AFFIDAVIT FOR SEARCH WARRANT



STATE OF TEXAS

§ 902 Saint George Place

City of DeSoto

COUNTY OF DALLAS §

Dallas County, Texas

The under signed Affiant, being a Police Officer under the laws of Texas and being duly sworn on oath makes the following statement and accusations

- 1. There is in Dallas County, Texas, a suspected place and premises located as follows: a two story family residence, approximately 4024 sq feet, 5 bedrooms with 3.5 bathrooms. The house faces north and has a dark composition shingle roof, white brick veneer, and iron fence in the rear. It also has a double garage on front (east) of the residence and a single garage in the front on the other side (west). The numbers "9-0-2" are on the front of the house in black. Entrance to the house is by way of a curved drive that is shared by the neighbor with a water fountain in front. Structure is located inside a gated community. The residence is located at 902 Saint George Place, DeSoto, Dallas County, Texas.
- 2. There is at said suspected place and premises: a drug, controlled substance, immediate precursor, chemical precursor, or other controlled substance property, including an apparatus or paraphernalia kept, prepared, or manufactured in violation of the laws of this state; implements or instruments used in commission of a crime; property or items, except the personal writing by the accused, constituting evidence tending to show that a particular person committed an offense, and contraband subject to forfeiture under chapter 59 of the Texas Code of Criminal Procedure, to wit: cocaine, marijuana, digital or mechanical scales, documentation and notations related to narcotics trafficking, small plastic zip bags, zip-loc bags, baggies, plastic wrap, vacuum seal bags, vacuum sealer (s), rubber bands, cutting agents, pipes, rolling papers and other items used to ingest controlled substances, United States Currency consistent with proceeds from the sale or distribution of controlled substances, documents identifying currency allocations or investments, telephones and cellular telephones and cellular telephone content, utility billing statements, financial records and documents, scales, currency counters, weapons, surveillance equipment, warning devices, scanners or communications devices and documentation of communication devices used or intended to be used to further narcotics trafficking.
- 3. Said suspected place and premises are in charge of and controlled by each of the following persons(s): Suspect 1: Brown, Johnathan B/M DOB: Texas Drivers License # Suspect 2: Fortune, James W/M DOB: Texas Drivers License Number (Suspect 3: Bosh, Freida B/F DOB: Texas Drivers License (Suspect 3: Bosh, Freida B/F DOB)
- 4. It is the belief of Affiant, and he hereby charges and accuses that: The subject(s) described in the paragraph #3 possess cocaine, marijuana, and alprazolam in violation of the Texas Health Safety Code inside the residence located at 902 Saint Georges Place, DeSoto, Dallas County, Texas.
- 5. Affiant has probable cause for said belief by reason of the following facts: Affiant, B. Scott-Lee #260 is employed by the City of DeSoto Police Department and is currently assigned to the Street Crimes Unit. Within the Street Crimes Unit, the affiant is tasked with narcotics related investigations. The affiant has been trained to conduct narcotics related investigations. The affiant has arrested many individuals for violations of the State narcotics statutes. The affiant is knowledgeable in the identification of illegal and illicit narcotics.

The affiant is currently investigating apparent narcotics related activities at 902 Saint George Place, located in the City of DeSoto, Dallas County, Texas.

On October 24, 2017, The DeSoto Police Department received information that narcotic activity was taking place at the listed residence. Officers received multiple calls (About 15 within a month) in which citizens observed multiple vehicles arrive at the residence, make a hand-to-hand exchange in plain view, of what the citizens believed to be narcotics, and then leave the location. The residence has an influx of cars stopping at the location each day and a white male has been seen exiting the garage and making contact with the vehicles. Ms. Bosh resides at the residence and is believed to have two male roommates (a black male (Brown) and a white male (Fortune)).



On Friday, November 10, 2017 at approximately 2357 hours, Officer Hammel #209 conducted a traffic stop in the 400 blk of W. Wintergreen Rd., DeSoto, Dallas County, TX, on a white 2004 for expired registration 07/17 and unconfirmed Chevy, Texas License Plate insurance. Officer Hammel observed the vehicle leaving from 902 Saint Georges Place, DeSoto, Texas after staying for a brief period. Upon contact, the driver verbally identified himself as Hawkins, Richard B/M The front seat passenger, Skinner, Alexis stated she owned the vehicle and advised the insurance had lapsed. A judicial inquiry of Mr. Hawkins name and date of birth revealed four warrants out of Dallas PD that were confirmed. He also didn't show to have a driver's license. A judicial inquiry of Ms. Skinners name and date of birth revealed one Dallas PD warrant that was confirmed. While inventorying the vehicle for impound, Officer Hammel located a clear green bag with a white powdery residue in the center console. Through his training and experience, Officer Hammel believed this substance to be cocaine. On the rear left floor board (behind driver's seat) he located a clear yellow bag that contained a trace amount of a green leafy substance. Through his training and experience he believed the residue to be marijuana. In the front passenger door panel he located several more empty bags, another clear bag with white powdery residue, another clear bag with a trace amount of marijuana, and several additional small bags that were empty. Mr. Hawkins began to have a medical issue due to what Officer Hammel believed was caused by ingesting the narcotics to prevent them from being located.

On Thursday, November 16, 2017 at about 1200 hours, Officer conducted surveillance at 902 St. George Place, DeSoto, Texas. Upon arrival there was black Volkswagen bearing Texas temp tag # in the driveway. The Department of Motor Vehicles show the vehicle to be a 2008 Volkswagen registered to Yacque Gibson at 7814 Longbow Lane, Arlington, Texas 76002. A database check on the name Yacque Gibson revealed the date of birth as SSN: Texas DL Texas DL The subject is a black male with possible criminal history for marijuana. At about 12:16 p.m., the Volkswagen departed the location with two black female occupants followed by the Mercedes exiting the single garage with two unknown occupants.

At about 2:20 p.m. a green Toyota Corolla bearing Texas tag arrived at the location. The Department of Motor Vehicles show the vehicle to be a 1996 Toyota Corolla registered to Tiara McCoy (DOB , Texas DL Race; other) at 201 Allenwood Drive. Fort Worth, Texas 76134. Shortly after, a light complexion female with long hair exited the vehicle and went inside the residence. At about 2:37 p.m., the light complexion female exited the residence, entered the Toyota and departed. At about 3:09 p.m., the Mercedes and the Volkswagen, arrived back at the location followed by the Toyota Corolla. The Toyota and the Volkswagen parked in the front of the house and the Mercedes entered the single garage. The single garage was left open and several plastic grocery bags were seen in the truck. A white male was seen removing the bags from the trunk. At about 3:10 p.m., a gray/blue Chrysler 300 (unknown tag) arrived and parked in the front of the residence. A black male exited the vehicle and went inside. About 3:21 p.m., the black male exited the house and departed in the Chrysler 300. At about 3:44 p.m., the light complexion female exited the house and retrieved a bag from the trunk of the Toyota Corolla and went back inside the house. Shortly after, the single garage was closed. At about 3:46 p.m., a gray Dodge Charger arrived and parked in front of the residence. The passenger of the Charger got out the vehicle and went inside. Shortly after, the double garage was raised partially and the light complexion female came out the garage with a bag and went to the Toyota. At the time, the black male passenger exited the front of the residence, entered the Charger and departed. The white complexion female then reentered the double garage and lowered it. At about 3:58, the light complexion female came back outside (from the front door) with a bag on her shoulder and another bag in the hand. She placed one bag in the trunk of the Toyota and reentered the house.

On Saturday, November 18, 2017, at about 1154 hours, Officer conducted surveillance at 902 St. George Place, DeSoto, Texas. Upon arrival the green Toyota Corolla (Texas tag (Texas)) was in the driveway and the double garage was up. A black Lincoln Navigator could be seen inside the garage. At about 12:48 p.m., a silver 4-door Chevrolet arrived at the location and parked in the front. A white female was observed getting out the driver's side and going inside. Another white female could be seen on the passenger side. The Chevrolet was bearing Texas tag (Texas). At about 12:52 p.m., the white female exited the residence, entered the driver's side of the Impala and departed. At about 1:21 p.m., the single garage was raised and a white male exited. The white male watered began watering the front lawn for a short while, took a trash bag to the double garage, and lowered the double garage. The single garage remained up. At about 1:26 p.m., the Mercedes exited the single garage with one occupant (believed to be white male) and departed. Shortly after, the single garage was lowered. Based on the surveillance conducted by Officer (It's believed the activity observed at 902 St. George Place in DeSoto, Texas is consistent with that of illegal activity.



On November 28, 2017 at approximately 1406 hrs, Officers Owens #208 and Scott-Lee #260 observed the residence at 902 Saint George Place, DeSoto, Texas. Officers noted about 10-12 dark colored trash bags at the curb line directly in front of the residence where trash is commonly collected in this neighborhood. Tuesday, 11-28-17 is a regularly scheduled trash collection date for this neighborhood and neighboring residences had similarly positioned trash bags. Officer Owens approached the residence, in an undercover capacity, and collected all 10-12 bags. The bags were removed to the DeSoto Police Department for a search of their contents. Officers found that the bags contained numerous items of interest. Officers collectively located multiple sandwich baggies, "dime" baggies, burned roach/joint(s) with traces of marijuana residue. Officers also located multiple small empty clear plastic baggies commonly used to package illegal narcotics for future distribution. Officers also located Court paperwork from Dallas County (Texas) Courts belonging to "Johnathan A Brown". The letter was a notification of a missed court appearance. Officers also located an envelope from the US Department of Education issued to "Johnathan A. Brown" was located in the trash. An additional address on the papers to Johnathan Brown showed to be 319 Shadybrook Cir DeSoto TX 75115. All of the contraband collected from the trash run was booked into the DeSoto Property Room as evidence. Recent surveillance photographs taken by Officer Saint George Place show Mr. Brown exiting the location and approaching vehicles. These facts strongly support that Mr. Brown is residing at the location. Mr. Brown has a large criminal history with convictions burglary of habitation x 2, theft, 2 counts of possession of controlled substances PG3, evading arrest on foot and in vehicle with previous convictions, and unlawful possession of a firearm by felon. Mr. Brown was arrested in an aggravated robbery case in DeSoto where a male victim was shot in the face back in 2015. Mr. Brown was released from prison in Feb.

On Wednesday, November 29, 2017 at approximately 1925 hrs, Officer Owens and Scott-Lee began conducting surveillance at 902 Saint George PI, DeSoto, Dallas County, TX 75115. Within a couple of minutes of beginning surveillance at the location, officers observed the double car garage open at the front of the location. Officers observed a black Lincoln Navigator parked nose into the garage. From previous surveillance photographs, officers realized it was the same Lincoln Navigator photographed by Officer that was displaying the incorrect Texas license plate (TXLP:), which returns to a Mercedes. After the garage opened up, a B/M stepped out into the driveway with a cellular phone. The B/M appeared to have been looking around the area briefly before re-entering the open garage area. About 1 minute later, the black Lincoln Navigator reversed out of the garage and began to leave the gated Saint George Community.

Officers followed the black Lincoln Navigator coordinating with DeSoto patrol units to be in the area to get a traffic stop on the vehicle. DeSoto PD Patrol Officer T. Sherman was able to get into the area to assist surveilling officers at approximately 1933hrs. The Lincoln Navigator continued east on W. Wintergreen Rd, passing N Westmoreland Rd. and slowed to turn into 212 W Wintergreen Rd. DeSoto, Dallas County, TX 75115 (Creekwood Apartments). Officer Sherman was advised that the Lincoln Navigator had pulled into the apartment complex and that officers would maintain a visual and advise when the vehicle left the apartment complex. Officer Sherman and Officer Stephen Boor stayed in the area with intentions to conduct a traffic stop on the Lincoln Navigator. Officers Owens and Scott Lee were able to observe the Lincoln Navigator proceed south on the east side of the private drive for the apartment complex to the farthest corner of the parking lot on the south east side. Officers parked the surveillance vehicle while Officer Scott-Lee remained behind with the surveillance vehicle to radio updates with patrol. Officer Owens was on foot in the parking lot maintaining a visual of the Lincoln Navigator and in verbal communication with Officer Scott Lee. About 1 minute later, a B/M exited one of the apartment units from a building on the south east side and went towards the Lincoln Navigator to make contact with the driver, who was later identified as "Johnathan A. Brown". An exchange between the two males took place for approximately fifteen minutes; however, officers



were unable to see exactly what type of exchange was occurring due to position. After about fifteen minutes, the B/M who exited the apartment unit went back into the unit and the Lincoln Navigator started up and began to leave the apartment complex. The Lincoln Navigator drove passed the surveillance vehicle where Officers Scott-Lee and Owens reconfirmed the incorrect license plate being displayed. Officer Scott Lee radioed to Officer Sherman advising him to do a computer check on the license plate to confirm that the registration was still incorrect belonging to another vehicle. Officer Sherman confirmed the displayed vehicle license plate was still incorrect returning to a Mercedes. The Lincoln Navigator proceeded east bound on W. Wintergreen Rd from the apartment complex where Officer Sherman and Boor intercepted the vehicle for a traffic stop, Officer Sherman's stop resulted in an odor probable cause search and discovery of a total net weight of 13g of marijuana (0.458oz) of prepackaged marijuana. The marijuana was packaged in dime bags that weigh approximately 0.2g each according to the Dallas estimation scale. Also, Officer Sherman recovered 3 pills of Alprazolam in a different pill bottle. Officer Sherman advised the driver/offender and single occupant, "Johnathan A. Brown" also had a confirmed TCIC Warrant out of Tarrant County for Possession of Marijuana <2oz and a single out of Arlington PD. Mr. Brown was taken into custody and transported to DeSoto Tri City jail without incident at approximately 2003hrs. According to Officer Sherman, after mirandizing Mr. Brown, Mr. Brown explained to Officer Sherman that he had just left 902 Saint George Pl. and went directly to the Valero Gas Station at 1501 N Hampton Rd before getting pulled over [with no stops in between]. Officer Sherman stated that Mr. Brown expressed concern that he would be charged for manufacturing or delivering narcotics due to his history and how the marijuana was packaged.

On December 5, 2017 at about 1415 hours, observed the residence at 902 Saint George Place, DeSoto, Texas. Officers noted about 4 dark bags and a box dark colored trash bags at the curb line directly in front of the residence where trash is commonly collected in this neighborhood. Tuesday, 12-5-17 is a regularly scheduled trash collection date for this neighborhood and neighboring residences had similarly positioned trash bags. Officer Owens approached the residence, in an undercover capacity and removed all the bags and the box at this time. The bags were then transported to the DeSoto Police Department so they could be examined. At approximately 1430hrs, Officers Scott-Lee and Owens met at the south east corner of the rear PD parking lot to assist with examining the trash. Officer A. Jay assisted with photographing contraband that would be discovered by officers. Officers then scoured through an individual trash bag of their own, one at a time until all the bags had been checked. Officers collectively located multiple sandwich baggies, "dime" baggies, burned roach/joint(s) with traces of marijuana residue. Officers also located about 6 small clear plastic bags (.1 gram size) in multiple different bags of trash. The reporting officer examined the bags closer and observed a small white powder residue that the reporting officer recognized through his training and experience to be powder cocaine. The reporting officer then used a Nark II Reagent Test Kit for Cocaine to test the suspected residue. At this time, the residue tested positive for cocaine in the and Officer Scott-Lee. Officer located about 6 clear plastic bags presence of Officer with an identical cocaine residue inside. Officers noticed in the same box where multiple bags with cocaine residue and large amounts of marijuana paraphernalia (rolling papers, bags with residue, etc) was large amounts of mail and documents. Officers observed the same name on numerous amounts of mail "Freida Bosh, 902 Saint George Place, DeSoto, Texas". Officers observed mail from the "City of DeSoto Water Bill, North Texas Toll Authority, Department of Motor Vehicles, Progressive Insurance, and AARP", all with Freida Bosh's name and address on them. The reporting officer then booked in the bags as evidence.

The affiant believes that the information described in the affidavit indicates that Brown, Johnathan B/M DOB Bosh, Fortune, James W/M DOB: Bosh, Freida B/F DOB: Dossess cocaine, marijuana, and alprazolam in violation of the Texas Health Safety Code inside the residence located at 902 Saint Georges Place, DeSoto, Dallas County, Texas.

The affiant contends that Brown, Johnathan B/M DOB: Fortune, James W/M DOB: Fo

The affiant believes that Brown, Johnathan B/M DOB maintains in their possession: a drug, controlled substance, immediate precursor, chemical precursor, or other controlled substance property, including an apparatus or paraphernalia kept, prepared, or manufactured in violation of the laws of this state; implements or instruments used in commission of a crime; property or items, except the personal writing by the accused, constituting evidence tending to show that a particular person committed an offense, and contraband subject to forfeiture under chapter 59 of the Texas Code of Criminal Procedure, to wit: cocaine, marijuana, digital or mechanical scales,



documentation and notations related to narcotics trafficking, small plastic zip bags, zip-loc bags, baggies, plastic wrap, vacuum seal bags, vacuum sealer (s), rubber bands, cutting agents, pipes, rolling papers and other items used to ingest controlled substances, United States Currency consistent with proceeds from the sale or distribution of controlled substances, documents identifying currency allocations or investments, telephones and cellular telephones and cellular telephone content, utility billing statements, financial records and documents, scales, currency counters, weapons, surveillance equipment, warning devices, scanners or communications devices and documentation of communication devices used or intended to be used to further narcotics trafficking.

Due to the totality of the circumstances described above, affiant believes that probable cause exists that the individual(s) described in paragraph #3 are selling suspected crack cocaine and heroin from inside the residence located at 902 Saint George Place, in the city of DeSoto, Dallas County, Texas.

Affiant requests authorization to enter the suspected place and premises without first knocking and announcing the presence and purpose of the officers executing the warrant sought herein. As my reasons to believe that such knocking and announcing would be dangerous, futile, or would inhibit the effective investigation of the offense described in this affidavit, affiant submits the following facts and circumstances:

Based upon the Affiant's training and experience, it is a common tactic for drug traffickers to barricade doors and windows on their drug locations to impede law enforcement officers from gaining entry into the residence, allowing occupants sufficient time to destroy evidence of their illegal activity. On December 5, 2017, Officer B. Scott-Lee #260 observed the front door of the residence was guarded by a large iron fence, preventing access to the front door. Officer Scott-Lee is also aware of a large iron gate, visible from the target residence, at the entry to the neighborhood which will further impede officers and allow the destruction of evidence.

Based upon the Affiant's training and experience, it is a common tactic for drug traffickers to utilize surveillance cameras at their drug locations to use as a security measure and early warning device for law enforcement approaching the location. On December 5, 2017, Officer B. Scott-Lee #260 observed surveillance cameras on the northwest corner of the residence facing the adjacent roadway allowing a view of the entry gate to the neighborhood, the only access road to the residence, and the only point of entry for law enforcement officers. The affiant further contends that Brown, Johnathan has an extensive violent criminal history including crimes of violence. Brown is believed to have been connected to documented incidents involving the display and discharge of firearms. Brown has been arrested for Burglary of a Habitation, Aggravated Robbery, Unlawful Possession of a Firearm by Felon, and Aggravated Assault (In which he shot a subject in the face during a drug deal). Brown has a history of attempting to flee officers. Also, the location is currently an active location where narcotic sales are still being conducted, which adds to the potential threat of another armed subject being on location without officer's knowledge. The affiant believes that knocking and announcing intent to execute a search warrant at 902 Saint George Place would expose police officers to unnecessary risk of harm including serious bodily injury or death. Further, the affiant believes allowing additional time by knocking and announcing would provide an opportunity to destroy evidence.

Wherefore, Affiant asks for issuance of a warrant that will authorize him to without notice and to search said suspected place and premises, to include vehicles and outbuildings, as well as any and all contents and articles located within the visible property boundaries for said personal property and seize the same.

AFFIANT

Subscribed and sworn to before me by the said affiant on this _____ day

Judge or Magistrate, Dallas County, Texas

Subject Hector Garza Subjected District Court 195th

5



SEARCH WARRANT

STATE OF TEXAS

902 Saint George Place

City of DeSoto

COUNTY OF DALLAS §

Dallas County, Texas

THE STATE OF TEXAS to any Sheriff or any Peace Officer of Dallas County, Texas, or any Peace Officer of the State of Texas.

GREETINGS:

WHEREAS, the affiant whose name appears on the affidavit in support of this warrant is a peace officer under the laws of the State of Texas and did swear to that affidavit before me or someone authorized to take the affiant's oath under the laws of this state. I find the verified facts stated by affiant in the affidavit show that affiant has probable cause for the affiant's belief expressed in the affidavit, and those facts establish the existence of proper grounds for issuance of this Warrant:

NOW, THEREFORE, you are commanded to enter the suspected place and premises described in said Affidavit located at 902 Saint George Place, DeSoto, Dallas County, Texas, and to search for the personal property described in said affidavit and to seize the same and bring it before me.

I further find that the Affiant has established sufficient reason to believe that to knock and announce their purpose by officers executing this Warrant would be futile, dangerous, and otherwise inhibit the effective investigation of this offense or the offenses related to the purpose of this Warrant. Therefore, unless circumstances to the contrary are discovered prior to entry, you are hereby authorized to dispense with the usual requirement that you knock and announce your purpose before entering the suspected place to execute this Warrant.

Property Described: a drug, controlled substance, immediate precursor, chemical precursor, or other controlled substance property, including an apparatus or paraphernalia kept, prepared, or manufactured in violation of the laws of this state; implements or instruments used in commission of a crime; property or items, except the personal writing by the accused, constituting evidence tending to show that a particular person committed an offense, and contraband subject to forfeiture under chapter 59 of the Texas Code of Criminal Procedure, to wit: cocaine, marijuana, digital or mechanical scales, documentation and notations related to narcotics trafficking, small plastic zip bags, zip-loc bags, baggies, plastic wrap, vacuum seal bags, vacuum sealer (s), rubber bands, cutting agents, pipes, rolling papers and other items used to ingest controlled substances, United States Currency consistent with proceeds from the sale or distribution of controlled substances, documents identifying currency allocations or investments, telephones and cellular telephones and cellular telephone content, utility billing statements, financial records and documents, scales, currency counters, weapons, surveillance equipment, warning devices, scanners or communications devices and documentation of communication devices used or intended to be used to further narcotics trafficking.

Herein fail not, but have you then and there this Warrant within three days, exclusive of the day of its issuance and exclusive of the day of its execution with your return thereon, showing how you have executed the same.

ISSUED AT 8:29 o'clock A. M., on this the 1 day of

2017, to certify which witness my hand this day.

udge or Magistrate, Dallas County, Texas



RETURN AND INVENTORY

902 Saint George Place STATE OF TEXAS § COUNTY OF DALLAS § City of DeSoto Dallas County, Texas The undersigned Affiant, being a Peace Officer under the laws of Texas and being duly sworn, on oath certifies that the foregoing Warrant came to hand on the day it was issued and that it was executed on the _____ day of _____, 2017, by masearch directed therein and seizing during such search the following described item(s): __, 2017, by making the SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the _____day

Notary Public in and for Dallas County, Texas