JUDGE:

\$100,000.00

RETURN

Came on to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and executed on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NAME OF PEACE OFFICER

\_\_\_\_\_  
DESCRIPTION OF OFFICE

Confidential

Page 1

2/23/02

THE STATE OF TEXAS )(

ARREST WARRANT AFFIDAVIT

COUNTY OF TARRANT )(

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who after being duly sworn on oath deposes and says; My name is **DETECTIVE CB SMITH, I.D. 2214, FORT WORTH POLICE DEPARTMENT**, and I have good reason to believe and do believe that on or about the 21st day of Feb. 2002, at 5217 Southcrest Ct, in Ft. Worth, Tarrant County, Texas, **BARTON RAY GAINES**, a white male DOB 10-25-82, did then and there commit the offense of **CRIMINAL ATTEMPT CAPITAL MURDER**

in that he did then and there with the specific intent to commit the offense of capital murder of more than one person during the same criminal transaction, intentionally shot injured party with a deadly weapon, to-wit: a firearm, which amounted to more than mere preparation that tended but failed to effect the commission of the offense intended.

My belief is based upon the following facts and information:

1. That on 2-21-02, Michael Williams made an agreement with **BARTON RAY GAINES**, to purchase marijuana for him at an apartment in the 5200 block of Southcrest Ct., Fort Worth, Tarrant County, Texas.
2. That Andrew Horvath was with Michael Williams, driving him to that location.
3. That Michael Williams was told that the drug dealer did not have the pound of marijuana requested by **BARTON RAY GAINES** and returned to the truck occupied by **GAINES** with that information.
4. That **BARTON RAY GAINES** did accuse Michael Williams of being a cop and made him turn around and lift his shirt. When he didn't see a weapon **BARTON RAY GAINES** exited his truck and pulled a shotgun, pointing it at Michael Williams and demanded that he empty his pockets.
5. That **BARTON RAY GAINES** then struck Michael Williams with the shot gun in the head twice and Michael Williams did empty his pockets onto the stepside of **GAINES'** truck.
6. That while **BARTON RAY GAINES** was robbing Michael Williams, his friends in the truck were robbing Andrew Horvath of his wallet.
7. That **BARTON RAY GAINES** pointed the shotgun at Andrew Horvath and Michael Williams began to run from the scene and was shot by **BARTON RAY GAINES**.

Confidential

Page 2

2/23/02

8. That Andrew Horvath had been beaten by GAINES' friends and was on the ground with his hand up in the air to ward off more blows when BARTON RAY GAINES got into his truck and drove next to Andrew Horvath and shot him with the shotgun.
9. That BARTON RAY GAINES fired 3 shots at the scene before fleeing in his truck.
10. That Michael Williams was hit in the left shoulder and arm, fracturing both his shoulder and arm in two places.
11. That Andrew Horvath was hit in the right arm which was fractured and possibly has serious nerve damage.
12. That police report #02132262 was generated.
13. That Michael Williams did state that he had seen BARTON RAY GAINES and his friends earlier with a girl that Williams knows goes to Crowley High School but he did not know her name. He stated he would recognize her if shown a yearbook photo.
14. That your affiant did obtain a Crowley High School yearbook and meet with Michael Williams in Harris Hospital where he identified Mindy Keisel as the girl he had seen talking with BARTON RAY GAINES earlier.
15. That your affiant did go to Mindy Keisel's home and she provided the names of BARTON RAY GAINES and JASON TUCKER and DANIEL, as the persons she was talking with prior to the shooting at another location and driving the suspect vehicle.
16. That your affiant went to Crowley Police Department and obtained the information on the suspects.
17. That your affiant then put together a photospread containing BARTON RAY GAINES in position #4 along with 5 other similar males and did show the photospread to Michael Williams who immediately identified BARTON RAY GAINES as the person who had robbed and shot him.
18. That your affiant did confirm that BARTON RAY GAINES owns and drives a vehicle meeting the description of the suspect vehicle.

That due to the above listed facts and circumstances your affiant has reason to believe and does believe that probable cause exists for the arrest of BARTON RAY GAINES for the offense of CRIMINAL ATTEMPT CAPITAL MURDER against the laws of the STATE OF TEXAS



WHEREFORE, I request that an arrest warrant issue for the suspect hereinbefore designated according to the laws of this State.

WITNESS my signature this the 23 day of February, 2002.

Chh/K 22/4  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME this the 23 day of Feb, 2002.

Chels & Berg  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

Chels F. Berg  
Ext. W. H. M. Ct  
TITLE AND OFFICE HELD BY MAGISTRATE

it appears: Charles F. Berge, right?  
Why would they feel the need to explicitly spell out his name, twice, unless they wanted to be absolutely sure. For what? They didn't do this for any of the other warrants.

## DOC 6: NEW: SMITH'S MVD INQUIRY (2-22-02)

1Page: 1 Document Name: untitled

2

3 FROM: MVD# TO: DTQ Det. Quarters

4 02/24/02 02:07:45

5 2214----:: This is her badge number

6 MVD

7 R-AUG/02 LIC [REDACTED], OLD # [REDACTED]

8 00, CHEV, PK, [REDACTED]

9 BART GAINES, 5908 TEXAS TRAIL, GRANBURY, TX

10 LIEN RECORDED The loan debt consolidation.

11 RELEASE OF PERSONAL INFO RESTRICTED. ACTUAL MILEAGE.

# DOC 7: MY JAIL REGISTRATION APPLICATION BY BUSH

| FWPD TARRANT COUNTY SHERIFF'S DEPARTMENT JAIL REGISTRATION FORM FWPD   |        |                              |                        |                   |                |  |                               |       |              |
|--|--------|------------------------------|------------------------|-------------------|----------------|--|-------------------------------|-------|--------------|
| 1 FWPB   |        |                              |                        |                   |                |  |                               |       |              |
| Name (Last, First Middle)  |        |                              |                        | Race              | Sex            | Ethnicity                                  | Date of Birth                 |       |              |
| 2 B. R. L.   |        |                              |                        | W                 | M              |  | 10-25-87                      |       |              |
| Height   | Weight | Eyes                         | Hair                   | Skin Tone         | Marital Status | Religious Pref.                            |                               |       |              |
| 3 6-00   | 145    | Bru                          | Blk                    | M.D.              | INFL           |  |                               |       |              |
| City of Birth  |        | State                        | Country                | Citizenship       | Twin           |  |                               |       |              |
| 4 F. M. A.   |        | TX                           | US                     | USA               |                |  |                               |       |              |
| 5 Scars, Marks, Tattoos, Amputations   |        |                              |                        |                   |                |  |                               |       |              |
| PIC OF NICE 'LUCKY' LIT 'HAPPY'  |        |                              |                        |                   |                |  |                               |       |              |
| Current Address  |        |                              |                        | City              | State          | Zip Code                                   |                               |       |              |
| 6 5909 TXA, 121  |        |                              |                        | GRANDBURY         | TX             | 76048                                      |                               |       |              |
| Occupation   |        |                              |                        | Employer          |                |  |                               |       |              |
| 7 A SEMBLI LINE  |        |                              |                        | SES TRIDLETES     |                |  |                               |       |              |
| 8 Alias Name(s)  |        |                              |                        |                   |                |  |                               |       |              |
| "PART"   |        |                              |                        |                   |                |  |                               |       |              |
| Social Security Number   |        | Driver License Number        |                        | State             | Type           | Identification Number                      |                               | State | Misc. Number |
| 9 [REDACTED]   |        | 03017559                     |                        | TX                | C              | M/A  |                               |       |              |
| Emergency Name   |        |                              |                        | Relationship      |                | Telephone Number                           |                               |       |              |
| 10 MELISA ADAMS  |        |                              |                        | MOTHER            |                | 817 247-7714                               |                               |       |              |
| Address  |        |                              |                        | City              | State          | Zip Code                                   | Auto Status                   |       |              |
| 11 1001 LOVHILL STR  |        |                              |                        | GRANDBURY         | TX             |  |                               |       |              |
| Contributor  |        |                              |                        | Contributor       |                | Prosecutor                                 |                               |       |              |
| 12 TX2201200   |        |                              |                        | TX2201200         |                | TX2201200                                  |                               |       |              |
| Service No. / Agency Case No.  |        |                              |                        | Place of Arrest   |                |  |                               |       |              |
| 13 02132262  |        |                              |                        | 1532 INTERVIEW ST |                |  |                               |       |              |
| Arresting Agency   |        | Date of Arrest               | Time of Arrest         | Arrest Officer    | I.D. No.       | Unit                                       |                               |       |              |
| 14 TX2201200   |        | 02-23-2012                   | 0025                   | PO BUSH           | 3028           | 3317                                       |                               |       |              |
| Name: Fort Worth PD  |        | Fire Arm Code                | Transport Officer      | PO BUSH           | I.D. No.       | Unit                                       |                               |       |              |
| 15   |        |                              |                        |                   | 3028           | 3317                                       |                               |       |              |
| Trans. Mat. Material   |        | Oper. Com. Vehicle           |                        | Lic. Plate No.    |                | State                                      | Year                          |       |              |
| 16 Y or N  |        | Y or N                       |                        |                   |                |  |                               |       |              |
| 17 CHARGES REQUIRING A TRN   |        |                              |                        |                   |                |  |                               |       |              |
| Offense Code   | GOC    | Offense                      | Date of Offense        | Statute Citation  |                |  |                               |       |              |
| 18 990015-A  |        | CRIMINAL ATTEMPT (AT) MURDER | 02-21-2012             | 19.03(a)(7)       |                |  |                               |       |              |
|  |        |                              |                        |                   |                | Felony <input checked="" type="checkbox"/> | Misd <input type="checkbox"/> |       |              |
|  |        |                              |                        |                   |                | Cap 123 S                                  | A or B                        |       |              |
|  |        |                              |                        |                   |                | Felony <input type="checkbox"/>            | Misd <input type="checkbox"/> |       |              |
|  |        |                              |                        |                   |                | Cap 123 S                                  | A or B                        |       |              |
|  |        |                              |                        |                   |                | Felony <input type="checkbox"/>            | Misd <input type="checkbox"/> |       |              |
|  |        |                              |                        |                   |                | Cap 123 S                                  | A or B                        |       |              |
| 19 If any charges are a result of another Agency's warrant complete State Form CH-45 (TRN) and attach to this form.  |        |                              |                        |                   |                |  |                               |       |              |
| 20 CHARGES NOT REQUIRING A TRN   |        |                              |                        |                   |                |  |                               |       |              |
| Offense Code   | GOC    | Offense                      | Warrant No. / Case No. | Agency            | Bond/Fine      |  |                               |       |              |
| 24   |        |                              |                        |                   |                |  |                               |       |              |
| 25   |        |                              |                        |                   |                |  |                               |       |              |
| 26   |        |                              |                        |                   |                |  |                               |       |              |
| 27   |        |                              |                        |                   |                |  |                               |       |              |
| 28 If no other report is necessary, briefly describe the circumstance of the arrest below (including information on any injuries or accidents involving the prisoner). |        |                              |                        |                   |                |  |                               |       |              |
| 29   |        |                              |                        |                   |                |  |                               |       |              |
| 30   |        |                              |                        |                   |                |  |                               |       |              |
| 31   |        |                              |                        |                   |                |  |                               |       |              |
| 32 CONFIRMED PIC   |        |                              |                        |                   |                |  |                               |       |              |
| 33 Date Prepared: 02-24-2012 Prepared by: PO BUSH 3028   |        |                              |                        |                   |                |  |                               |       |              |
| 34 White and Yellow Copy - Jail Lieutenant   |        |                              |                        |                   |                |  |                               |       |              |



# DOC 8: MY MAGISTRATE WARNING (2-24-02)

Arrest No. \_\_\_\_\_  
Service No. 02132262  
Warrant No. 02F036550

## MAGISTRATE WARNING

THE STATE OF TEXAS  
COUNTY OF TARRANT

Before me, the undersigned magistrate of the State of Texas, on this day personally appeared LAINES, BARTON RAY JR, and said person was given the following warning by me:

W/M 6' 165lbs 10-25-1982

- (1) You are charged with the offense of CRIMINAL ATT. CAPITAL MURDER. An affidavit charging you with this offense has / has not been filed in the court.
- (2) You have the right to hire a lawyer and have him or her present prior to and during any interview and questioning by peace officers or attorneys representing the state.
- (3) If you cannot afford a lawyer, you have the right to request the appointment of a lawyer to be present prior to and during any such interview and questioning and you have the right to have a lawyer appointed to represent you if you cannot afford a lawyer. This means you may obtain your own lawyer or have a lawyer appointed for you by the court. You may have reasonable time and opportunity to consult your lawyer if you desire. In the event you want a lawyer appointed for you, you will be asked to complete a written form that contains questions about your financial resources. You will be provided with the forms needed to make a request for a lawyer. If you need help completing the forms, reasonable assistance will be provided to you.
- (4) You have the right to remain silent. You do not have to speak to the police.
- (5) You are not required to make a statement. Any statement you do make can and may be used against you in court.
- (6) You have the right to stop any interview or questioning at any time.
- (7) You have the right to an examining trial.
- (8) If you are not a citizen of the United States, you have the right to contact your consulate. Depending on the nature of the charge, you could be deported or have your residency status revoked.

THE ACCUSED DOES / DOES NOT WANT TO REQUEST A COURT APPOINTED LAWYER.

[Signature]  
MAGISTRATE

[Signature]  
PERSON WARNED

You are remanded without bond. \_\_\_\_\_

Place of warning: FW-Jail

Your bond is set at \$ 100,000

Time: 0600

WITNESS: [Signature]

Date: 2-24-02

## PROBABLE CAUSE DETERMINATION

Sufficient facts have been presented to me under oath by affidavit, sworn testimony, or otherwise to show that probable cause exists for the continued detention of the prisoner designated above as to the following charges:

Crim. Att. (Capital) Murder

Signed this 24 day of February, 2002.

[Signature]  
MAGISTRATE

## DOC 9: ANDY'S STATEMENT (2-23-02)

1 THE STATE OF TEXAS  
2 COUNTY OF TARRANT

X  
X

3  
4 Before me the undersigned police detective in and for the State and County  
5 aforesaid, personally appeared, Andrew Horvath, who after being duly sworn and  
6 deposes says:

7  
8 My name is Andrew Horvath. My address is 3113 Clovermeadow, Ft. Worth, Tx.  
9 76123. My telephone number is 817-263-7115. I have completed 10 years of  
10 school. I can read, write, and understand the English language.

11  
12 On Thursday, 2-21-2002, I was hanging out with Michael Williams. Michael had  
13 the marijuana with him we went to a place kids hang out on a dirt road off of  
14 Crowley Rd. When we got there, there were two girls in a red car and 3 guys in a  
15 newer silverish gray pickup truck with a toolbox in the bed of the truck.

16  
17 We got out and were standing around talking to them. I talked to a Mexican guy  
18 about the truck. He was about my height. He had an overbite and was wearing a  
19 blue shirt and blue jeans. He was about 20-22. He looked pretty fit. He had a  
20 slight accent. He was a little darker than average but you could tell he was  
21 Mexican and not black.

22  
23 Mike was talking to the others and rolling a blunt. Mike said, "hey let's go over  
24 here." The guys in the truck pulled in front of us and told us to follow them to  
25 Walmart. They parked in front of the building and we did too. The driver of the  
26 truck went in the door next to the garden area to get the beer. A security guard  
27 came by and told us if we were going to be there more than 3 minutes we needed  
28 to park somewhere else. We parked in the parking lot and the truck drove around.  
29 We were there about 15-20 minutes to a ½ hour. The truck then drove up next to  
30 my car and Mike said, "let's go." He gave me directions and we went through  
31 Edgecliff Village and to Southcrest. Michael said he was going to talk to his friend  
32 real quick.

33  
34 I parked the car in the parking lot and the truck pulled up a parking spot away.  
35 Mike got out and went to one of the apartments. I didn't see which one. Mike  
36 walked off and was gone about 20 minutes. He came back and walked over to  
37 the truck and was talking to the guys. I got out of my car and walked around to  
38 the driver's side of the truck. The driver reached out the window and grabbed  
39 Mike by the shirt. The other guys got out. I saw the driver get out and then reach  
40 into the truck and pull out a shotgun. The gun did not have a stock. The white guy  
41 got out on the driver's side and hit me in the face. He said, "give me you're  
42 fucking wallet." He was blond with short hair. He looked like he was probably 19-  
43 22 years old. He was a little taller than me. He probably weighed 200. He looked  
44 stronger than me. He was clean shaven.

1 The driver had Mike pushed up against the car and I saw the driver hit him in the  
2 head with the barrel of the gun.

3  
4 After I gave the white my wallet he pushed me down. I went down and put my  
5 right arm up for protection. The guy with the gun said, "get his money." He  
6 pointed the gun at me and I thought I was going to die. The white guy said he  
7 already had it. I was down and I did not see Mike. They got into the truck and  
8 pulled out of the parking space and then I got shot. I did not see them point the  
9 gun at me. I was laying down hoping that if I didn't make any violent moves they  
10 would not shoot me. I only heard one shot that hit me and they drove off.

11  
12 I pulled the jacket I was wearing off. I yelled for help and then I saw a guy on his  
13 porch across the street. He told me he could not come to me because he was on  
14 an ankle bracelet monitor and could not leave his porch. He called the police and  
15 I layed down in his yard. A crown gathered around me. One kid took off his shirt  
16 and gave it to me to apply pressure on my arm until the ambulance came.

17  
18 I don't know who any of the guys in the truck were. I have not noticed that truck  
19 around.

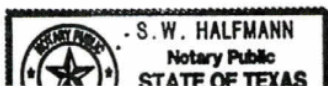
20  
21 I was taken to JPS Hospital. The doctors told me that my right arm is fractured.  
22 There are still bullet fragments in my arm. The doctor told me that I have 5  
23 through and through wounds and 2 rounds remaining in my arm. They said it  
24 would cause more damage to try and remove them. They didn't want to risk  
25 infection. I do not have feeling in my pinky, ring finger and my thumb and I can't  
26 straighten any of my fingers. The doctor does not know if that is permanent and I  
27 may have to have surgery. I received 8 stitches in my lip where I was punched.

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Chris Hovington

Date: 2/23/02

Subscribed and sworn before me this 23rd day of February, 2002.



[Signature] Expires 6-1-05  
Notary Public in and for Tarrant County



## DOC 10: MIKE'S STATEMENT (2-23-02)

1 THE STATE OF TEXAS X  
2 COUNTY OF TARRANT X  
3

4 Before me the undersigned police detective in and for the State and County  
5 aforesaid, personally appeared, Michael Williams, who after being duly sworn and  
6 deposes says:

7  
8 My name is Michael Williams. My address is 304 Willow, Crowley, Tx. 76036. My  
9 telephone number is 817-297-7895. I have completed 11 years of school. I can  
10 read, write, and understand the English language.

How cautious sounding.  
He couldn't have been  
anything but cautious.

11  
12 On Thursday, 2-21-02, about 7:45 Andy and I drove out to the spot in the vicinity  
13 of Crowley Rd and the bus terminal. We noticed two cars and someone came up  
14 to the window and initiated a conversation. Andy and I stepped out and talked to  
15 these people. There were three guys in a gold Chevy truck. They asked us if we  
16 knew where to buy marijuana. I told them I knew a place. I would have to use his  
17 phone and page somebody. I got his phone and paged him. I never received a  
18 call back. I also called a friend named Paul. About 8 o'clock he said, let's go  
19 ahead and go over there. He said he would follow us. We drove on Crowley Rd.  
20 and the guys in the gold truck flashed his bright lights and passed us. He got in  
21 the left lane and turned onto Sycamore and we went to Walmart. At Walmart he  
22 told us he wanted to go buy some beer and he would be right back. We parked in  
23 front of Walmart around 8:30 and parked in front of the doors in the walkway. We  
24 were there 3-4 minutes when a security guard, middle eastern looking, dark  
25 mustache, glasses in golf cart pulled up. Then he asked us to go ahead and park  
26 and circle around every 3 minutes to pick up this guy. Andy and I went and  
27 parked and the people in the truck said, we are going to circle around until we  
28 pick him up and then we will meet you back here. About 8:38 we left and got on  
29 Sycamore and took Sycamore to Crowley Rd. Crowley turned into James and we  
30 went to the apartments by the new Lucky Stop. We parked in the parking area  
31 and I went to the truck. They asked me how much I could get. They wanted a  
32 pound. I went to the house and the guy said he only had a quarter pound. I went  
33 back and told the guys in the truck. The driver said, "you better not be with the  
34 cops or anything. He pulled my shirt up and turned me around and patted my butt  
35 to see if I had a weapon. The passenger asked if they could get a few ounces.  
36 The driver kept saying he wanted to see it. He said it 2-3 times. I told him that he  
37 would have to pay and I would bring it to him. Right then he jumped out and as  
38 he got out he reached his left hand under the seat and pulled out a shotgun and  
39 said, "give me your fuckin money." Then he hit me with the gun. I started  
40 throwing things out of my pockets. He saw I hadn't went for my wallet yet and he  
41 crowned me on top of the head with the barrel of the gun. Then his attention was  
42 diverted to Andy. I looked to my left and I was punched in the left side of my face  
43 by the white guy. After he punched me I looked over and I saw he was distracted  
44 and immediately began to run toward the New Lucky Stop store. I thought he was  
45 going to shoot me. As I was running I heard a gunshot and immediately felt  
46 numbness in my shoulder and elbow but kept running and made it to the Lucky

1 Stop and the people inside gave me some napkins to wipe the blood off my face.  
2 They told me to go outside and call the police. I stepped outside and sat down  
3 and a young black woman aided me and called police from the pay phone. She  
4 was there and comforted me. I sat there until a policeman came. About 5 minutes  
5 later a paramedic came I was taken by ambulance to Harris Hospital.  
6

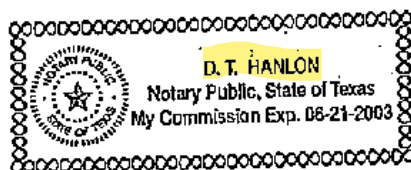
7 I have shrapnel in my left shoulder blade. I had entry wounds near my left elbow.  
8 My left elbow was fractured and has bone fragments and shrapnel. I had a  
9 laceration to the top of the head and a knot on the back of the head. My lips were  
10 busted. I have continuing headaches. I will be laying in bed and will begin to  
11 violently shake from shock.  
12

13 On 2-23-02, I met with Det. Smith at the detective office and did positively identify  
14 the man who shot me. I was unable to identify the one who punched me in the  
15 mouth.  
16  
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26 K. Mitchell Williams  
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30 Date: 2/23/02

31  
32 Subscribed and sworn before me this 23rd day of February, 2002.



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A handwritten signature of D. T. Hanlon, followed by the number "2386" in a yellow box.

Notary Public in and for Tarrant County

# DOC 11: MIKE'S PHOTO SPREAD RESULTS (FOR ME)

## FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

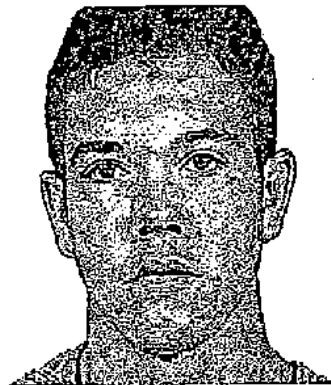
#1  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#2  
Date \_\_\_\_\_  
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Notes \_\_\_\_\_



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Date \_\_\_\_\_  
Initials \_\_\_\_\_  
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#4  
Date 2-23-02  
Initials MW  
Notes \_\_\_\_\_

#5  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#6  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



Officer: CB Smith  
Viewed By: Michael Williams  
Service #: 02132262

Time Photo Spread Shown: 1930  
Date Photo Spread Shown: 2-23-02  
Date of Offense: 2-21-02



# DOC 12: NEW: UNRESPONSIVE DOCUMENT(MIKE'S PHOTO SPREAD RESULTS ON JASON)

12/30/2020

Gmail - Follow Up Open Records Request Re: OR 20-10-1218



Barton GAINES <bartongaines@gmail.com>

---

## Follow Up Open Records Request Re: OR 20-10-1218

1 message

---

**Barton GAINES** <bartongaines@gmail.com>

Wed, Dec 30, 2020 at 11:15 AM

To: crsims@tarrantcountytexas.gov

Out of the documents you sent me, which I received 12-26-2020, the following documents appear to be missing:

1. Mike's photo spread results from when he was asked by Ft. Worth PD Det. Smith to identify Jason on 2-23-02 at 7:30 pm;
2. The pictures of Jason, his older brother (Jeremy), and their friend Jake Hardin (with marijuana and guns, etc.) that my mom gave my attorney who then gave them to you;
3. My 8-18-01 Ft. Worth PD arrest for possession of marijuana and injury to the disabled; and
4. the ticket or ticket file Ft. Worth PD Det. Smith said Ft. Worth PD Sgt. Hanlon used to find and locate me with.

Would you please recheck your file and resend these to me at your earliest convenience, please?



Barton GAINES <bartongaines@gmail.com>

---

**Walmart Video; OR 20-10-1218**

1 message

---

**Barton GAINES** <bartongaines@gmail.com>  
To: crsims@tarrantcountytx.gov

Sun, Jan 10, 2021 at 9:24 AM

In the above numbered open records request I also noticed you did not include the Walmart video. Could you please forward the walmart video, please?



Barton GAINES <bartongaines@gmail.com>

---

**OR 20-10-1218**

1 message

---

**Barton GAINES** <bartongaines@gmail.com>  
To: crsims@tarrantcountytexas.gov

Fri, Jan 8, 2021 at 8:49 PM

Ten days ago I wrote requesting missing documents (See my 12-31-20 email). You have yet to respond. Therefore, I am writing again whether there is a problem? Please tell me whether there is a problem, or you got my previous email?

On 1-11-21 Sharen 'Sharen' Wilson (bar card number: 21721200 TX License Date: 05/15/1981), by and through her ADA, Mark Charles Kratovil (Bar Card Number: 24076098, TX License Date: 03/31/2011), by and through his Assistant, Christina R. Sims, called and told me it has no responsive documents to my prior request for:

1. Mike's photo spread results from when he was asked by Ft. Worth PD Det. Smith to identify Jason on 2-23-02 at 7:30 pm;
  2. The pictures of Jason, his older brother (Jeremy), and their friend Jake Hardin (with marijuana and guns, etc.) that my mom gave my attorney who then gave them to you;.
  3. My 8-18-01 Ft. Worth PD arrest for possession of marijuana and injury to the disabled;
  4. The ticket or ticket file Ft. Worth PD Det. Smith said Ft. Worth PD Sgt. Hanlon used to find and locate me with; and
  5. the Walmart surveillance video.
- As well as follow up request on the phone for the
6. Radio call master sheet from when Brett Tucker called 911 on my cellphone at 8:14 pm on: 2-23-02, just moments prior to my arrest.



# DOC 13: CHARLA'S SECOND WARRANT FOR ME (2-27-02)

WARRANT NO. 02F03705D

THE STATE OF TEXAS )(   
COUNTY OF TARRANT )(

## WARRANT OF ARREST TO ANY PEACE OFFICER OF THE STATE OF TEXAS;

The undersigned Magistrate having heretofore found that probable cause exists for the issuance of this warrant, you are hereby commanded to arrest

**BARTON RAY GAINES**

a white male date of birth: [REDACTED]

hereinafter referred to as the suspect, and bring the said suspect before a Magistrate in and for Tarrant County, Texas, instantler, then and there to answer the State of Texas for an offense against the laws of the said State, to-wit

## CRIMINAL ATTEMPT CAPITAL MURDER



of which offense **HE** the said suspect, is accused by the written affidavit, under oath of Detective CB SMITH, I.D. 2214 Fort Worth Police Department filed before me anterior to the issuance of this warrant.

Herein fail not and due return make hereof at the place hereinafter named.

Witness my official signature this the 25th day of February, A.D., 2002.

TIME: \_\_\_\_\_

R. Catalano

MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

FW Municipal Court Judge  
TITLE AND OFFICE HELD BY MAGISTRATE

BOND SET BY JUDGE: 350,000.00

### RETURN

Came on to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[Signature]

NAME OF PEACE OFFICER

DESCRIPTION OF OFFICE

Confidential

Page 1

2/25/02

THE STATE OF TEXAS )(

ARREST WARRANT AFFIDAVIT

COUNTY OF TARRANT )(

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who after being duly sworn on oath deposes and says; My name is DETECTIVE CB SMITH, I.D. 2214, FORT WORTH POLICE DEPARTMENT, and I have good reason to believe and do believe that on or about the 21<sup>st</sup> day of Feb., 2002, in Ft. Worth, Tarrant County, Texas, BARTON RAY GAINES, a white male DOB 10-25-82, did then and there commit the offense of CRIMINAL ATTEMPT CAPITAL MURDER in that he did

Then and there with the specific intent to commit the offense of capital murder of more than one person during the same criminal transaction, intentionally shot injured party with a deadly weapon, to-wit: a firearm, which amounted to more than mere preparation that tended but failed to effect the commission of the offense intended

My belief is based upon the following facts and information:

1. That on 2-21-02 in a pasture near Crowley road, Michael Williams made an agreement with BARTON RAY GAINES, to purchase marijuana for him at an apartment in the 5200 block of Southcrest Ct. Fort Worth, Tarrant County, Texas.
2. That BARTON RAY GAINES along with his friends Jason Tucker and Daniel, began to follow Michael Williams who was in the car with Andrew Horvath then passed him and asked Michael Williams to follow him to the WalMart on Sycamore School Rd. to buy beer.
3. That BARTON RAY GAINES entered WalMart and did purchase two boxes of 12 guage shotgun shells. One box was slugs and one was OO.
4. That after purchasing the shotgun shells, BARTON RAY GAINES returned to his vehicle and met with Michael Williams and Andrew Horvath and said he was ready.
5. That BARTON RAY GAINES did follow Horvath and Williams to 5200 Southcrest Ct where Williams went to a drug house near there to try and purchase the pound of marijuana requested by GAINES.
6. That Williams returned to BARTON RAY GAINES and his friends who were still in his truck and told BARTON RAY GAINES that the dealer did not have a pound of marijuana to sell but only a few ounces. BARTON RAY GAINES demanded to see the marijuana and Williams told him he needed to see the money.
7. That at that time BARTON RAY GAINES grabbed Williams by the shirt and jerked him around lifting his shirt accusing him of being a cop. Williams assured him that he was not a cop and did not have a weapon.

Confidential

Page 2

2/25/02

8. That BARTON RAY GAINES got out of his truck, grabbing the shotgun and struck Williams in the head with the gun, demanding that he empty his pockets. Williams complied, placing the contents of his pockets on the stepside of GAINES truck.
9. That BARTON RAY GAINES then turned his attention to Andrew Horvath who was standing outside his vehicle and had been struck in the face by JASON TUCKER. GAINES demanded his wallet.
10. That while BARTON RAY GAINES had his attention toward Horvath, Williams took off running and BARTON RAY GAINES did turn and shoot twice striking Williams in the shoulder and arm.
11. That Horvath had fallen to the ground after being assaulted by Jason Tucker and Daniel.
12. That while Horvath was on the ground with his arm up to deflect further blows, BARTON RAY GAINES did shoot him with the shotgun from a short distance away.
13. That police were called and your affiant made the scene and then the hospitals to speak with Horvath and Williams.
14. That both Horvath and Williams said they had been robbed and shot by three men that they had met earlier in a pasture by Crowley. Williams advised he had seen a girl talking with the three at that time and recognized her from Crowley High School but did not know her name.
15. That Horvath suffered multiple wounds in his right arm and a shattered right elbow and likely nerve damage as he is unable to use his hand. He also required stitches in his lip to repair the damage done by the beating he suffered prior to being shot. Williams suffered a fractured left arm in two places and still has shrapnel imbedded in his shoulder blade. He also had a laceration in the top of his head and a knot on the back of his head from being hit with the shotgun. He too had a busted lip but it did not require stitches.
16. That on 2-22-02 your affiant obtained a Crowley High School yearbook and did meet with Williams at Harris Hospital and he did identify "Mindy Keisel" as the girl he had seen with the robbers earlier.
17. That your affiant did locate Keisel at her home and she did advise the guys in the truck were BARTON RAY GAINES, JASON TUCKER and a guy named DANIEL.
18. That your affiant did go to Crowley Police and did obtain dates of birth on BARTON RAY GAINES AND JASON TUCKER and with that was able to obtain mugshots of both and make photospreads.



19. That Michael Williams was released from the hospital and did come to the detective office and view a photospread of BARTON RAY GAINES in position #4 and 5 similar males. He did immediately and without hesitation point to BARTON RAY GAINES and say, "that's him, that's him, that's the guy that shot me." He was unable to identify Tucker. He then provided a sworn deposition.
20. That on 2-24-02, your affiant met with Andrew Horvath who positively identified BARTON RAY GAINES as the person who had shot him. He also identified JASON TUCKER as the person who had punched him in the mouth during the robbery. He had already provided a sworn deposition.
21. That your on 2-24-02 Melinda Keisel and Kara Green did come to the detective office and provide sworn depositions.
22. That immediately after the shootings, BARTON RAY GAINES and Jason Tucker and Daniel, then returned to Crowley where they met with Melinda Keisel and Kara Green.
23. That BARTON RAY GAINES told both Melinda Keisel that he had robbed and shot two people and left them for dead. He stated he had never killed anyone before and it was exciting and a rush.
24. That on Saturday, 2-23-02, BARTON RAY GAINES, told them that he had also robbed and shot someone on Friday night 2-22-02 but they did not know where or when. That is unconfirmed at this time.
25. That due to the fact that BARTON RAY GAINES has appeared to relish what he has done and has possibly even continued his robbery shooting I do believe that BARTON RAY GAINES is an extreme danger to society.
26. That BARTON RAY GAINES did tell Melinda Keisel, "if things start getting hot, let me know so I can get out of here and go somewhere." He had mentioned going to Mexico.
27. That BARTON RAY GAINES did inform officers that \$100,000 bond was not going to stop him from getting out because he has money in a trust fund that will get him out.
28. That due to BARTON RAY GAINES' comments about fleeing to Mexico and having plenty of money, your affiant does believe that he is a flight risk and a danger to any persons he might encounter along the way..

That due to the above listed facts and circumstances your affiant has reason to believe and does believe that probable cause exists for the arrest of **BARTON RAY GAINES** for the offense of **CRIMINAL ATTEMPT CAPITAL MURDER**.

WHEREFORE, I request that an arrest warrant issue for the suspect hereinbefore designated according to the laws of this State.

WITNESS my signature this the 25 day of Feb, 2002

Det CBH 2214  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME this the 25<sup>th</sup> day of February, 2002.

R Catalano  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

FWMunicipal Court Judge  
TITLE AND OFFICE HELD BY MAGISTRATE

Arrest No. \_\_\_\_\_  
Service No. \_\_\_\_\_  
Warrant No. \_\_\_\_\_

**MAGISTRATE WARNING**

THE STATE OF TEXAS  
COUNTY OF TARRANT

Before me, the undersigned magistrate of the State of Texas, on this day personally appeared BARTON D. JONES and said person was given the following warning by me:

- (1) You are charged with the offense of Crim. Attempt Murder. An affidavit charging you with this offense has / has not been filed in the court.
- (2) You have the right to hire a lawyer and have him or her present prior to and during any interview and questioning by peace officers or attorneys representing the state.
- (3) If you cannot afford a lawyer, you have the right to request the appointment of a lawyer to be present prior to and during any such interview and questioning and you have the right to have a lawyer appointed to represent you if you cannot afford a lawyer. This means you may obtain your own lawyer or have a lawyer appointed for you by the court. You may have reasonable time and opportunity to consult your lawyer if you desire. In the event you want a lawyer appointed for you, you will be asked to complete a written form that contains questions about your financial resources. You will be provided with the forms needed to make a request for a lawyer. If you need help completing the forms, reasonable assistance will be provided to you.
- (4) You have the right to remain silent. You do not have to speak to the police.
- (5) You are not required to make a statement. Any statement you do make can and may be used against you in court.
- (6) You have the right to stop any interview or questioning at any time.
- (7) You have the right to an examining trial.
- (8) If you are not a citizen of the United States, you have the right to contact your consulate. Depending on the nature of the charge, you could be deported or have your residency status revoked.

THE ACCUSED DOES / DOES NOT WANT TO REQUEST A COURT APPOINTED LAWYER.

Barton Jones  
MAGISTRATE

PERSON WARNED

You are remanded without bond.

Place of warning: MDC

Your bond is set at \$ 350,000

Time: 3:50pm

WITNESS: Bell

Date: 2/26/02

**PROBABLE CAUSE DETERMINATION**

Sufficient facts have been presented to me under oath by affidavit, sworn testimony, or otherwise to show that probable cause exists for the continued detention of the prisoner designated above as to the following charges: Crim. Attempt Murder

Signed this 26 day of Feb, 200 2

[Signature]  
MAGISTRATE



# DOC 15: MINDY'S STATEMENT (2-24-02)

1 THE STATE OF TEXAS  
2 COUNTY OF TARRANT

X  
X

3  
4 Before me the undersigned police detective in and for the State and County  
5 aforesaid, personally appeared, Melinda Keisel, who after being duly sworn and  
6 deposes says:

7  
8 My name is <sup>A</sup>Malinda Keisel. My address is 332 Heights, Crowley, Tx, 76036. My  
9 telephone number is 817-297-6501. I have completed 11 years of school. I can  
10 read, write, and understand the English language.

11  
12 On Thursday, February 21, 2002, I was with Tara Green and <sup>not</sup>Cody Morris. We  
13 were hanging out. We ran into Bart Gaines, Jason Tucker and Daniel at Jason's  
14 house and then me and Tara and Cody went to go eat at Hulen Mall. After we  
15 were through we called Bart's cell phone and asked them where they were at.  
16 They told us Benbrook Lake. We went out there and met them. There were other  
17 guys with them but they were in a different car. We all decided it was too cold and  
18 they told us to follow them to the rice patty. We had probably been there about 15  
19 minutes when two guys came out there in a little dark colored car. Me and Tara  
20 went up to the window to see who they were. Bart followed us over there. He  
21 started asking them if they had any drugs on them x or anything. He then asked if  
22 they could get him a pound. While Bart was talking to those guys, Tara pulled me  
23 to the side and said it was kind of weird of Bart to be asking all those questions.  
24 We dropped it. They hung out there for a little bit for about 10 minutes. Bart let  
25 the passenger use his cell phone. After that Bart said that they were going to  
26 follow them and asked us if we wanted to go. I didn't want to go and we told them  
27 no. Bart and Jason and Daniel left in Bart's truck following the other car. They left  
28 about 8:30. We waited for our other friends to come back because they went to  
29 Sonic. We left and Tara called Bart's cell phone to see where he was. He said he  
30 was at WalMart. She asked him why and he said to get bullets. She asked him  
31 why and he said, "just in case they are strapped."

32  
33 We went to go take Cody home. Whenever we pulled into Cody's driveway, Bart,  
34 Jason and Daniel pulled in behind us. We told them to follow us to Conoco real  
35 quick. They followed us to Conoco where I got cigarettes and then to Tara's  
36 house and they all got out and came in. We got to Tara's about 9:20 or 9:30  
37 because we were supposed to be there at 9 and we were late. Daniel's hand  
38 was bleeding and we asked them what happened and they wouldn't tell us. I  
39 washed Daniel's hand off. Daniel and Jason kept saying they wanted to go home  
40 and kept acting like something was wrong. We kept asking but they wouldn't tell  
41 us. They asked Tara to take them home so she did. When she got back, me Tara  
42 and Bart sat on Tara's bed and started talking. I kept asking him what was wrong  
43 and at first he wouldn't tell us. Then he said, 'ya'll swear you won't tell anybody.'  
44 We said, "yes" just thinking that they beat those guys up or got into a fight or  
45 something.

Ever astute, Tarah keyed on Jason's, not my, inquiry of Mike. Mike's response prompted Tarah, not me, to offer up Mike a cellphone to call with, hence the lie whose phone she used to "call" me at Walmart. A search of Mindy's mom's cellphone (if she had one) records would've produced no such call.

reason didn't want to go: curfew

First they weren't still there when they showed up, then by trial they were still. By the time of trial they were able to convince Mike to corroborate them for extra corroboration.

1 He said, "those two guys, we robbed them, we shot them and probably left them  
2 for dead." He said he got a lottery ticket out of it. They didn't have any money. He  
3 showed the lottery ticket. He was acting like it was not a big deal, like it was  
4 nothing at all." Me and Tara got real upset. We asked him why he did that and he  
5 said he didn't know why he did that. We believed him because of the way Jason  
6 and Daniel were acting. We knew something bad had happened so we believed  
7 him. He said it was either exciting or a rush. I don't remember his exact words but  
8 then he said, "it was my first time to ever kill anybody." Me and Tara were like,  
9 that's not something to be proud of and he said, "oh well." He fell asleep in Tara's  
10 room. Me and Tara stayed up and talked about it. We were just thinking, what  
11 should we do. We kept asking each other what was wrong with Bart and why  
12 would he do something like that and what would they do. Bart was acting like he  
13 was going to go to Mexico, like he was going to run if anything happened. Me and  
14 Tara just dropped it and went to bed.

15  
16 At school the next day, I heard Paul Griffin talking to Rider Bagley telling him that  
17 his two friends got shot and there was a girl who could identify the guys in the  
18 truck because she had picked him up for school one day. He said they were  
19 going to take a yearbook to the hospital and he was going to point her out. He  
20 said that he had the guys cell phone number because they had called Paul to get  
21 the pound. I asked him what he was talking about and he went through the story  
22 again. I told him that he should call information and give them the cell phone  
23 number and maybe they could give him the name. I walked home for lunch and  
24 called Tara and told her everything that Paul had said. She came over to talk to  
25 me because I was like crying hysterically because I didn't know what to do. I  
26 called Bart and told him that somebody was talking about it in class and they  
27 were going to point me out and I was not going to lie about who it was. He told  
28 me to tell them that I didn't know him. I told him I wasn't going to lie. He told me to  
29 tell them it was like Bob and Terry and he made up three names. I told him I was  
30 not going to do that and he told me to call him later. Tara stayed at my house  
31 while I went back to school for my last class.

32  
33 When I came home we went to Jason's house and told him that I knew. He  
34 already knew that I knew. I don't know how. I told him that I was not going to lie  
35 and I wanted to go to the police station right now and tell them everything I knew.  
36 He was really scared, saying he didn't know what to do because his brother did  
37 the exact same scenario and his brother is in prison for like 37 years. He was  
38 talking about leaving and going to Mexico with Bart in a week. We convinced him  
39 to stay and he wanted to go confess and he started telling us his version of the  
40 story, everything that happened.



1 He said that they went to WalMart and Bart got bullets and Jason asked him why.  
2 He said, "just in case they are strapped." Then they followed the guys to some  
3 apartments on James Ave by the Lucky Store. The guys got out and went inside  
4 and came back and said they didn't have a pound, all they had was 2 ounces so  
5 Bart told them to go back and get that. They came back out and said, "all he has  
6 is one and he doesn't really want to sell it." So Bart got out of the truck and hit  
7 one of them in the face with the shotgun. Daniel was already out of the truck or  
8 he got out and punched the dude that had already got hit with the shotgun. That  
9 is how he cut his finger. I don't know what they did to the other guy, but they beat  
10 him up and took everything they had. Jason said they gave everything up real  
11 easy. They said, here take it all." because they were scared. Then one of them  
12 started running and Bart shot at him twice and he fell behind a truck. Jason was  
13 crying and he said that the other guy was sitting on the curb and Bart walked up  
14 to him about 6 feet away and held the gun up and shot him. Jason said he was  
15 screaming at Bart, telling him to get in the car, asking him why he did that. Bart  
16 got back in the truck and they left. Jason said he was upset because Bart was  
17 acting like it wasn't a big deal and Jason and Daniel were really scared.

18  
19 Jason said he wanted to go and confess. He called his mom and had her call his  
20 lawyer but his lawyer didn't answer. He called his dad and told his dad. His mom,  
21 his dad and his stepdad all came over to Jason's dad's house. I told Jason that I  
22 really wanted to go to the police station that day that I didn't want to keep it a  
23 secret. He told me to go ahead and do it, that he would not be upset with me to  
24 go and tell everything. He said he was sorry for bringing me in it. His parents  
25 were talking about getting the lawyer and they were supposed to go the police  
26 station the next day. I figured if they were going to go, then the only thing that the  
27 cops wanted to know from me is who was in the truck. Before we left we agreed  
28 that we weren't going to tell Bart what we were doing because we didn't know  
29 what Bart would do if he knew what we were going to do. He had already killed  
30 two innocent people, why wouldn't he go after the witnesses. I told them that if I  
31 wanted them to go with them that I would and to call me in the morning. Saturday  
32 morning called me and told me that they got a hold of his lawyer and they were  
33 going to come up here and I didn't have to worry about going up there because  
34 he was going to tell them everything. I told them if they needed me to then I  
35 would just to let me know.

36  
37 Detective Smith came to the door and I didn't tell her everything because I  
38 wanted to be out of it. I thought the only real important thing was that I told who  
39 was in the truck.

40  
41 Bart called right after the detective left. Mom told him I couldn't talk because she  
42 was talking to me. He asked about what. She told him nothing, that she would  
43 talk to him later. After she hung the phone up that it was going to make it look bad  
44 because I had talked to him about 4 times that day about Tara and what we were  
45 going to do for that night. I called him back and asked him what he wanted. He  
46 asked me what I was talking to my mom about and I told him what I was going to

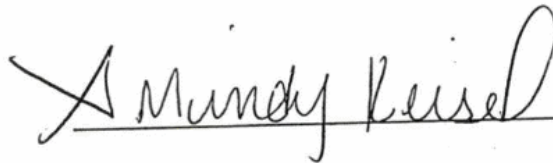
Jerri was supposed  
to believe I thought  
Mindy didn't know  
anything? What  
was I supposed  
to become suspicious  
of, then?



1 do that night. He asked me where Tara was and I told him she was out to eat with  
2 her boyfriend. He told me Friday night that he had jacked a whole bunch of  
3 people for stuff and they had hid it and he and Daniel were about to go pawn it.  
4 He had been at Rocky Creek. I think that was where he was when he was on the  
5 phone with me. I told him I would talk to him later. He said, "if things start getting  
6 hot, let me know so I can get out of here and go somewhere." I said, "ok", to not  
7 let him know anything. Me, my mom and Cody went to my mom's job for her to  
8 get something. Whenever we got back home Bart called again. My mom picked  
9 up the phone and I didn't know it. He asked me where Tara was at and I told him  
10 she was still out to eat. He said, "your mom wants to talk to me." I said, "no she  
11 doesn't." He said that she had said she would talk to him later. I told him she was  
12 just saying bye. He asked me if I had heard anything. I told him no. He said, "you  
13 promise that you are going to let me know if things start getting hot?" I told him  
14 that I promised. He said he would call me later and I said "ok." Then my mom  
15 came in the room. She told me to come in the living room and tell her everything I  
16 knew. I told her to call Det. Smith and tell her that I lied and needed to come talk  
17 to her.

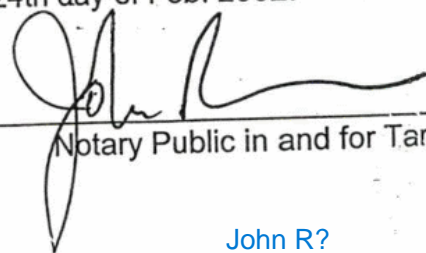
18  
19 I was told by Jason's girlfriend that Jason saw Bart standing outside Jason's  
20 house and Jason was scared and he woke his dad up. Jason was scared and  
21 stayed up all night, worried that Bart was going to come after him. Jason thought  
22 that Bart knew something was up because they had made plans to go to Jason's  
23 brother's house and Jason never called Bart back.

24  
25  
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41  
42



Date: 02-24-02

Subscribed and sworn before me this 24th day of Feb. 2002.



Notary Public in and for Tarrant County

Where's the seal / stamp?  
This isn't legally a sworn statement

John R?

How tricky they  
feigned!

# DOC 16: TARAH'S STATEMENT (2-24-02)

1 THE STATE OF TEXAS X  
2 COUNTY OF TARRANT X

3  
4 Before me the undersigned police detective in and for the State and County  
5 aforesaid, personally appeared, Tara Green, who after being duly sworn and  
6 deposes says:

7  
8 My name is Tara Green. My address is 624 E. Smith, Crowley, Tx, 76036. My  
9 telephone number is 817-297-3478. I have completed 10 years of school. I can  
10 read, write, and understand the English language.

11  
12 On Thursday, Feb. 21, 2002, I was riding around with Cody and Mindy Keisel. I  
13 was going to my boyfriends house and we drove by Jason Tucker's house. There  
14 were a bunch of people sitting on his porch. We stopped to see what was up. We  
15 didn't stay long. We told them we were going to go eat at the mall. We told them  
16 we would call them after. They said they were going to the lake and we said we  
17 would meet them at the lake. We ate and went back to Mindy's house to drop her  
18 mom off some food. We called Bart and he told me exactly where they were. We  
19 went out there and were only there for a couple of minutes and someone decided  
20 they wanted to go somewhere they call the rice patty. I followed this other kid who  
21 was there and Bart was following me. It was beside the skating rink near where  
22 they are building new houses. There is a dirt road and a pond. We were chilling  
23 out there for a little while. The other car full of guys left to go get something to eat.  
24 It was just me, Mindy, Cody, Jason, Bart, and Daniel. We were just chilling there  
25 for a little while. Me and Mindy were sitting in Bart's truck. Bart told us he had

An about-face. Mindy's camp was able to convince Mike to corroborate them Jake, Kodi & "Rocky" were there for their corroboration.

kolaropons are a long way from Paxil, even if I did tell her I was taking Paxil.

26 taken 6 kolaropons They are like muscle relaxer he said a word like  
27 psychological. He also had been drinking with them. A car pulls up and they are  
28 just sitting there. We thought it was someone we knew and we all got out of the  
29 truck and went over to them still sitting in the car. We asked them who they were  
30 and I don't remember their names but they told us they were just out there  
31 smoking a blunt. That was the only time I talked to them the whole night. Bart  
32 starts asking questions like, do they have a pound or can they get a pound. I  
33 pulled Mindy aside and told her that I thought he was planning on doing  
34 something like try and rob them or something like that. I had that feeling because  
35 he has been acting really strange lately. I knew he had that shotgun out there that  
36 night because he always carries it. Even if mine, which it was not b/c it was, of course, stolen some 26-days prior to, notice she omits everybody shooting it.

Really?

Jason, not me, and she did everything within her power to help him along, including letting Mike use her (Sherry's) cellphone to call Paul and his dealer.

37  
38 Me and Mindy and Jason and Cody went and sat in my car and listened to the  
39 radio. Bart comes up to us and tells us to follow him to go do something. He told  
40 Jason to come ride with him. Jason went with him. He asked us to go with them  
41 and Mindy said she didn't have a good feeling and I didn't want to go with them. I  
42 had told my friend Jake that I would stay there and wait till he got back.

Notice the untold distance she fostered toward Jason, her love, herself, and the drug deal, beyond what couldn't be controlled. Hence, only me.



1 They left, Jason, Daniel and Bart and the two guys in different cars. Me, Mindy  
2 and Cody were there by ourselves for about 15 minutes and then our other  
3 friends showed back up. Me, Mindy and Cody got in their car and we were sitting  
4 there waiting for Bart, Jason and Daniel to get back. I called Bart on Mindy's  
5 mom's cell phone to see where they were at. Bart told me he was at WalMart. I  
6 asked him what he was getting and he told me he was getting bullets. I got real  
7 mad and asked him why and what he was getting the bullets for. He said, "just in  
8 case something happens and I need it." His phone cut out and I was trying and  
9 trying to call him and he never answered. Finally he called me back like 20  
10 minutes later and I asked him what happened. He said they didn't have nothing.

Jerri didn't let Mindy use her cellphone that I ever knew. Sherry, however, let Tarah often. And "in case something happens" is a long stretch from in case they're strapped. A little tug here and the whole lie was likely to come apart at the seam. Thanks Greg Westfall.

11  
12 We told him that I was about to go back to my house and they said they wanted  
13 to meet up with us and go to my house too. So the plan was for them to meet us  
14 at my house. I was driving to drop Cody off and I noticed that they were right  
15 behind us. I pulled up to drop Cody off, I got out of the car and went up to Bart's  
16 truck and the guy Daniel, had cut his hand and he was bleeding everywhere and  
17 he had blood on Bart's truck by the door handle. Jason and Daniel were like  
18 acting real scared and saying they were going to have bad dreams. Bart was  
19 acting like nothing had really happened. We stopped by a gas station and I saw  
20 Bart looking through a wallet and I saw the id and I knew something had  
21 happened. They followed us back to my house. They all came in and we were in  
22 my room and they were like getting rid of the wallet. They are going through the  
23 wallet at my house. They had some cards and stuff like that. Me and Mindy knew  
24 something bad had happened, worse than them getting in a fight or something  
25 because of the way that they were acting. They wouldn't say anything except that  
26 they had gotten into a fight. Daniel wanted to go home and he and Jason was  
27 aing really shaken up. Jason was staying the night at Daniels house so I left to  
28 take Daniel and Jason home and Mindy and Bart stayed at my house. Whenever  
29 I was taking them home I kept asking them what happened. They told me that it  
30 wasn't their business to tell that it was Bart's business and that he had done  
31 something and if I wanted to know to ask Bart.

Charla embellished a little too much here

32  
33 I dropped them off and went back to my house. Me and Bart have been good  
34 friends for awhile. He used to stay the night at my house a lot. As soon as I got  
35 there he just started acting like he could spend the night. Like he didn't even have  
36 to ask. I went in my room and asked my mom if it was ok if he stayed the night.  
37 She said yes. We were just chilling in my room for awhile. For awhile I was in the  
38 other room on the phone with my boyfriend. After I got ready for bed, me and  
39 Mindy and Bart were all in my room and Me and Mindy asked him what  
40 happened. We told him that we wouldn't tell anyone. We pinky swore that we  
41 wouldn't tell anyone. He told us, he just came out and told us that he had shot  
42 and killed two people and he thought they were dead. He wasn't acting like it was  
43 a big deal or anything. He said it was the first time he had killed anyone. He didn't  
44 act like it was a big deal. He did say at one point that he wasn't in his right mind.  
45 Me and Mindy are freaking out and immediately start feeling sick to our  
46 stomachs. We sat up and talked about it. We only got a couple hours of sleep



1 that night. He woke up at about 6 o'clock in the morning and left to go to work.

2

3 Me and Mindy woke up about 7:30 or 8 because we had to go to school. We went  
4 and got something to eat. I dropped Mindy off at her house. I went to school and I

5 got out at 11:43. Mindy got out for lunch at about 1 or 1:30. I went to get  
6 something to eat and her number was on my caller id. I called her back and she

7 just said, "get over here right now it's really important." I went over there and she

8 told me that someone in her class was talking about what had happened and said

9 he remembered one of the girls who had come up to him and said, "do you

10 remember me,? I picked you up for school one day." He said he remembered her.

11 That was Mindy who said that. Me and Mindy were just like the whole time feeling

12 sick to our stomachs and we cant believe this is actually happening. We talk

13 about how we are gonna go about it. While this is going on, Bart is calling and we

14 told him what happened. He told us to lie. First he said to say we didn't know him.

15 I told him I wasn't going to lie, " they aren't stupid they know we know you." He

16 tried to say our names our and he made up three names off the top of his head.

17 We just pretty much after that we didn't talk to him. He called constantly and we

18 didn't answer the phone. Mindy had to go back to school and I stayed at her

19 house and waited for her to get home from school. Jason's girlfriend calls us and

20 is freaking out because she had just found out what happened and that Jason's

21 real scared because he was there while it happened and his big brother is in jail

22 for the same thing, guilt by association. He is jail for 37 years. We went over to

23 Jason's to talk to him and we talked him into turning himself in and telling them

24 everything that happened and what Bart did because Bart acted like he didn't

25 even care that they were going to go down for what he did too. He calls and lets

26 his parents know and me and Mindy wanted to like hurry up and get it over with

27 and come up here and tell the names. Jason and his family were going to come

28 up here with us but they couldn't get a hold of Jason's lawyer. So Jason's mom

29 asked us if we could wait to come up here until they got a hold of his lawyer and

30 we would all come up here. The next day Jason calls me and says he has talked

31 to his lawyer and he should be coming up here as soon as he can. He didn't

32 know exactly what his lawyer was doing. Mindy got on the phone with him and

33 said that the only reason they needed to talk to her was to get the names of the

34 guys and since Jason was going to go and tell them everything she didn't think

35 she had to go up there anymore. I don't know what happened with that because I

36 haven't talked to Jason since then.

37 I'm sure they were getting tons of calls from each other, back and forth, but not from me.

38 Bart is like constantly calling us. We didn't want to answer the phone but we

39 finally did because we didn't want him to get suspicious so I was talking to him

40 and trying to act normal but I really couldn't. I tried to act like I didn't know what

41 was going on and I didn't know he was getting turned in. He kept asking if we had


42 heard anything else. He was planning on leaving town I think.

"[T]oo"? You mean like principal accomplice too?

You mean like I didn't know right from wrong?

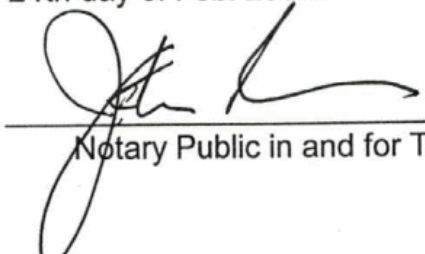
1 We just chilled that night. The next day Mindy called me and told me to come  
2 over there again and that it was important. She told me about you coming over  
3 there and we were going to have to come up here tomorrow to write a statement.  
4 Jason and Daniel. I don't think they knew at all what they were getting into when  
5 they got into the truck. Bart played it off like he was getting beer at WalMart. He  
6 told them he bought the bullets just in case something happened. I think Bart  
7 should seriously plead insanity and be put in a mental institution.

8  
9 That's what prison is, my dear, thanks to Ronald  
10 Reagan.

11  
12  
13  
14   
15

16  
17 Date: 02-24-02

18  
19 Subscribed and sworn before me this 24th day of Feb. 2002.

20  
21  
22   
23 Notary Public in and for Tarrant County  
24  
25  
26

No seal. Why?

John R?



# DOC 17: MINDY'S PHOTO SPREAD RESULTS (ME & JASON)

## FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

#1  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#2  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#3  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#4  
Date 2-24-02  
Initials MR  
Notes particulars

#5  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#6  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



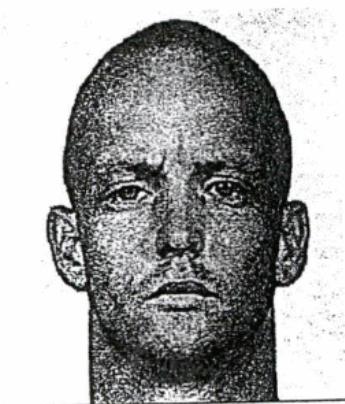
Officer: \_\_\_\_\_  
Viewed By: Mindy Keise  
Service #: \_\_\_\_\_

Time Photo Spread Shown: 1425  
Date Photo Spread Shown: 2-24-02  
Date of Offense: \_\_\_\_\_



# FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

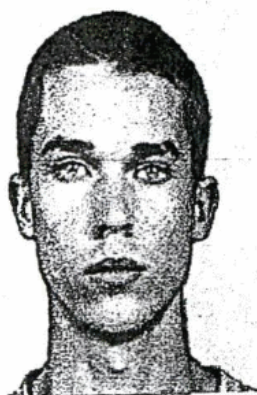
#1  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#2  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#3  
Date 2-24-02  
Initials MK  
Notes Jason Tucker



#4  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#5  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#6  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_

Officer: CB Smith  
Viewed By: Mindy Keise  
Service #: 02132262

Time Photo Spread Shown: 1435  
Date Photo Spread Shown: 2-24-02  
Date of Offense: 2-21-02

# DOC 18: TARA'S PHOTO SPREAD RESULTS (ME & JASON)

## FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

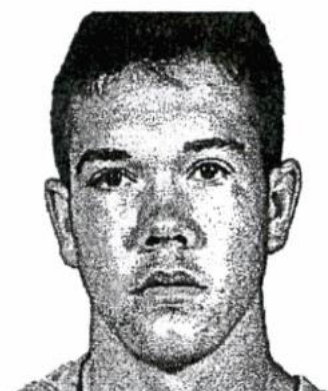
#1  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#2  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#3  
Date 2-24, 02  
Initials TG.  
Notes Barton Gains



#4  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#5  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#6  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_

Officer: CB Smith  
Viewed By: Sarah M. Smith  
Service #: 02132262

Time Photo Spread Shown: 1540  
Date Photo Spread Shown: 2-24-02  
Date of Offense: 2-21-02

# FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

#1

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

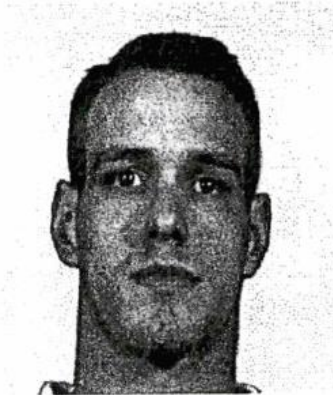


#2

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_



#3

Date 2-24, 2002

Initials T.G.

Notes JASON TUCKER



#4

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

#5

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

#6

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

Officer: CB Smith

Viewed By: JASON TUCKER

Service #: 02132262

Time Photo Spread Shown: 1540

Date Photo Spread Shown: 2-24-02

Date of Offense: 2-21-02



# DOC 19: ANDY'S PHOTO SPREAD RESULTS (ME & JASON)

## FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

#1  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#2  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#3  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#4  
Date 2-24-02  
Initials AF7  
Notes \_\_\_\_\_

#5  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



#6  
Date \_\_\_\_\_  
Initials \_\_\_\_\_  
Notes \_\_\_\_\_



Officer: CB Smith  
Viewed By: Andrew Horvath  
Service #: 02132262

Time Photo Spread Shown: 1845  
Date Photo Spread Shown: 2-24-02  
Date of Offense: 2-21-02

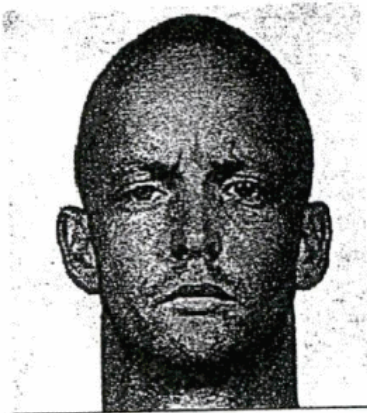
# FORT WORTH POLICE DEPARTMENT PHOTO SPREAD

#1

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

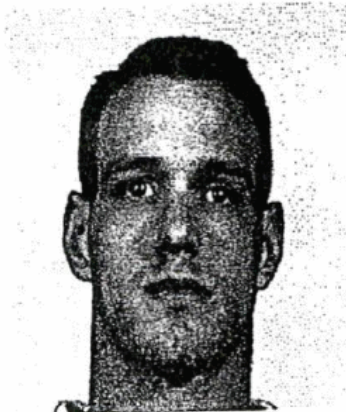


#2

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_



#3

Date 2-24-02

Initials AH

Notes \_\_\_\_\_



#4

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

#5

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

#6

Date \_\_\_\_\_

Initials \_\_\_\_\_

Notes \_\_\_\_\_

Officer: CB Smith

Viewed By: Andrew Horvath

Service #: 02138262

Time Photo Spread Shown: 1845

Date Photo Spread Shown: 2-24-02

Date of Offense: 2-21-02



DOC 20. MINDY'S SECOND STATEMENT (MAY 14, 2007)

2 COUNTY OF TARRANT

Time: \_\_\_\_\_

3  
4 Before me the undersigned Notary Public in and for the State and County  
5 aforesaid, on this day appeared \_\_\_\_\_, who after  
6 being duly sworn deposes and says:

7  
8 My name is Mindy Veisel I am 17 years of age.  
9 My date of birth is 7/10/03 I live at 332 N Heights Crowley  
10 I have completed 11 years (number of years of schooling)  
11 of school, and I can / cannot read, write and understand the english language.

12  
13 Details;

14 I know that the boy in the video was Bart Craine  
15 because of the clothes he had on, the way he  
16 walked and his mannerism. As well as the way  
17 he leaned over the counter and how he walked  
18 behind the counter. The cloth he had on  
19 saw on him before and after the shooting  
20 the video was showed to me today on 7-26-07

21  
22  
23  
24  
25  
26  
27

28 I do want to prosecute for the above offense.

29 Making a false statement to a police officer is a violation of the Texas  
30 Penal Code and is punishable by imprisonment, fine, and or both. Knowing this  
31 make the above statement freely and willingly and state that it is true and  
32 correct to the best of my knowledge as I have told Detective \_\_\_\_\_

33  
34  
35  
36 Signature: Mindy Veisel

37 Date: 7-26-07 Time completed; 6:10

38  
39 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

40  
41  
42 Notary Public in and for Tarrant County, Texas

43  
44 My commission expires \_\_\_\_\_



# DOC 21: KODI'S STATEMENT (WALMART)

1  
2  
3 COUNTY OF TARRANT )  
4  
5 Before me the undersigned Notary Public in and for the State and County  
6 aforesaid, on this day appeared \_\_\_\_\_, who after  
7 being duly sworn deposes and says:  
8  
9 My name is Kodi Morris. I am 18 years of age.  
10 My date of birth is 7/06/36. I live at 317 E. Mustang St Crowley Tx  
11 76036. I have completed 11 years (number of years of schooling)  
12 of school, and I can / cannot read, write and understand the english language.  
13  
14 Details;  
15 I know it was Bert Cozins cause the way he was  
16 walk, what he was wearing when I saw he  
17 before he left on Thurs. night, The Detective  
18 brought the tape over on 2.26.02 for us to see.  
19 And what he was wearing was what he was wearing  
20 in the tape.  
21  
22  
23  
24  
25  
26  
27  
28  
29 I do want to prosecute for the above offense.  
30  
31 Making a false statement to a police officer is a violation of the Texa  
32 Penal Code and is punishable by imprisonment, fine, and or both. Knowing this  
33 make the above statement freely and willingly and state that it is true a  
34 correct to the best of my knowledge as I have told Detective \_\_\_\_\_  
35  
36  
37 Signature Kodi Morris  
38 Date; 2.26.02 Time completed; 6:10  
39  
40 Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
41  
42  
43  
44 Notary Public in and for Tarrant County, Texas  
45  
46 My commission expires \_\_\_\_\_  
47

## DOC 22: TARAH'S SECOND STATEMENT (WALMART)

1  
2  
3 COUNTY OF TARRANT ) ( Time: \_\_\_\_\_  
4  
5 Before me the undersigned Notary Public in and for the State and County  
6 aforesaid, on this day appeared \_\_\_\_\_, who after  
7 being duly sworn deposes and says:  
8  
9 My name is Tarah Green I am 17 years of age.  
10 My date of birth is [REDACTED] I live at 674 E. Smith Crowley TX  
11 76036 I have completed 10 years (number of years of schooling)  
12 of school, and I can / cannot read, write and understand the english language.  
13  
14 Details;  
15 I viewed the video and know that he  
16 was Bartrains because of the way  
17 he walks & stands I saw him before,  
18 & after the shooting that was what he  
19 was wearing. I viewed this taping with  
20 Detective Smith.  
21  
22  
23  
24  
25  
26  
27  
28  
29 I do want to prosecute for the above offense.  
30  
31 Making a false statement to a police officer is a violation of the Texa  
32 Penal Code and is punishable by imprisonment, fine, and or both. Knowing this  
33 make the above statement freely and willingly and state that it is true ar  
34 correct to the best of my knowledge as I have told Detective Smith  
35  
36 Signature Tarah Green  
37  
38 Date; 2-26-02 Time completed; 6:15  
39  
40  
41 Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
42  
43  
44 Notary Public in and for Tarrant County, Texas  
45  
46 My commission expires \_\_\_\_\_

# DOC 23: CHARLA'S WARRANT (JASON)

WARRANT NO. 02 F038951

THE STATE OF TEXAS )(   
COUNTY OF TARRANT )(

## WARRANT OF ARREST TO ANY PEACE OFFICER OF THE STATE OF TEXAS;

The undersigned Magistrate having heretofore found that probable cause exists for the issuance of this warrant, you are hereby commanded to arrest

**JASON A TUCKER**

a white male date of birth: [REDACTED]

hereinafter referred to as the suspect, and bring the said suspect before a Magistrate in and for Tarrant County, Texas, instantler, then and there to answer the State of Texas for an offense against the laws of the said State, to-wit

**CRIMINAL ATTEMPT CAPITAL  
MURDER**



of which offense HE the said suspect, is accused by the written affidavit, under oath of Detective CB SMITH, I.D. 2214 Fort Worth Police Department filed before me anterior to the issuance of this warrant.

Herein fail not and due return make hereof at the place hereinafter named.

Witness my official signature this the 27 day of Feb., A.D., 2002.

TIME:



*[Signature]*  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

*[Signature]*  
TITLE AND OFFICE HELD BY MAGISTRATE

BOND SET BY JUDGE:

\$ 100,000 -

RETURN

Came on to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NAME OF PEACE OFFICER

\_\_\_\_\_  
DESCRIPTION OF OFFICE

Confidential

Page 1

2/26/02



THE STATE OF TEXAS )(

ARREST WARRANT AFFIDAVIT

COUNTY OF TARRANT )(

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who after being duly sworn on oath deposes and says; My name is **DETECTIVE CB SMITH, I.D. 2214, FORT WORTH POLICE DEPARTMENT**, and I have good reason to believe and do believe that on or about the 21<sup>st</sup> day of Feb, 2002, at 5200 Southcrest Ct. in Ft. Worth, Tarrant County, Texas, **JASON A. TUCKER, a white male DOB [REDACTED]** did then and there commit the offense of **CRIMINAL ATTEMPT CAPITAL MURDER**

In that he did then and there with the specific intent to commit the offense of capital murder of more than one person during the same criminal transaction, intentionally beat and shot injured party with a deadly weapon, to-wit: a firearm, which amounted to more than mere preparation that tended but failed to effect the commission of the offense intended.

My belief is based upon the following facts and information:

1. That on 2-21-02, JASON TUCKER, was with Barton Ray Gaines and a subject named Daniel, when they made an agreement with Michael Williams to purchase marijuana for them at an apartment in the 5200 block of Southcrest Ct., Fort Worth, Tarrant County, Texas.
2. That Michael Williams was the passenger in the Andrew Horvath's car with Andrew Horvath.
3. That JASON TUCKER, Barton Gaines and Daniel agreed to follow Williams and Horvath to the drug sale location and left from a pasture off of Crowley Rd following Williams and Horvath.
4. That once back on the road, Barton Gaines, driving JASON TUCKER and Daniel, did flash his headlights at Horvath's vehicle and then pull beside them and tell Williams and Horvath that they wanted to go to Walmart to buy beer and to follow them.
5. That JASON TUCKER, Barton Gaines and Daniel in Gaines pickup did lead the way to Walmart where Barton Gaines exited the vehicle and went into Walmart and purchased shotgun shells while JASON TUCKER and Daniel drove around the parking lot and Williams and Horvath parked waiting for them.
6. That Barton Gaines did return to his truck with the shotgun shells and did show them to JASON TUCKER and Daniel and tell them he bought them in case Williams and Horvath were "strapped."
7. That Barton Gaines, JASON TUCKER and Daniel then met up with Williams and Horvath and followed them to 5200 Southcrest Ct where Williams went to a nearby drug house to try and purchase the pound of marijuana requested by Barton Gaines.

Confidential

Page 2

2/26/02

8. That Williams returned to Barton Gaines, JASON TUCKER and Daniel and told them that the dealer did not have a pound to sell, only a few ounces and Gaines demanded to see the marijuana and Williams told him he needed to see the money.
9. That Barton Gaines then grabbed Williams by the shirt and jerked him around lifting his shirt and frisking him and accusing him of being a cop. Williams assured him that he was not a cop and did not have a weapon.
10. That Barton Gaines exited his truck pulling a shotgun and pointing it at Williams and demanding that Williams empty his pockets and struck him in the head with the shotgun twice. Williams complied.
11. That JASON TUCKER and Daniel also exited the truck and began beating on Horvath and demanding his wallet, knocking him to the ground and splitting his lip even as he gave his wallet.
12. That Barton Gaines then shot Williams as Williams turned to run and then shot Horvath from a short distance.
13. That police were called and your affiant made the scene and then the hospitals to speak with Horvath and Williams. I did observe that Williams did have 3 gunshot wounds, two to his elbow and one to his shoulder blade and a laceration to the top of his head and a busted lip. Horvath had multiple holes in his right arm and was being treated by the doctor who said his arm was broken.
14. That both Williams and Horvath had been robbed and shot by three men they had met earlier in a pasture by Crowley. Williams advised he had seen a girl talking with the three robbers at that time and recognized her from Crowley High School but did not know her name.
15. That Williams suffered a fractured left arm in two places and still has shrapnel imbedded in his shoulder blade. He also had a laceration in the top of his head and a knot on the back of his head from being hit with the shotgun. He also had a busted lip that he said happened when one of the other suspects punched him in the mouth during the robbery.
16. That Horvath suffered multiple wounds in his right arm and a shattered right elbow and likely nerve damage as he is unable to use his hand. He required stitches in his lip to repair the damage done by the beating he suffered prior to being shot.
17. That on 2-22-02 your affiant obtained a Crowley High School yearbook and met with Williams at Harris Hospital and he did identify "Mindy Keisel" as the girl he had seen with the robbers prior to the robbery.

18. That on 2-23-02 your affiant did locate Keisel at her home and she did advise the guys she had been with in the pasture in the truck were JASON TUCKER, Barton Ray Gaines, and a guy named Daniel.
19. That your affiant did go to Crowley Police Dept. and did obtain dates of birth and vehicle information and with that was able to obtain mugshots of both and make photospreads.
20. That I met with Michael Williams and he did positively identify Barton Ray Gaines as the person who shot him. He was unable to identify Tucker. Williams did provide a sworn deposition about the robbery and shooting. I prepared the warrant for Gaines.
21. That On 2-24-02, I met with Andrew Horvath who positively identified Gaines as the person who shot him. I then showed him a photospread containing a photo of JASON TUCKER and 5 other similar males. Horvath pointed to JASON TUCKER and then touched the stitches in his lip and said, "he did this."
22. That on 2-24-02, Melinda Keisel and Kara Green did come to the detective office and provide sworn depositions.
23. That immediately after the robbery and shootings, Barton Gaines and JASON TUCKER and Daniel returned to Crowley where they met with Melinda Keisel and Kara Green.
24. That Barton Gaines told both Melinda Keisel and Kara Green that they had robbed and shot two people and left them for dead and it was exciting and a real rush.
25. That Melinda Keisel and Kara Green later went to JASON TUCKER'S home where he told them that his fingerprints would be on the shotgun shells used in the shooting because he handled them after Gaines bought them.
26. JASON TUCKER did admit to his parents what had happened and his mother asked Keisel and Green to delay coming to the police until they could obtain an attorney for him.
27. That he did tell them that he and Barton Gaines were going to leave town.
28. That your affiant does believe that JASON TUCKER was an active participant in this robbery and did have knowledge that Gaines did purchase shotgun shells just prior to the robbery shooting.
29. That due to JASON TUCKER'S comments about leaving town to Keisel and Green, your affiant has reason to believe that JASON TUCKER is a flight risk.

That due to the above listed facts and circumstances your affiant has reason to believe and does believe that probable cause exists for the arrest of JASON TUCKER for the offense of **CRIMINAL ATTEMPT CAPITAL MURDER** against the laws of the STATE of TEXAS



WHEREFORE, I request that an arrest warrant issue for the suspect hereinbefore designated according to the laws of this State.

WITNESS my signature this the 27 day of Feb, 2002.

Del C. Bell 2214  
AFFILANT

SUBSCRIBED AND SWORN TO BEFORE ME this the 27 day of Feb, 2002.

J. Williams  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

Municipal Court Judge  
TITLE AND OFFICE HELD BY MAGISTRATE F.W. TX



# DOC 24: JASON'S MAGISTRATE WARNING

Arrest No. \_\_\_\_\_  
Service No. 02132362  
Warrant No. 02 F037850

## MAGISTRATE WARNING

THE STATE OF TEXAS  
COUNTY OF TARRANT

Before me, the undersigned magistrate of the State of Texas, on this day personally appeared Tucker, Jason Adrian, and said person was given the following warning by me:

- (1) You are charged with the offense of Crim Att Capital Murder. An affidavit charging you with this offense has / has not been filed in the court.
- (2) You have the right to hire a lawyer and have him or her present prior to and during any interview and questioning by peace officers or attorneys representing the state.
- (3) If you cannot afford a lawyer, you have the right to request the appointment of a lawyer to be present prior to and during any such interview and questioning and you have the right to have a lawyer appointed to represent you if you cannot afford a lawyer. This means you may obtain your own lawyer or have a lawyer appointed for you by the court. You may have reasonable time and opportunity to consult your lawyer if you desire. In the event you want a lawyer appointed for you, you will be asked to complete a written form that contains questions about your financial resources. You will be provided with the forms needed to make a request for a lawyer. If you need help completing the forms, reasonable assistance will be provided to you.
- (4) You have the right to remain silent. You do not have to speak to the police.
- (5) You are not required to make a statement. Any statement you do make can and may be used against you in court.
- (6) You have the right to stop any interview or questioning at any time.
- (7) You have the right to an examining trial.
- (8) If you are not a citizen of the United States, you have the right to contact your consulate. Depending on the nature of the charge, you could be deported or have your residency status revoked.

THE ACCUSED DOES / DOES NOT WANT TO REQUEST A COURT APPOINTED LAWYER.

Alcala  
MAGISTRATE

You are remanded without bond. \_\_\_\_\_

Your bond is set at \$ 100,000<sup>00</sup>

WITNESS: [Signature]

[Signature]  
PERSON WARNED

Place of warning: tw-jail

Time: \_\_\_\_\_

Date: 02/27/02

## PROBABLE CAUSE DETERMINATION

Sufficient facts have been presented to me under oath by affidavit, sworn testimony, or otherwise to show that probable cause exists for the continued detention of the prisoner designated above as to the following charges:

Crim. Attempt Capital Murder

Signed this 24 day of February, 200 2

[Signature]  
MAGISTRATE

Defendant's name Tucker Jason Adnan

Sex M Race W SSN [REDACTED]

DOB [REDACTED]

CID no. \_\_\_\_\_

Arrest no. \_\_\_\_\_

Service no. 02132262

Warrant no. \_\_\_\_\_

### WAIVER OF APPOINTED COUNSEL

I have been told by the magistrate that I have the right to request the appointment of a lawyer. I understood the warnings given to me by the magistrate. I wish to waive my right to an appointed attorney at this time. I do not want the magistrate to appoint an attorney for me at this time.

[Signature]  
(Defendant)

### REQUEST FOR APPOINTED COUNSEL

I have been advised by the court of my right to representation by counsel in the trial of the charge pending against me. I certify that I am without means to employ counsel of my own choosing and I hereby request the court to appoint counsel for me.

\_\_\_\_\_  
(Defendant)

### ORDER SETTING CONDITIONS OF BOND

IT IS THE ORDER OF THE COURT that if you receive an appointed attorney and make bond, you shall comply with the following additional terms and conditions of bond:

1. You shall keep all appointments with your attorney.
2. You shall attend all court settings.
3. You shall notify your attorney or your attorney's office of any changes in your residence address, business address or telephone numbers within 24 hours of such change.

Any violation of these conditions may result in your bond being held insufficient and you being returned to custody.

\_\_\_\_\_  
Judge/Magistrate

I understand these conditions of my bond.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

DOC 25: CHARLA'S WARRANT TO SEARCH MY



# TRUCK

## AFFIDAVIT FOR SEARCH WARRANT

STATE OF TEXAS ) (

COUNTY OF TARRANT ) (

CITY OF FORT WORTH ) (

The undersigned affiant, being a peace officer under the laws of Texas, and being duly sworn on oath, makes the following statements and accusations:

1. THERE IS IN FORT WORTH, TARRANT COUNTY, TEXAS, A SUSPECTED VEHICLE DESCRIBED AND LOCATED AS FOLLOWS:

2000 pewter colored Chevrolet stepside pickup, Texas license plate number: [REDACTED] VIN: [REDACTED]

2. THERE IS IN SAID SUSPECTED VEHICLE PROPERTY CONCEALED AND KEPT IN VIOLATION OF THE LAWS OF TEXAS AND DESCRIBED AS FOLLOWS:

Shotgun

Shotgun shells

Box from the shotgun shells

Cash register receipt

Stolen wallets

Blood evidence

Any other evidence from the robbery and shooting from 5200 Southcrest Court, Fort Worth, Texas

Any other weapon possibly used in a later robbery shooting that Gaines has bragged about

Anything else of evidentiary value

3. SAID SUSPECTED VEHICLE IS IN CHARGE OF AND REGISTERED TO BARTON GAINES :

4. AFFIANT HAS PROBABLE CAUSE FOR SAID BELIEF BY REASON OF THE FOLLOWING FACTS:

- A. That on Feb. 21, 2002, your affiant was notified of a robbery/shooting at 5200 Southcrest Court, Fort Worth, Texas. I met with the victims, Michael Williams and Andrew Horvath advised they had been robbed and shot by 3 males in a silver or gold pickup.
- B. That they had been smoking marijuana in a pasture and met the guys in the pickup. Some girls were also at the pasture and Williams said that he recognized one of the girls from Crowley High School. He said if I could provide a yearbook he could recognize her.
- C. That they Williams and Horvath did agree to lead the guys in the pickup to a location to purchase more marijuana. The truck began following Williams and then pulled up beside them and told them they needed to go to Walmart for beer. an inanimate object
- D. Williams and Horvath waited in the back of the parking lot while Gaines (later identified as the shooter) entered the store.
- E. Gaines returned to his truck and did follow Williams and Horvath to 5200 Southcrest Ct. Ft. Worth
- F. Williams was unable to get the dealer to sell to him and he walked back to where the three subjects in the truck and his friend Horvath were waiting.
- G. Williams advised Gaines that he could not buy any drugs. Gaines grabbed him and accused him of being a cop and when he found no weapon, produced the shotgun and ordered Williams to empty his pockets. The two other guys from the truck assaulted Horvath and took his wallet. Gaines then shot both Williams and Horvath before fleeing in the vehicle.

Charla, not  
Hanlon

- H. That I brought a Crowley yearbook to Williams at the hospital and he did identify Mindy Keisel as the girl who had been in the pasture with the guys in the truck.
- I. I met with Mindy at her home on 2-23-02 and she did tell me that the guys she had been hanging out with in the truck were Bart Gaines, Jason Tucker and a Hispanic male named Daniel.
- J. I located the truck description and license plate in the ticket file. I did put together a photo spread containing Bart Gaines and 5 similar males and show it to Williams. He immediately pointed to Barton Gaines and said, "that's him, that's him That is the guy that shot me.." Andrew Horvath later viewed the photospread and did identify Bart Gaines as the person who shot him.. I prepared a warrant for Barton Gaines and notified the crime response team who located the truck on Eastview in south Fort Worth. Gaines was located and arrested inside a house. The truck was impounded and taken to the Fort Worth Auto Pound at 1301 E. Northside Dr. where it has been locked and secured..
- K. Mindy Keisel's mother called me and said she had overheard a phone conversation between Mindy and Bart Gaines and had discovered that Mindy Keisel and Kara Green were told by Barton Gaines about the shooting within an hour of the shooting.
- L. That Barton Gaines told them he had gone to Walmart and bought bullets. He told them that one of the guys ran and he shot him and then shot the other. He said he shot them and left them for dead. Barton Gaines told them he had never killed anyone before and it was a real exciting rush.
- M. That upon returning to Crowley after the shooting, Daniel Aranda who was with Barton Gaines, hand was cut and bleeding all over Barton Gaines truck he said he hit someone.
- N. That on 2-23-02, Barton Gaines called Mindy Keisel and told her he had robbed and shot someone on 2-22-02 and was going to pawn all the property. That offense, if true, has not been discovered yet.
- O. That due to the above listed facts and circumstances as related to me, your affiant has reason to believe and does believe that evidence relating to the offense of criminal attempt capital murder is in the truck.

slight slip. I was supposed to have told them while I was buying them, not after. That way Foran could prove my mental state at the time of the offense (mens rea).

WHEREFORE, I request that a search warrant issue for the vehicle hereinbefore described according to the laws of this State.

WITNESS my signature this the 28th day of February 2002.

Debra C. Hanlon 2214  
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME by said affiant on this the 28th day of February 2002.

Debra C. Hanlon  
Judge Criminal District Court # COUNTY CRIMINAL COURT 9  
Tarrant County, Texas

Time: 2:25

Why didn't they print his name like my 2-23-02 arrest warrant?

# DOC 26: JUDGE CARR'S ORDER TO SEARCH MY TRUCK

12-S-0162-02

## SEARCH WARRANT

STATE OF TEXAS                    )(

COUNTY OF TARRANT            )(

THE STATE OF TEXAS to the Sheriff or any peace officer of Tarrant County, Texas, or any peace officer of the State of Texas,

### GREETINGS:

WHEREAS, the affiant whose signature is affixed to the affidavit appearing on the reverse hereof is a peace officer under the laws of Texas and did heretofore this day subscribe and swear to said affidavit before me (which said affidavit is by this reference incorporated herein for all purposes), and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this warrant:

NOW, THEREFORE, you are commanded to enter the suspected motor vehicle described in said affidavit which is located at the Fort Worth Police Department Auto Pound and to there search for the property described in said Affidavit and to seize the same and bring before me a Schedule of Property Seized. Herein fail not, but have you then and there this Warrant within three days, exclusion of the day of its execution, with your return thereon, showing you executed the same.

ISSUED AT 2:27 o'clock, P. m., on this the 28th day of February, 2002  
to certify which witness my hand this day.



Judge, ~~Criminal District Court #~~ TARRANT COUNTY CRIMINAL COURT 9  
Tarrant County, Texas



# DOC 27: CHARLA'S SEARCH WARRANT RETURN

## SEARCH WARRANT RETURN

I, CB Smith, a duly sworn Peace Officer under the laws of the State of Texas, received a search warrant on the 28 day of Feb, 2002 at 1427 hours. I executed this Search Warrant on the 28 day of Feb, 2002 at 1510 hours and as commanded seized the following:

- 1- SKS rifle & 4 SKS rounds
- 1- shotgun slug
- 1- black wallet containing Barton Gaines Tx DL + SS #card
- 2- \$50 bills
- 1- \$1 bill
- 2- 104
- 1- 1a
- 1 small quantity of blood

CB Smith 2214  
AFFIANT

Subscribed and sworn to before me on this the 28 day of Feb,  
~~2002~~ 2002

[Signature]  
JUDGE  
TARRANT COUNTY, TEXAS  
[Signature]  
COURT #

DOC 28: CHARLA'S PROPERTY RECORD (WALMART VIDEO + TARAH'S PHOTOS)

| FORT WORTH POLICE DEPARTMENT                   |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |
|--|--------------------------|--------------------------|---|-------------------------------------|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|
| North FOB                                      |                          | East FOB                 |   | South FOB                           |                          | West FOB                 |                          | Homicide                                 |                          | SOD                      |                          |
| <input type="checkbox"/>                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Evidence <input checked="" type="checkbox"/>   |                          |                          |   | Recovered <input type="checkbox"/>  |                          |                          |                          | Pending Seizure <input type="checkbox"/> |                          |                          |                          |
| Property <input type="checkbox"/>              |                          |                          |   | Personal <input type="checkbox"/>   |                          |                          |                          |  |                          |                          |                          |
| Offense No.                                    |                          | Type Offense             |   | Location                            |                          |                          |                          |  |                          |                          |                          |
| 02132262                                       |                          | Crim Att Capital Murder  |   | 3200 Southcrest                     |                          |                          |                          |  |                          |                          |                          |
| Remarks:                                       |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |
| Reported Stolen on Offense No.:                |                          |                          |   | Agency:                             |                          |                          |                          |  |                          |                          |                          |
| Submitted By (Officer)                         |                          |                          |   | I.D. No.                            |                          | Unit                     |                          | Time                                     |                          | Date                     |                          |
| CB Smith                                       |                          |                          |   | 2214                                |                          | 7954                     |                          |  |                          | 2-28-02                  |                          |
| Suspect(s) Name                                |                          |                          |   | Race                                |                          | Sex                      |                          | DOB                                      |                          |                          |                          |
| Gaines, Barton                                 |                          |                          |   | W                                   |                          | M                        |                          | 10-25-82                                 |                          |                          |                          |
| Tucker, Jason                                  |                          |                          |   | W                                   |                          | M                        |                          |  |                          |                          |                          |
| Complainant Name                               |                          |                          |   | Race                                |                          | Sex                      |                          | DOB                                      |                          |                          |                          |
| Williams, Michael                              |                          |                          |   | W                                   |                          | M                        |                          |  |                          |                          |                          |
| Residence                                      |                          |                          |   | Telephone                           |                          |                          |                          |  |                          |                          |                          |
| 304 Willow                                     |                          |                          |   | 297-7895                            |                          |                          |                          |  |                          |                          |                          |
| Business Address                               |                          |                          |   | Telephone                           |                          |                          |                          |  |                          |                          |                          |
| Crowley  |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |
| Item No.                                       | Quantity                 | Make                     | Description                                   | Model                               | Serial Number            |                          |                          |  |                          |                          |                          |
| 1  | 1                        |                          | Video tape of Barton Gaines entering W/Almae/ |                                     |                          |                          |                          |  |                          |                          |                          |
|  |                          |                          | buying shotgun shells & leaving in his truck  |                                     |                          |                          |                          |  |                          |                          |                          |
|  |                          |                          | behind the future victim                      |                                     |                          |                          |                          |  |                          |                          |                          |
| 2  | 1                        |                          | Kodak Picture CARD containing photos of       |                                     |                          |                          |                          |  |                          |                          |                          |
|  |                          |                          | All actors prior to shooting                  |                                     |                          |                          |                          |  |                          |                          |                          |
| (List additional items on supplemental sheet.) |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |
| Stamp  |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |
| Received By:                                   |                          |                          |   | Property Room                       |                          | I.D. No.                 |                          | Date                                     |                          | PROPERTY ROOM USE ONLY   |                          |
| K. Smith                                       |                          |                          |   |                                     |                          | 16487                    |                          | 02/28/02                                 |                          | Items                    |                          |
| Invoice No.:                                   |                          |                          |   | Offense No.:                        |                          | Time                     |                          |  |                          | Location                 |                          |
| 02P01162                                       |                          |                          |   | 02132262                            |                          | 11:09                    |                          |  |                          | Video                    |                          |
| BE/ep  |                          |                          |   |                                     |                          |                          |                          |  |                          |                          |                          |

# DOC 29: CHARLA'S PROPERTY RECORD (ITEMS SEIZED; TRUCK)

| PROPERTY RECORD<br>FORT WORTH POLICE DEPARTMENT |   |   |   |  |                              |  |   |                                |                                |                        |  |
|---|---|---|---|--|------------------------------|--|---|--------------------------------|--------------------------------|------------------------|--|
| Division  |   |   |   |  |                              |  |   |                                |                                |                        |  |
| North FOB <input checked="" type="checkbox"/>   | East FOB <input type="checkbox"/>                                   | South FOB <input checked="" type="checkbox"/> | West FOB <input type="checkbox"/>       | Homicide <input type="checkbox"/>        | SOD <input type="checkbox"/> | Traffic <input type="checkbox"/>             | Sexual Assault <input type="checkbox"/> | Fraud <input type="checkbox"/> | Other <input type="checkbox"/> |                        |  |
| Property  |   |   |   |  |                              |  |   |                                |                                |                        |  |
| Evidence <input type="checkbox"/>               |   | Recovered <input type="checkbox"/>            |   | Pending Seizure <input type="checkbox"/> |                              | Personal <input checked="" type="checkbox"/> |   |                                |                                |                        |  |
| Offense/Incident:                               | Offense No. <u>02132262</u>   |   | Type Offense <u>Crim Att Cap Murder</u> |  |                              | Location <u>5217 Southeast CH</u>            |   |                                |                                |                        |  |
|   | Remarks:  |   |   |  |                              |  |   |                                |                                |                        |  |
|   | Reported Stolen on Offense No.:                                     |   |   |  | Agency:                      |  |   |                                |                                |                        |  |
|   | Submitted By: (Officer) <u>C.B. Smith</u>                           |   | I.D. No. <u>2214</u>                    |  | Unit <u>K454</u>             |  | Time:                                   |                                | Date:                          |                        |  |
| Suspect(s)/Actor:                               | <u>Gaines Barton</u>  |   |   |  |                              | Race: <u>W</u>                               |   | Sex: <u>M</u>                  |                                | DOB: <u>[REDACTED]</u> |  |
|   |   |   |   |  |                              | Race:  |   | Sex:                           |                                | DOB:                   |  |
| Owner/Complainant:                              | Name:   |   |   |  |                              | Race:  |   | Sex:                           |                                | DOB:                   |  |
|   | Residence:  |   |   |  |                              | Telephone:                                   |   |                                |                                |                        |  |
|   | Business Address:   |   |   |  |                              | Telephone:                                   |   |                                |                                |                        |  |
| Items Submitted                                 | Item No.  | Quantity                                      | (Make)                                  |  | Description                  |  | Serial Number)                          |                                |                                |                        |  |
|   | 1   | 2   |   |  | \$50 bills = \$100           |  |   |                                |                                |                        |  |
|   | 2   | 1   |   |  | \$ 1 bill =                  |  | 1                                       |                                |                                |                        |  |
|   | 3   | 2   |   |  | dimes =                      |  | .20                                     |                                |                                |                        |  |
|   | 4   | 1   |   |  | penny =                      |  | 1                                       |                                |                                |                        |  |
|   |   |   |   |  |                              | 101.21                                       |   |                                |                                |                        |  |
|   |   |   |   |  |                              |  |   |                                |                                |                        |  |
|   |   |   |   |  |                              |  |   |                                |                                |                        |  |
|   |   |   |   |  |                              |  |   |                                |                                |                        |  |
|   | (List additional items on supplemental sheet.)                      |   |   |  |                              |  |   |                                |                                |                        |  |
| Stamp   | <u>MONEY SEIZING NOT OFFER OR CAUSED BY PCS K487 TOTAL \$101.21</u> |   |   |  |                              |  |   |                                |                                |                        |  |
|   |   |   |   |  |                              |  |   |                                |                                |                        |  |
| Property Room                                   |   |   |   |  |                              | PROPERTY ROOM USE ONLY                       |   |                                |                                |                        |  |
| Received By: <u>[Signature]</u>                 |   |   |   | I.D. No.: <u>K487</u>                    |                              | Date: <u>02/28/02</u>                        |   | Items                          |                                | Location               |  |
| Invoice No.: <u>020711104</u>                   |   |   |   | Offense No.: <u>02132262</u>             |                              | Time: <u>17:09</u>                           |   | 1                              |                                | SAFE                   |  |



## 2

Page 107 of Appendix 3

# DOC 30: GASS'S EVIDENCE TRANSMITTAL REPORT

*JKY*

## FORT WORTH POLICE DEPARTMENT CRIME SCENE EVIDENCE TRANSMITTAL REPORT

1 OFFENSE NUMBER: 02132262 INVESTIGATIVE AREA: SOUTH  
2 DET. SMITH  
3 OFFENSE: C/A CAPITAL MURDER DATE OF OFFENSE: 022102  
4 OFFENSE LOCATION: 5217 SOUTHCREST LN DATE OF INV: 022802  
5 VICTIM/COMP: WILLIAMS, MICHAEL RACE: W SEX: M AGE: [REDACTED]  
6 SUSPECT (1): RACE: SEX: AGE:  
7 SUSPECT (2): RACE: SEX: AGE:  
8 SUSPECT (3): RACE: SEX: AGE:

9 COLLECTED BY: HP GASS 2949 W481 DATE: 022802 TIME: 1508  
10 SUBMITTED BY:  
11 DATE SUBMITTED: TIME SUBMITTED: PLACE SUBMITTED:

12 REC'D BY: DATE: TIME: PLACE:  
13 PKGS: 2 BOXES:   
14  
15

16 PACKAGE#1(1 OF 2) containing:  
17 #1-SKS 7.62X39MM RIFLE SER# C169219165(BOLT CLOSED/#2 IN MAGAZINE/CHAMBER  
18 EMPTY)-from toolbox mounted in bed of 4KWG64 in secured bay at auto pound.  
19 #2-LIVE CARTRIDGE "WINCHESTER 7.62X39"-from magazine of #1.  
20 #3/4/5-LIVE CARTRIDGE "WINCHESTER 7.62X39"-from toolbox under #1.  
21 #6-LIVE SHOTSHELL "FEDERAL 12 GA"-from glovebox of 4KWG64.  
22 -submitted to PROP ROOM.

23 PACKAGE#2(2 OF 2) containing:  
24 #7-SWAB OF POSSIBLE BLOOD-from interior handle of passenger door 4KWG64.  
25 #8-CONTROL DISTILLED WATER.  
26 -Ssubmitted to PROP ROOM.  
27  
28

29 1 DISK-released to Det. Smith.  
30

31 SEE SUPPLEMENTAL REPORT 02132262  
32

33 PHOTOGRAPHS: FINGERPRINTS:   
34

### EXAMINATIONS REQUESTED:

| DATE | TIME | RELD BY | REC'D BY | PKGS | BOXES | ITEMS |
|------|------|---------|----------|------|-------|-------|
|      |      |         |          |      |       |       |
|      |      |         |          |      |       |       |
|      |      |         |          |      |       |       |
|      |      |         |          |      |       |       |

44 SERVICE NUMBER: 02132262 LAB NUMBER:   
45 INVOICE NUMBER: LOCATION:   
46

# DOC 31: ANDY'S CONSENT TO SEARCH + RTN

## CONSENT TO SEARCH

STATE OF TEXAS )(

I, EMIL HORVATH, have been informed by the Texas Peace Officer who has served me with this document, that I have the right to refuse the officer, or any other officer, permission to conduct a search of the premises mentioned in this document, which are under my control. I understand that should I refuse to consent, I have the right to be free from a search of these premises by a Texas Peace Officer, in the absence of a search warrant. I understand that these rights are afforded to me under both the Constitution of the State of Texas and by the United States Constitution. Nonetheless, I HEREBY VOLUNTARILY WAIVE AND SURRENDER THESE RIGHTS, AND GIVE MY PERMISSION TO THE FOLLOWING OFFICER, CB Smith, ALONG WITH ANY ASSISTING OFFICERS, TO CONDUCT A COMPLETE SEARCH OF THE PREMISES, BUILDINGS, AND CURTILAGE, LOCATED AT, 301 E Northside Dr Ft Worth - 77 Datsun 1600

I FURTHER CONSENT TO A SEARCH OF ANY AND ALL VEHICLES UNDER MY CONTROL, ALSO LOCATED ON, OR ADJACENT TO, THE PROPERTY DESCRIBED ABOVE.

I HEREBY PERMIT THE OFFICERS CONDUCTING THIS SEARCH TO REMOVE ANY OBJECTS, DOCUMENTS, OR ANY OTHER ITEM OF PROPERTY FOUND, WHICH THEY MAY REASONABLY BELIEVE CONSTITUTES EVIDENCE AND MAY BE USED IN A SUBSEQUENT CRIMINAL PROCEEDING AGAINST ME.

I have given this consent of my own free will, and herein state that my consent was not a product of threats, promises, intimidation, compulsion, or persuasion of any kind.

Signed:

Date: 2-23-02 Time: noon

Witnesses:

Signed: CB Smith

Date:

2-23-02

Time:

## LIST OF ARTICLES TAKEN AS EVIDENCE

| Item # | DESCRIPTION OF PROPERTY   |
|--------|---|
| 1      | round blue canister containing small quantity green leafy substance |
| 2      | lighter w/ stored again on it                                       |
| 3      | small jar w/ white powder residue                                   |
| 4      | burned cigar & loose green leafy substance                          |
| 5      | plastic cigarette roller  |
| 6      | bag of firecrackers   |

## CONSENT TO SEARCH RETURN

I, CB Smith 214, a duly sworn Peace Officer under the laws of the State of Texas, executed the above consent to search at the above date and time and seized the above listed property.

Affiant

Subscribed and sworn to before me on this the 28 day of Feb, 2002

Magistrate  
Court # 2/Ft Worth

Time: 5:38pm



# DOC 32: CHARLA'S PROPERTY RECORD (ITEMS SEIZED; ANDY'S CAR)

| FORTH WORTH POLICE DEPARTMENT    |  |                                     |  |                           |                          |                 |
|----------------------------------|--|-------------------------------------|--|---------------------------|--------------------------|-----------------|
| Division                         |  |                                     |  |                           |                          |                 |
| North FOB                        | East FOB                                       | South FOB                           | West FOB   | Homicide                  | SOD                      |                 |
| <input type="checkbox"/>         | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>  | <input type="checkbox"/> |                 |
| Offense No.: 02132262            |  | Type Offense: Attempt Cap Murder    |  | Location: 5200 South West |                          |                 |
| Remarks:                         |  |                                     |  |                           |                          |                 |
| Reported Stolen on Offense No.:  |  |                                     | Agency:  |                           |                          |                 |
| Submitted By (Officer): CB Smith |  | I.D. No.: 2214                      | Unit: J454   | Time: 1715                | Date: 2-28-02            |                 |
| Suspect(s)                       | Race:  |                                     | Sex:   | DOB:                      |                          |                 |
|                                  | Race:  |                                     | Sex:   | DOB:                      |                          |                 |
|                                  | Race:  |                                     | Sex:   | DOB:                      |                          |                 |
| Owner/Complainant                | Name: Horvath Andrew                           |                                     |  | Race: W                   | Sex: M                   | DOB: [REDACTED] |
|                                  | Residence:                                     |                                     |  | Telephone:                |                          |                 |
| Items Submitted                  | Item No.                                       | Quantity                            | Description  |                           |                          |                 |
|                                  | 1  | 1                                   | Bound blue container containing green leafy substance          |                           |                          |                 |
|                                  | 2  | 1                                   | yellow lighter w "stoned again" on it                          |                           |                          |                 |
|                                  | 3  | 1                                   | small bottle w white powdery residue                           |                           |                          |                 |
|                                  | 4  | 1                                   | small 1/2 burned cigar + loose green leafy substance           |                           |                          |                 |
|                                  | 5  | 1                                   | plastic cigarette w/ top cigarette tobacco paper written on it |                           |                          |                 |
|                                  | (List additional items on supplemental sheet.) |                                     |  |                           |                          |                 |
| Examinations Requested           | Date   |                                     |  | Time                      | Released By              | Received By     |
|                                  |  |                                     |  |                           |                          |                 |
| Results:                         | Packages                                       |                                     | Boxes  | Items                     |                          |                 |
|                                  |  |                                     |  |                           |                          |                 |
| Property Room                    |  |                                     |  |                           |                          |                 |
| Received By: [Signature]         |  | I.D. No.: K463                      | Date: 2-28-02  | LAB NO.:                  |                          |                 |
| Invoice No.: 02C01182            |  | Offense No.: 02132262               | Time: 1718   | PROPERTY-ROOM USE ONLY    |                          |                 |
|                                  |  |                                     |  | Items                     | Location                 |                 |
|                                  |  |                                     |  | 1                         | BX                       |                 |

# DOC 33: CHARLA'S WARRANT (DANIEL)

WARRANT NO. 02 FO 400SD

THE STATE OF TEXAS )(  
COUNTY OF TARRANT )(  
(

## WARRANT OF ARREST TO ANY PEACE OFFICER OF THE STATE OF TEXAS;

The undersigned Magistrate having heretofore found that probable cause exists for the issuance of this warrant, you are hereby commanded to arrest

**DANIEL ARANDA**

a Hispanic male date of birth: 07-11-1978

hereinafter referred to as the suspect, and bring the said suspect before a Magistrate in and for Tarrant County, Texas, instantler, then and there to answer the State of Texas for an offense against the laws of the said State, to-wit

**CRIMINAL ATTEMPT CAPITAL  
MURDER**

NO PHOTOGRAPH  
AVAILABLE

of which offense **HE** the said suspect, is accused by the written affidavit, under oath of Detective CB SMITH, I.D. 2214 Fort Worth Police Department filed before me anterior to the issuance of this warrant.

Herein fail not and due return make hereof at the place hereinafter named.

Witness my official signature this the 27<sup>th</sup> day of February, A.D., 20 02.

TIME: 2350

Gabriel B. [Signature]  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

Fort Worth Municipal Judge  
TITLE AND OFFICE HELD BY MAGISTRATE

BOND SET BY JUDGE \$50,000.00

RETURN

Came on to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NAME OF PEACE OFFICER

\_\_\_\_\_  
DESCRIPTION OF OFFICE

Confidential

Page 1

2/27/02

THE STATE OF TEXAS )(

ARREST WARRANT AFFIDAVIT

COUNTY OF TARRANT )(

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who after being duly sworn on oath deposes and says; My name is **DETECTIVE CB SMITH, I.D. 2214, FORT WORTH POLICE DEPARTMENT**, and I have good reason to believe and do believe that on or about the 21<sup>st</sup> day of Feb, 2002, at 5200 Southcrest Ct. in Ft. Worth, Tarrant County, Texas, **DANIEL ARANDA**, Hispanic male DOB [REDACTED], did then and there commit the offense of **CRIMINAL ATTEMPT CAPITAL MURDER**

In that he did then and there with the specific intent to commit the offense of capital murder of more than one person during the same criminal transaction, intentionally beat and shot injured party with a deadly weapon, to-wit: a firearm, which amounted to more than mere preparation that tended but failed to effect the commission of the offense intended.

My belief is based upon the following facts and information:

1. That on 2-21-02, DANIEL ARANDA, was with Barton Ray Gaines and Jason Tucker, when they made an agreement with Michael Williams to purchase marijuana for them at an apartment in the 5200 block of Southcrest Ct., Fort Worth, Tarrant County, Texas.
2. That Michael Williams was the passenger in the Andrew Horvath's car with Andrew Horvath.
3. That DANIEL ARANDA, Barton Gaines and Jason Tucker agreed to follow Williams and Horvath to the drug sale location and left from a pasture off of Crowley Rd following Williams and Horvath.
4. That once back on the road, Barton Gaines, driving DANIEL ARANDA and Jason Tucker did flash his headlights at Horvath's vehicle and then pull beside them and tell Williams and Horvath that they wanted to go to Walmart to buy beer and to follow them.
5. That DANIEL ARANDA, Barton Gaines and Jason Tucker, in Gaines pickup did lead the way to Walmart where Barton Gaines exited the vehicle and went into Walmart and purchased shotgun shells while DANIEL ARANDA and Jason Tucker drove around the parking lot and Williams and Horvath parked waiting for them.
6. That Barton Gaines did return to his truck with the shotgun shells and did show them to DANIEL ARANDA and Jason Tucker and tell them he bought them in case Williams and Horvath were "strapped."
7. That Barton Gaines, DANIEL ARANDA and Jason Tucker then met up with Williams and Horvath and followed them to 5200 Southcrest Ct where Williams went to a nearby drug house to try and purchase the pound of marijuana requested by Barton Gaines.

Confidential

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2/27/02



8. That Williams returned to Barton Gaines, DANIEL ARANDA and Jason Tucker and told them that the dealer did not have a pound to sell, only a few ounces and Gaines demanded to see the marijuana and Williams told him he needed to see the money.
9. That Barton Gaines then grabbed Williams by the shirt and jerked him around lifting his shirt and frisking him and accusing him of being a cop. Williams assured him that he was not a cop and did not have a weapon.
10. That Barton Gaines exited his truck pulling a shotgun and pointing it at Williams and demanding that Williams empty his pockets and struck him in the head with the shotgun twice. Williams complied.
11. That DANIEL ARANDA and Jason Tucker also exited the truck and began beating on Horvath and demanding his wallet, knocking him to the ground and splitting his lip even as he gave his wallet..
12. That Barton Gaines then shot Williams as Williams turned to run and then shot Horvath from a short distance.
13. That police were called and your affiant made the scene and then the hospitals to speak with Horvath and Williams. I did observe that Williams did have 3 gunshot wounds, two to his elbow and one to his shoulder blade and a laceration to the top of his head and a busted lip. Horvath had multiple holes in his right arm and was being treated by the doctor who said his arm was broken.
14. That both Williams and Horvath had been robbed and shot by three men they had met earlier in a pasture by Crowley. Williams advised he had seen a girl talking with the three robbers at that time and recognized her from Crowley High School but did not know her name.
15. That Williams suffered a fractured left arm in two places and still has shrapnel imbedded in his shoulder blade. He also had a laceration in the top of his head and a knot on the back of his head from being hit with the shotgun. He also had a busted lip that he said happened when one of the other suspects punched him in the mouth during the robbery.
16. That Horvath suffered multiple wounds in his right arm and a shattered right elbow and likely nerve damage as he is unable to use his hand. He required stitches in his lip to repair the damage done by the beating he suffered prior to being shot.
17. That on 2-22-02 your affiant obtained a Crowley High School yearbook and met with Williams at Harris Hospital and he did identify "Mindy Keisel" as the girl he had seen with the robbers prior to the robbery.

18. That on 2-23-02 your affiant did locate Keisel at her home and she did advise the guys she had been with in the pasture in the truck were DANIEL, Barton Ray Gaines, Jason Tucker.
19. That your affiant did go to Crowley Police Dept. and did obtain dates of birth and vehicle information and with that was able to obtain mugshots of both Tucker and Gaines and make photospreads. No information was available on Daniel.
20. That I met with Michael Williams and he did positively identify Barton Ray Gaines as the person who shot him. He was unable to identify Tucker. Williams did provide a sworn deposition about the robbery and shooting. I prepared the warrant for Gaines.
21. That On 2-24-02, I met with Andrew Horvath who positively identified Gaines as the person who shot him. I then showed him a photospread containing a photo of Jason Tucker and 5 other similar males. Horvath pointed to Jason Tucker and then touched the stitches in his lip and said, "he did this."
22. That on 2-24-02, Melinda Keisel and Kara Green did come to the detective office and provide sworn depositions.
23. That immediately after the robbery and shootings, Barton Gaines, DANIEL ARANDA and Jason Tucker returned to Crowley where they met with Melinda Keisel and Kara Green. DANIEL ARANDA was bleeding from a wound on his hand that he said he got from hitting someone.
24. That Barton Gaines told both Melinda Keisel and Kara Green that they had robbed and shot two people and left them for dead and it was exciting and a real rush.
25. That Melinda Keisel and Kara Green later went to Jason Tucker's home where he told them that his fingerprints would be on the shotgun shells used in the shooting because he handled them after Gaines bought them.
26. Jason Tucker did admit to his parents what had happened and his mother asked Keisel and Green to delay coming to the police until they could obtain an attorney for him.
27. That Jason Tucker did tell them that he and Barton Gaines and Daniel Aranda are going to leave town and that they had considered going to California where Aranda knows people or to Mexico.
28. That your affiant does believe that DANIEL ARANDA was an active participant in this robbery and did have knowledge that Gaines did purchase shotgun shells just prior to the robbery shooting.
29. That due to Jason Tucker's comments about leaving town to Keisel and Green, your affiant has reason to believe that DANIEL ARANDA who has ties to California is a flight risk.

That due to the above listed facts and circumstances your affiant has reason to believe and does believe that probable cause exists for the arrest of **DANIEL ARANDA** for the offense of **CRIMINAL ATTEMPT CAPITAL MURDER** against the laws of the STATE of TEXAS

WHEREFORE, I request that an arrest warrant issue for the suspect hereinbefore designated according to the laws of this State.

WITNESS my signature this the 27<sup>th</sup> day of February, 2002.

Det CBH 2214  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME this the 27<sup>th</sup> day of February, 2002.

Gabrielle B...  
MAGISTRATE IN AND FOR TARRANT COUNTY, TEXAS

Fort Worth Municipal Judge  
TITLE AND OFFICE HELD BY MAGISTRATE





# DOC 34: DANIEL'S MAGISTRATE WARNINGS

Arrest No. \_\_\_\_\_  
Service No. 02132262  
Warrant No. \_\_\_\_\_

## MAGISTRATE WARNING

THE STATE OF TEXAS  
COUNTY OF TARRANT

Before me, the undersigned magistrate of the State of Texas, on this day personally appeared ARANDA, Daniel ELI, and said person was given the following warning by me:

- (1) You are charged with the offense of Crim ATT CAPITAL MURDER. An affidavit charging you with this offense ~~has~~ has not been filed in the court.
- (2) You have the right to hire a lawyer and have him or her present prior to and during any interview and questioning by peace officers or attorneys representing the state.
- (3) If you cannot afford a lawyer, you have the right to request the appointment of a lawyer to be present prior to and during any such interview and questioning and you have the right to have a lawyer appointed to represent you if you cannot afford a lawyer. This means you may obtain your own lawyer or have a lawyer appointed for you by the court. You may have reasonable time and opportunity to consult your lawyer if you desire. In the event you want a lawyer appointed for you, you will be asked to complete a written form that contains questions about your financial resources. You will be provided with the forms needed to make a request for a lawyer. If you need help completing the forms, reasonable assistance will be provided to you.
- (4) You have the right to remain silent. You do not have to speak to the police.
- (5) You are not required to make a statement. Any statement you do make can and may be used against you in court.
- (6) You have the right to stop any interview or questioning at any time.
- (7) You have the right to an examining trial.
- (8) If you are not a citizen of the United States, you have the right to contact your consulate. Depending on the nature of the charge, you could be deported or have your residency status revoked.

THE ACCUSED DOES / DOES NOT WANT TO REQUEST A COURT APPOINTED LAWYER.

R. Catalano  
MAGISTRATE

Daniel Aranda  
PERSON WARNED

You are remanded without bond. \_\_\_\_\_

Place of warning: Fal-Jail

Your bond is set at \$ 50,000.00

Time: 10:55p

WITNESS: [Signature]

Date: 02/28/02

## PROBABLE CAUSE DETERMINATION

Sufficient facts have been presented to me under oath by affidavit, sworn testimony, or otherwise to show that probable cause exists for the continued detention of the prisoner designated above as to the following charges:

Signed this 28 day of February, 2002.

R. Catalano  
MAGISTRATE

# DOC 35: CHARLA'S CASE SUMMARY

## 1 Case Summary

2 CRIMINAL ATTEMPT CAPITAL MURDER

3

4 Offense Date: 2-21-02

5 Offense report number: 02132262

6

7 Investigating Detective: CB SMITH 2214

8 Complainant: Michael Williams

9 Complainant: Andrew Horvath

10

11 Arrested: Barton Gaines

12 Arrested: Jason Tucker

13 Arrested: Daniel Aranda

14

15

## 16 SUMMARY

17

18 *Details of the case and investigation*

19

20 2-21-02, 2105 hours, Fort Worth 911 receives a call reference several shots fired at 5217

21 Southcrest. Officers respond and find Michael Williams at the Lucky Stop Store at the  
22 corner of Southcrest and James, bleeding from the head and the left shoulder and arm.

23 Andrew Horvath was located in a yard at 5217 Southcrest Ct, bleeding from his mouth  
24 and right arm. Both had been shot with a shotgun.

25

26 Williams and Horvath said they had been shot by three subjects in a gold or silver  
27 stepside truck who had robbed them and then shot them.

28

29 Williams advised the suspects had been at a local party place with a girl he recognized  
30 from Crowley High School but did not know her name. He requested a yearbook so he  
31 could identify her. I did take a 2001 Crowley yearbook to Harris Hospital and Williams  
32 went through it to page 164 where he identified Mindy Keisel as the girl who had been  
33 with the suspects prior to the shooting.

34

35 I did meet with Mindy Keisel on 2-23-02 and she did state that the guys in the truck were  
36 Bart Gaines, Jason Tucker and a male named Daniel who was Hispanic but she did not  
37 know his last name. I obtained further information from Crowley PD who were familiar  
38 with Gaines and Tucker.

39

40

41

42

43

44

45 Confidential

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46 South Criminal Investigation Unit

1 I made up a photospread containing Barton Gaines and 5 other subjects and met with  
2 Michael Williams at the detective office. He immediately pointed to Gaines and said,  
3 "that's him, that's him." I asked him what Gaines had done and he said, "that's the guy  
4 that shot me." He was unable to identify Tucker in a photospread. He did provide a sworn  
5 deposition. He advised he had agreed to take Gaines, Tucker and Daniel to buy some  
6 marijuana. As he was leading them to the location they flashed their lights at him and  
7 pulled up and told him to follow them to WalMart to get beer. They did follow them and  
8 wait in the parking lot while Bart Gaines went inside. When he came out, they went to  
9 the dope house but they were out. When Williams told Gaines that, Gaines accused  
10 Williams of being a cop and he grabbed Williams by the shirt and frisked him for  
11 weapons. When no weapon was found on Williams, Gaines exited the vehicle and  
12 pointed a shotgun at Williams and demanded that he empty his pockets. Gaines then  
13 struck Williams in the head with the gun twice.

14  
15 While Gaines was assaulting Williams, Tucker and Aranda were assaulting Horvath who  
16 was with Gaines. When Gaines turned and aimed the gun at Horvath, Williams started to  
17 run away and was shot in the back of the left shoulder and arm.

18  
19 Horvath had already given up his wallet to Tucker after Horvath was punched in the  
20 mouth and fell to the ground. Gaines then turned the shotgun at Horvath who was still on  
21 the ground, and shot him from a short distance away.

22  
23 A warrant was issued for Barton Gaines and he was arrested soon afterward. He declined  
24 to give a statement.

25  
26 Mindy Keisel's mother called and advised that Mindy knew a lot more about the  
27 shooting. On 2-24-02, Mindy Keisel and Kara Green did come to the detective office and  
28 provide depositions about what they knew about the shooting.

29  
30 Mindy Keisel had spent the night of 2-21-02 at Kara Green's home. They were out at a  
31 local youth hangout by a pond in a pasture with Barton Gaines, Jason Tucker and Daniel  
32 when two other guys drove up. Bart asked them if they could get him a pound of  
33 marijuana and they agreed and began to lead the way. Bart flashed his lights and pulled  
34 up beside them telling them he needed to go to Walmart to get beer. They followed him  
35 to Walmart and waited outside while Gaines went inside. Kara Green called him and  
36 asked him what he was doing and he told her he was at Walmart buying bullets in case  
37 the other guys were "strapped."



1 A short time later Barton Gaines, Jason Tucker and Daniel pulled up behind Mindy and  
2 Kara and went with them to a convenience store. They noticed that Daniel's hand was  
3 bleeding and had bled on Gaines truck. He said he had been in a fight. The boys all went  
4 to Kara's home and Kara finally took Jason Tucker and Daniel home while Barton  
5 Gaines remained at her house. When she returned Gaines told both Mindy and Kara they  
6 had to swear not to tell anyone. He then told them that he and Tucker and Daniel had  
7 robbed and shot those guys and left them for dead. He then said that he had never killed  
8 anyone before and it was exciting and a rush. He pulled out the wallets of one of the  
9 victims and began going through it in the girls presence. He did not get any money but  
10 pulled out a lottery ticket and said at least he got a lottery ticket.

11  
12 Mindy went to school and heard that the victims had not died and one of them was  
13 requesting a yearbook to identify the girl he had seen with the suspects prior to the  
14 shooting. She met with Kara and Jason Tucker. Jason Tucker said that they were going to  
15 rob the guys of the drugs and money. Williams was unable to get the drugs so they  
16 robbed him anyway and then Gaines shot him when he ran. Tucker told them that  
17 Horvath was laying on the sidewalk and was cooperating when Gaines shot him for no  
18 reason.

19  
20 On 2-24-02, I met with Andrew Horvath and showed him a photospread containing  
21 Gaines and 5 like males. He immediately pointed to Gaines and said that he was the one  
22 who shot him. I showed him the photospread containing Tucker and Horvath pointed to  
23 Tucker and then touched the stitches in his lip and said, "he did this."

24  
25 Warrants for criminal attempt capital murder on Horvath and one for Williams were  
26 drawn for Jason Tucker. An additional warrant was issued for Gaines.

27  
28 A videotape of the purchase by Gaines of the shotgun shells at 2032 hours was found at  
29 Walmart as was the electronic transaction showing a \$7.12 purchase of one box of 12  
30 guage 00 buckshot and one of 12 guage slugs.

31  
32 I met with ADA Foran who advised me to have Mindy and Kara view the video and see  
33 if they could identify Gaines by the clothing he wore that day both before and after the  
34 shooting. I showed the video to Mindy and Kara and Kodi who had all been with Gaines  
35 prior to the shooting. They all provided written depositions stating the person on the  
36 video was indeed Gaines. They also stated that there had been pictures of the group taken  
37 earlier that day with Gaines wearing the same shirt as the one depicted in the video. I did  
38 obtain the video card from the camera and have it transferred onto a cd and made the  
39 included photos.

advised help on proving  
element of crime (mind  
state) and how why buy  
bullets, no doubt.

40  
41 Gaines called Mindy on 2-23-02 and told her that he had done another robbery and  
42 shooting on 2-22-02. That has not been confirmed.

1 On 2-27-02, Jason Tucker came in with his lawyer. I read the Miranda warning and he  
2 signed that he understood and wished to speak with me. He told me that they were  
3 making a drug deal with Williams when Gaines pulled the gun and ordered Williams to  
4 give up his wallet. Gaines then struck Williams with the gun twice and when Williams  
5 turned to run Gaines shot him. He then turned towards Horvath who had already been  
6 assaulted and knocked down by Aranda and demanded his wallet. Tucker stated he told  
7 Horvath to give him the "fucking wallet, see what he did to your friend." Tucker took the  
8 wallet from Horvath to keep him from getting shot but Gaines shot him anyway.



Forensic Consultant Services

P.O. BOX 11668 • FORT WORTH, TX 76110 • FAX (817) 238-0906 • (817) 870-1710

EXAMINATION REPORT

LAB NO.: 02-A-0560

AGENCY NO.: 02132262

DATE: 3-1-02

VICTIM/COMPLAINANT/PLAINTIFF: State of Texas

DEFENDANT(S): John Coker

TYPE CASE: Controlled Substance

TO: Fort Worth Police Department

RE: FWPD Laboratory Number 0201071

LIST OF EVIDENCE:

Received 2-25-02, 1:30 p.m. at FCS Lab from R. Adkins:

Sealed paper sack containing cloth bag with:

1. Metal tin containing plastic bag of powder
2. Zipper pouch containing several empty plastic bags
3. Pair of hemostats
4. Temporary permit issued to John Bradley Coker

RESULTS OF EXAMINATIONS:

1. NO CONTROLLED SUBSTANCES were detected.

The submitted items were processed for latent prints. Several partial prints were developed on several of the plastic bags (item 2.)

*Stacie G. Smith*

STACIE G. SMITH  
CRIMINALIST

*Max Courtney*


MAX COURTNEY  
LAB DIRECTOR

SGS/MC:gc



# DOC 37: FWPD LAB RESULTS (ANDY)

1. 20 2002 16:21 F.W. CRIME LAB - 8832 NO. 861 002  
03/04/2002 17:18 8173388988 FORENSIC CONSULT SVCS PAGE 07

 **Forensic Consultant Services**

P.O. BOX 11888 • FORT WORTH, TX 76110 • FAX (817) 358-0808 • (817) 878-1710

**EXAMINATION REPORT**

LAB NO.: 02-A-0660 AGENCY NO.: 02132262 DATE: 3-3-02

VICTIM/COMPLAINANT/PLAINTIFF: State of Texas

DEFENDANT(S): Unknown

TYPE CASE: Controlled Substance

TO: Fort Worth Police Department

RE: FWPD Laboratory Number 0201071

**LIST OF EVIDENCE:**


Received 3-1-02, 10:10 a.m. at FCS Lab from R. Adkins

Sealed envelope containing:

1. Blue plastic mint box with plant residue
2. Cigarette lighter
3. Glass vial with powder residue
4. Sealed envelope with:
  - a. Loose plant material
  - b. Hand-rolled cigar butt
5. Cigarette roller

**RESULTS OF EXAMINATIONS:**

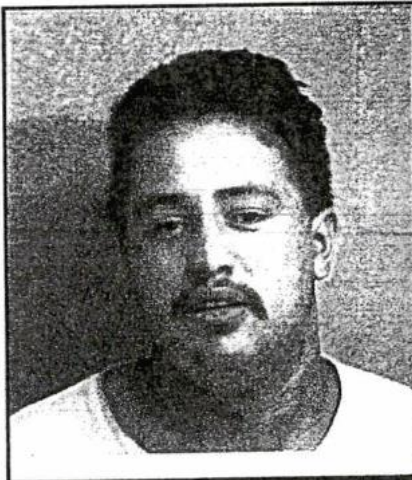
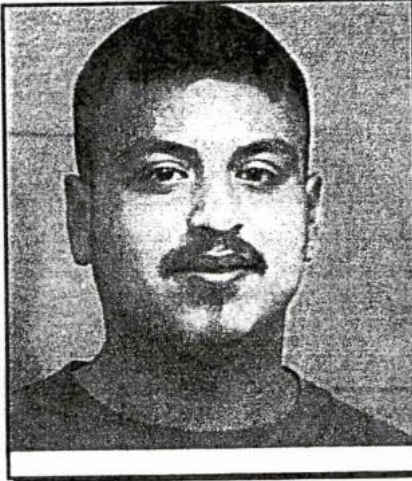
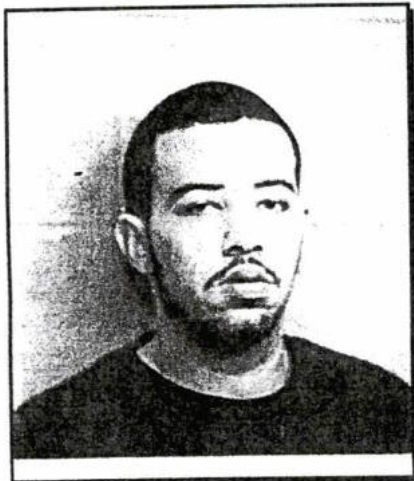
1. 0.02 gram (0.0007 ounce) of MARIJUANA.
3. NO CONTROLLED SUBSTANCES were identified.
- a. 0.19 gram (0.006 ounce) of MARIJUANA.
- b. 0.66 gram (0.02 ounce) of MARIJUANA.

  
MAX COURTNEY

MC:gc

# DOC 38: MIKE'S PHOTO SPREAD RESULTS (DANIEL)

## PHOTO LINEUP



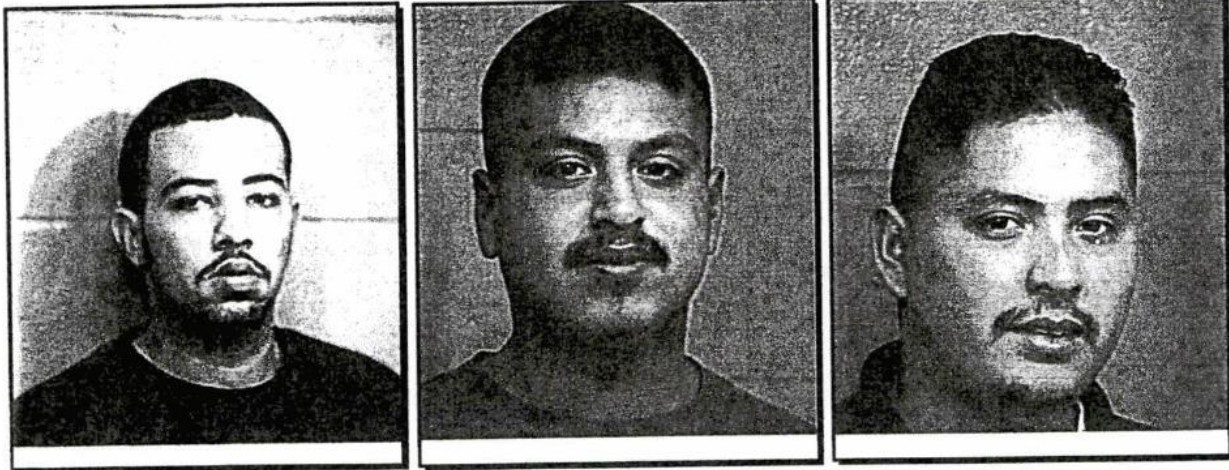
Wills  
3-5-02  
Search  
Andy  
Several times

3-5-02  
1630  
Det. CB Smith  
#02132262



# DOC 39: ANDY'S PHOTO SPREAD RESULTS (DANIEL)

## PHOTO LINEUP



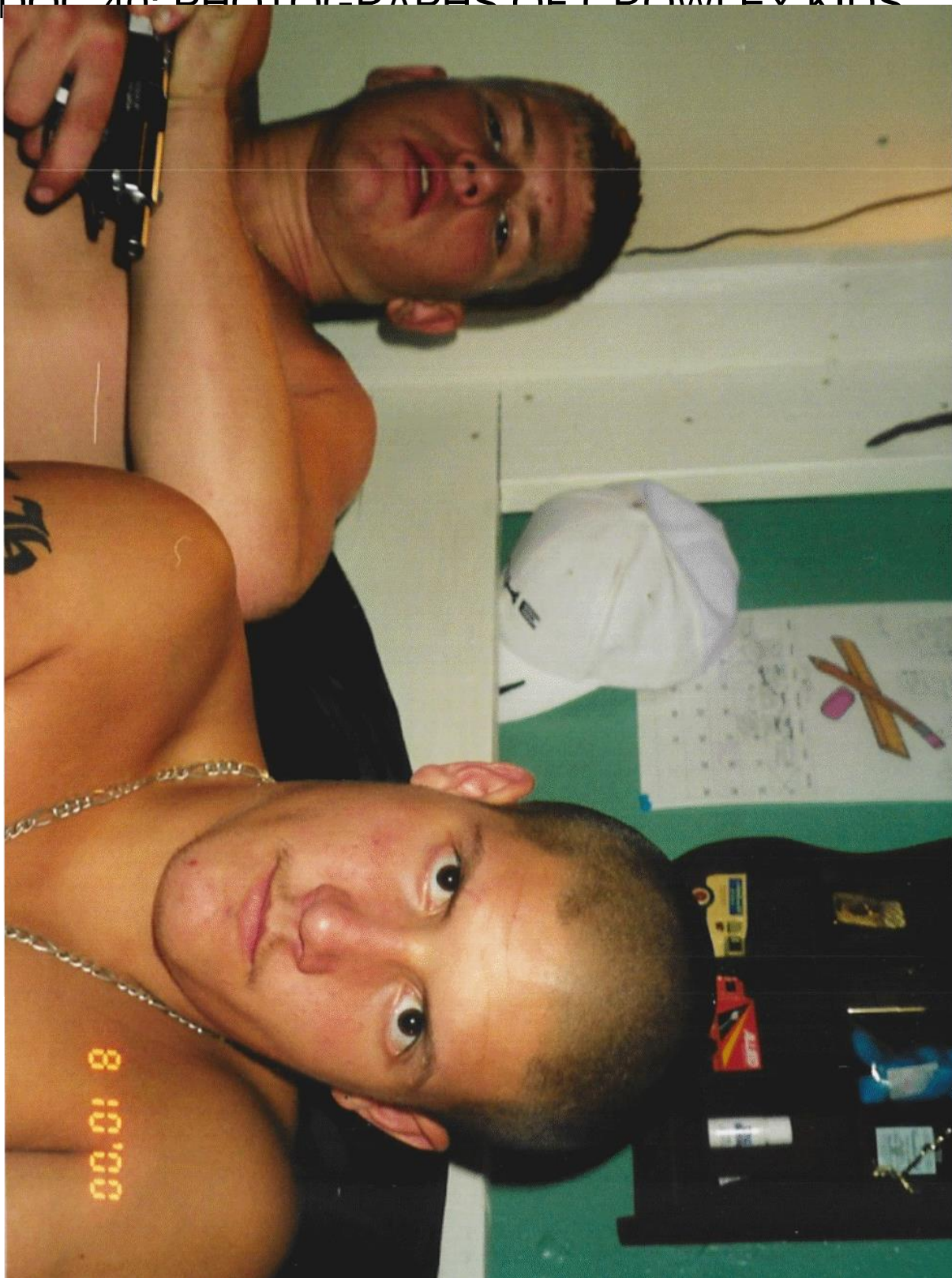
A. H.  
3-5-02

3-5-02  
1845  
Det CB Smith  
02132262





DOC 40: PHOTOGRAPHS OF CROWLEY KIDS























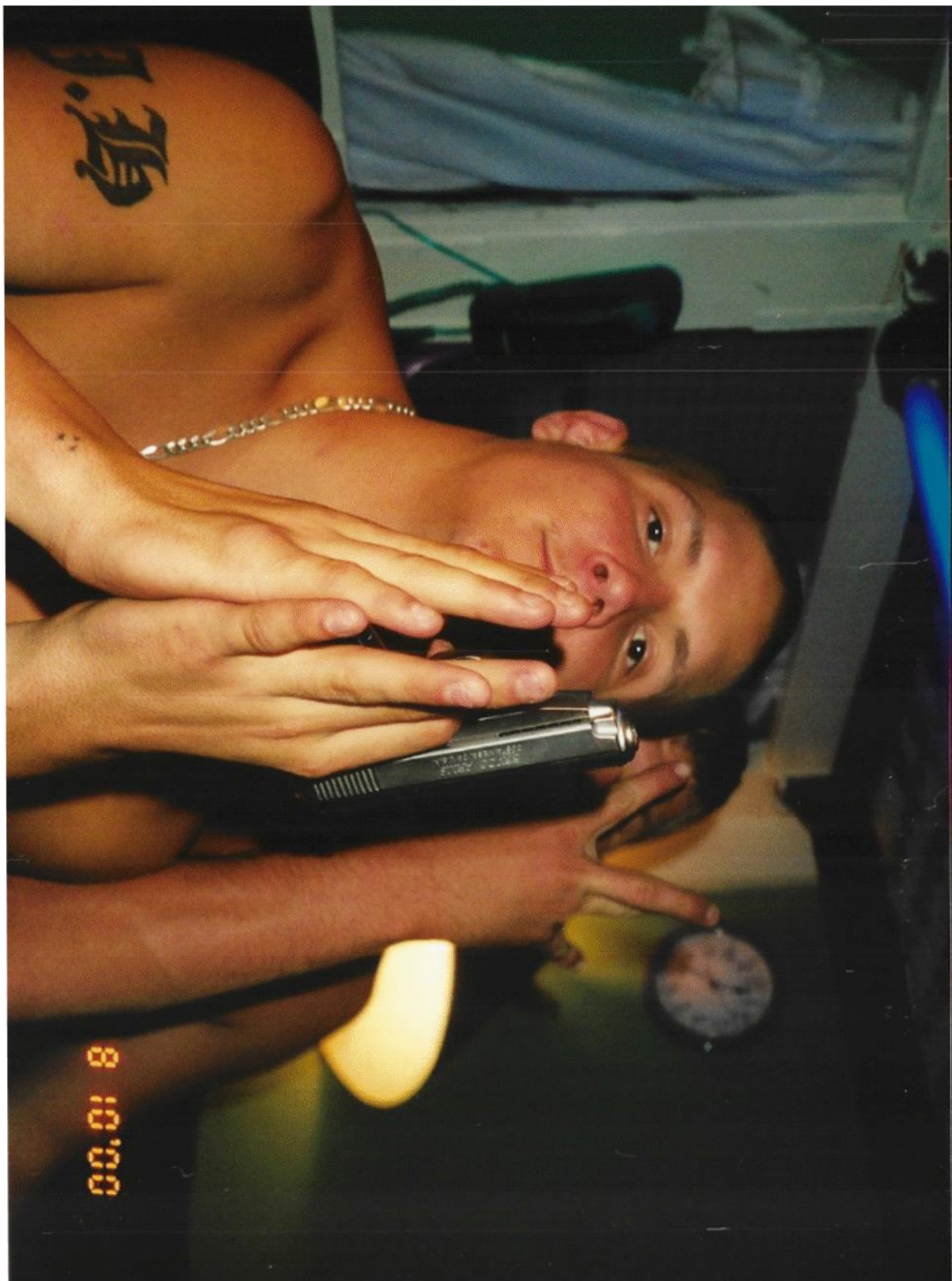




























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Associated Case Party: BARTON RAYGAINES

| Name           | BarNumber | Email                  | TimestampSubmitted   | Status |
|----------------|-----------|------------------------|----------------------|--------|
| Barton RGaines |           | bartongaines@gmail.com | 9/3/2021 12:12:01 PM | SENT   |