

WARRANT # TH050620-FW3

THE STATE OF TEXAS

§
§
§

Case #2020-09952

COUNTY OF SMITH

WARRANT OF ARREST

{Article 15.01, Texas Code of Criminal Procedure}

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:

Joshua Ray Tibbits
W/M 03/10/1991

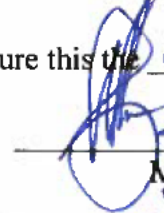
Hereinafter referred to as the suspect, and bring the said suspect before a Magistrate in and for Smith County, Texas, instantar, then and there to answer the State of Texas for an offense against the laws of the said State, to-wit

MURDER
Texas PC 19.02
FIRST DEGREE FELONY

Of which offense, the said suspect, is accused by the written affidavit, under oath of Detective Railsback, Smith County Sheriff's Office 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 6th day of May, A.D., 2020.

TIME: 4:45AM


Taylor Henton
MAGISTRATE IN AND FOR SMITH COUNTY, TEXAS
Judge of the CCL#2 Smith County TX.
TITLE AND OFFICE HELD BY MAGISTRATE

Recommended Bond: \$ 2,500,000.00

Came on to hand on the _____ day of _____, 20____, and executed on the _____ day of _____, 20____.

NAME OF PEACE OFFICER

DESCRIPTION OF OFFICE

WARRANT#

IN THE _____ COURT,
OF SMITH COUNTY, TEXAS

THE STATE OF TEXAS
VS

Joshua Ray Tibbits
W/M 03/10/1991
3904 Charlton Ave
Waco, TX 76711

WARRANT OF ARREST

ISSUED THIS THE ____ DAY OF
_____, 20____

*****ATTENTION*****

CONTACT DET. RAILSBACK
UPON EXEUTION OF WARRANT
By email -jrailsback@smith-county.com
CASE NO. 2020-09952

THE STATE OF TEXAS

§

Case#2020-09952

COUNTY OF SMITH

§

§

ARREST WARRANT AFFIDAVIT

{Article 15.05, Texas Code of Criminal Procedure}

BEFORE ME, the undersigned authority, on this date personally appeared the undersigned **AFFIANT** who after being duly sworn on oath deposes and says: My name is **Detective Jason Railsback**, I have good reason to believe and do believe that on **March 2, 2020** in Smith County, Texas **Joshua Ray TIBBITS** did then and there commit the offense of **MURDER**, a **First Degree Felony**, in that he did then and there:

then and there intentionally and knowingly cause the death of an individual, namely **Brandon Edwards**, by shooting him with a firearm .

My belief is based upon the following facts and information:

AFFIANT, JASON RAILSBACK is employed as a **DETECTIVE** by the **SMITH COUNTY SHERIFF'S DEPARTMENT** and as such is a **PEACE OFFICER** in and for the **STATE OF TEXAS**.

On Saturday May 2, 2020 at 4:52 pm Smith County Sheriff's Office received a call about a motorcycle wreck in front of an address of 16480 FM 850 in Arp, SMITH COUNTY, Texas. Dispatchers were advised that EMS was called to the scene and that upon their arrival they quickly determined that the victim, Brandon Edwards, had been shot and was deceased. Responding patrol deputies arrived at the location and observed that Edwards was wearing a motorcycle club jacket, or "cut" depicting him to be a member of the 1%er Cossacks Motorcycle Gang Rose City Chapter. Deputies then locked the crime scene down and notified detectives to respond to the location. Due to the victim being a member known gang, the East Texas Anti-Gang (TAG) Center was notified and detectives, including affiant, from the TAG responded to the location to assist major crimes investigators. Affiant, being the lead detective of the investigation, has had direct contact with all detectives involved in the investigation and all of the information listed inside this affidavit is direct knowledge of the affiant.

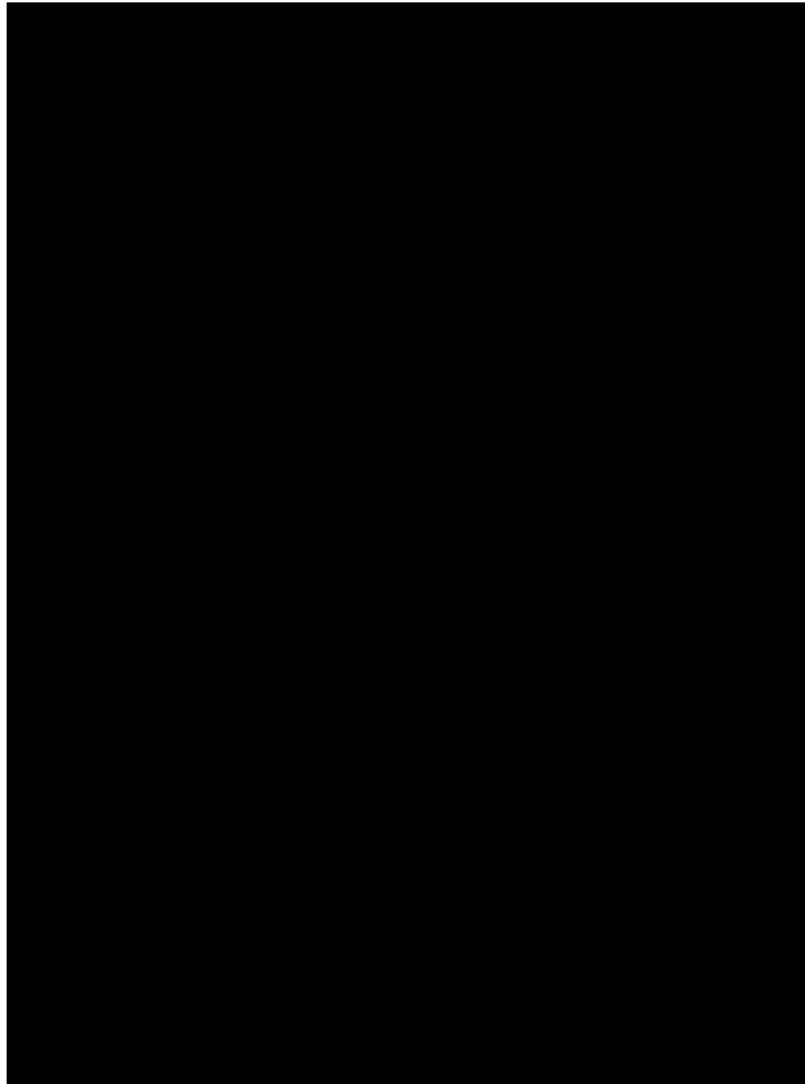
Upon processing the crime scene detectives learned that there were several handgun shell casings in the area both before and after the location of Edwards both on the roadway and on the grass beside the roadway. Ammunition casings were located for both 9mm and 40 caliber handguns were discovered, indicating the possibility of multiple shooters. While on scene detectives met with [REDACTED] Cossack Motorcycle Gang [REDACTED], namely [REDACTED]. Detectives later interviewed [REDACTED] and during the interview with [REDACTED] he advised that the only known hostility toward the club was from the Original Ugly Man Cossack club and mentioned the name "Barcelona".

Affiant JRMagistrate TH

WARRANT # TH050620-FW3

Detectives continued processing the scene, including speaking with neighbors and attempting to locate any surveillance video in the area. Detectives located a privately owned security camera in the area, approximately a quarter mile from the location of the accident that pointed towards the roadway. Detectives spoke with the owners of the camera who agreed to share the recording with them. The footage was reviewed and detectives observed that at 4:22 pm the victim traveling east on FM 850. Immediately after Edwards drives by detectives observe what appears to be a white Dodge Ram four door one ton truck with a unique flatbed. Both vehicles appear to be traveling at a high rate of speed on the camera. Detectives later spoke with witnesses in the area who saw the vehicles pass who advised that it was apparent that the motorcycle was being chased by the truck and that shortly after they heard multiple gun shots. An image of the truck observed on the security camera is depicted below as EXHIBIT 1.

EXHIBIT 1



Affiant JR

Magistrate TH

Later in the evening detectives began researching the Original Ugly Man Cossack club to attempt and locate or identify "Barcelona". Detectives located a Facebook profile under the name "Jose Cossack Barcelona". Upon further research by detectives the Facebook account was found to belong to Jose Antonio VALENZUELA, aka Barcelona. Detectives searched the Facebook account and located an image of a flatbed truck, similar to the one depicted on the security cameras from the scene. A photograph of the image located on VALENZUELA's Facebook page is listed below as EXHIBIT 2.

EXHIBIT 2



After locating this photograph on VALENZUELA's Facebook page detectives sent a team out to attempt to locate VALENZUELA or the suspect vehicle. On May 4, 2020 detectives went to a known residential address for VALENZUELA, namely 607 Rockdale Longview, Texas, and upon arriving at the address detectives observed a white 2018 Ram Flatbed bearing Texas License Plate [REDACTED]. Detectives maintained surveillance on the vehicle and shortly after observed the vehicle to leave the location, ultimately traveling to IH 20 and heading west

Affiant JR

Magistrate TH

WARRANT # TH050620-FW3

towards Dallas, TX. Affiant was notified of this and proceeded to join the team in following the vehicle. Once I arrived in the area I observed the vehicle traveling on IH 20 and further observed it to make multiple lane changes without signaling. I notified patrol deputies who were in the area and requested that they make a traffic stop on the vehicle. The vehicle was ultimately stopped for the traffic violation and the following occupants were removed from the vehicle:

Driver – Jose VALENZUELA

Front Passenger – [REDACTED]

Driver's Side Rear Seat Passenger – [REDACTED]

Center Rear Seat Passenger – [REDACTED]

Passenger Side Rear Seat Passenger – [REDACTED]

A photograph is shown below of VALENZUELA's vehicle as it was the day of the traffic stop.

EXHIBIT 3



Affiant JK

Magistrate TH

All subjects were detained to be transported to the downtown sheriff's office in Tyler, Texas for an interview. Detectives interviewed [REDACTED] first who advised they were workers for VALENZUELA who ran a work crew for Kimbro Construction. Once the three were interviewed detectives learned that [REDACTED] had just arrived in town shortly prior to leaving VALENZUELA's residence and that [REDACTED] was picked up by VALENZUELA hours before leaving, but was not with him on Saturday. Further detectives learned that the three individuals never have access to drive the vehicle on their own without VALENZUELA.

At that time Detectives began to interview [REDACTED] was advised of the Miranda warnings prior to any questioning and advised that he would speak with detectives. During the interview, [REDACTED] was asked about his personal timeline of events on May 2, 2020. [REDACTED] explained that he had traveled from a friend's residence [REDACTED] to VALENZUELA'S residence located at 607 Rockdale, Longview, Gregg County, Texas. [REDACTED] explained that there was a large cookout planned involving several members of the Original Cossacks Motorcycle Gang at VALENZUELA'S residence. [REDACTED] identified Cossack members present at the party to include, but not limited to, Joshua TIBBITS aka "WOODWORK" and Jeffery GRIFFIN aka "RUNDOWN." [REDACTED] stated that he arrived at VALENZUELA'S residence at approximately 3:00 PM or 3:30 PM and that upon his arrival, VALENZUELA was present at the residence.

[REDACTED] went on to explain that the cookout started at approximately 5:00 PM and occurred without incident. [REDACTED] also initially stated that no one left the party except to obtain cigarettes and other similar items. However, later in the interview, [REDACTED] admitted to attempting to mislead and deceive detectives with these statements.

[REDACTED] explained to detectives that he had actually arrived at VALENZUELA'S residence to find VALENZUELA was not there. [REDACTED] further stated that VALENZUELA'S white Dodge Ram pickup was also not at the residence. [REDACTED] stated that he communicated with VALENZUELA via cellular telephone and asked VALENZUELA where he (VALENZUELA) was. Detectives learned that VALENZUELA replied by telling him that VALENZUELA needed to go to "Tyler" to "handle something." [REDACTED] explained that after an undetermined amount of time he observed that VALENZUELA had returned to the residence. [REDACTED] also stated that he observed that the white Dodge Ram pickup had also returned upon VALENZUELA'S arrival.

[REDACTED] stated that at this same time he observed an individual identified as "WOODWERK" also arrive at the location. Detectives would later identify "WOODWERK" to be Joshua TIBBITS. When asked, [REDACTED] stated that while he did not physically observe TIBBITS exit the vehicle with VALENZUELA, TIBBIT'S arrival led [REDACTED] to believe that TIBBITS had been with VALENZUELA.

Affiant [Signature]

Magistrate [Signature]

██████████ explained to that at approximately 10:30PM, he left the cookout and returned to ██████████. Detectives asked ██████████ of his reaction when he began reading news headlines of the previously described homicide. ██████████ stated that he began to become increasingly nervous due to his realization that VALENZUELA and assumingly TIBBITS had been gone during the approximate time of the homicide and, presumably to ██████████, in the area of Smith County, Texas. ██████████ stated to detectives that he began to fear that VALENZUELA and TIBBITS may possibly have been involved in the homicide.

Detectives then began interviewing Jose VALENZUELA. VALENZUELA was advised the Miranda warnings prior to any line of questioning being asked. After being advised of Miranda VALENZUELA was asked if he wished to speak with detectives, which he stated he would. We then began speaking with him about his involvement with the Original Cossack Motorcycle Club. VALENZUELA stated that he has been a member of the club for around seven years and that he has been a part of multiple chapters throughout east Texas before obtaining his current rank of Regional Sergeant at Arms of the eastern region. He advised detectives that this position allows him the authority to keep all of the chapters in check inside of his region and make sure that they are abiding by the "Original Cossack way".

VALENZUELA was asked about the truck he was stopped in and he stated that it was his work truck. He stated he worked construction for a business named Kimbro and that they provided him with the truck. He stated that he has had the 2018 white Ram Flatbed with Texas License Plate ██████████ for around two months. He advised that he was working in the Dallas area last week and returned to his home at 607 Rockdale in Longview, Texas on Friday, May 1, 2020. VALENZUELA told detectives that he partied all day Friday and Saturday with friends, family and "brothers" (Cossack Members) and stated that he never left his residence on Saturday. VALENZUELA was asked if he ever left for beer or anything at all on Saturday and he stated again that he did not and continued on with his story. A while later detectives advised him that other detectives had spoken with his wife, who also provided a timeline for Saturday and that her timeline states that he had, in fact, left the house for a while on Saturday. It was at that time that VALENZUELA stated he did leave the house, but he hadn't wanted to mention it due to it being sensitive "club business". VALENZUELA eventually elaborated on this and stated he was ordered to go collect all the Cossack items from a member, Chad, who had left the club. VALENZUELA stated that the club member lives in Tyler, but that he called him on the way to his house and Chad didn't answer, so he just turned around and came back home. VALENZUELA stated he was gone from the house about an hour, but did not know what time he left or what time he returned and further stated that he was alone.

Affiant JRMagistrate JH

WARRANT # THA050620-FW3

Detectives asked VALENZUELA if he went anywhere while he was out of the house on Saturday that he may be on camera or that he may have purchased something and he stated that he would possibly be on camera at a Whataburger in Liberty City, Texas. Detectives asked if the cameras would show him alone or with anyone and he stated that they would show him to be with some "brothers". Detectives asked VALENZUELA where the brothers came from if he left the residence alone and he then changed his story again. VALENZUELA stated that what "really" happened is that there is a member of the Cossacks that he doesn't like and that he (VALENZUELA) has begun having a sexual relationship with that member's wife. VALENZUELA stated that he had the two members that were with him at Whataburger driven to the female's residence by a third member who dropped them off. VALENZUELA then stated that he arrived alone in his truck and that the two members stayed outside to "watch his back" while he had sex with the female and that after he was through he and the two brothers loaded up in his truck and went to Whataburger before returning to his residence. VALENZUELA refused to provide names of either of the Cossack brothers or the female that could corroborate his story.

Detectives later visited the Liberty City, Texas Whataburger location to obtain surveillance footage and below are two photographs labeled EXHIBIT 4 that depicts VALENZUELA's work truck at the location.

EXHIBIT 4



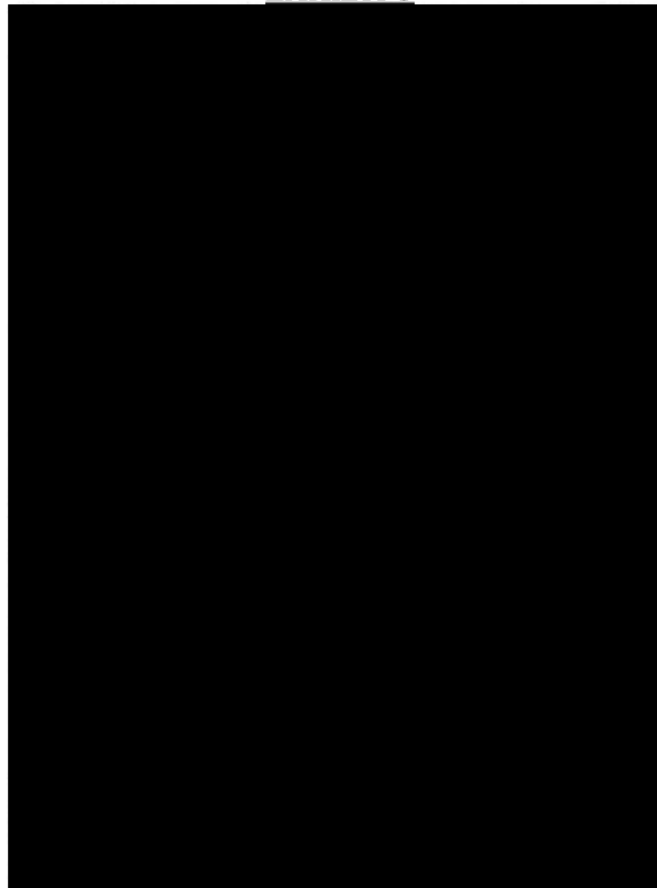
Affiant JR

Magistrate THA

WARRANT # TH050620-FW3

Later in the interview Detectives advised VALENZUELA that there was a surveillance video of the victim driving his motorcycle on FM 850 being followed by the suspect vehicle. Detectives then showed him a short clip of the video. VALENZUELA immediately became defensive and making statements that "that's not my truck, it just looks like my truck". VALENZUELA stated to detectives that we aren't going to put a murder on him just because a truck that looks like his was the suspect vehicle. VALENZUELA continued to get upset about this and eventually terminated the interview and requested an attorney. The interview was ended at that time. Below listed as EXHIBIT 5 which is a still shot of the suspect vehicle on FM 850.

EXHIBIT 5



On May 5, 2020 Detectives drove to Waco, Texas to attempt to locate Cossack members Jeffery GRIFFIN aka "Rundown" and Joshua TIBBITS aka "Woodwerk" whom detectives believed to be the other two males with VALENZUELA.

Detectives located a residence for TIBBITS at 3904 Charlton Ave Waco, Texas. Detectives began surveillance at the location and observed a vehicle to arrive at the residence and leave shortly after. The vehicle was later traffic stopped and the driver was identified as [REDACTED] [REDACTED] was interviewed by detectives and he stated that [REDACTED] [REDACTED]

Affiant JR

Magistrate TH

[REDACTED]
[REDACTED] He further advised that Woodwerk is a Regional Sergeant at Arms of the region and that Rundown is a Sergeant at Arms for the Limestone County Cossack chapter. [REDACTED]

[REDACTED] Rundown's Residence at 500 Connie Drive in Hewitt, Texas and that Rundown and Woodwerk stated they had to go East, to Longview, to handle internal club business. [REDACTED]
[REDACTED]

Detectives released [REDACTED] and began surveillance at Rundown's residence located at 500 Connie Drive in Hewitt, Texas. A short while later a vehicle left the residence and a traffic stop was made on the vehicle being occupied by Jeffery GRIFFIN, aka Rundown. GRIFFIN was then interviewed by detectives on scene. Griffin was advised of the Miranda warnings prior to any questions being asked and GRIFFIN agreed to speak with detectives. GRIFFIN stated that he left Waco with Woodwerk between 5:00 pm and 7:00 pm on Friday, May 1, 2020 and that they were going to Longview, Texas to help "Barcelona" aka VALENZUELA, move into a new house. GRIFFIN stated to detectives that VALENZUELA was already living at the location in Longview, but they were going to have a party and help unpack. GRIFFIN stated that he traveled to Longview in the same vehicle as Woodwerk, but didn't advise what time they arrived just that it was dark. GRIFFIN stated that they partied all night at VALENZUELA's house and went to bed around 4:00 am. GRIFFIN stated that he got up on Saturday around 11:00am or 12:00 pm and played video games for a while before leaving to go to do some laundry nearby. GRIFFIN stated he never left the house on Saturday other than to do laundry at the laundromat.

Detectives then confronted GRIFFIN and stated there was video of him at Whataburger. GRIFFIN then admitted they did go to Whataburger to get food and identified himself as well as VALENZUELA and TIBBITS (Woodwerk) on the camera. Detectives advised GRIFFIN about their knowledge that the victim was chased down by a truck matching the description of VALENZUELA's work truck and showed him the video of the truck chasing the motorcycle. They advised GRIFFIN that the victim, Edwards, was then shot and killed and at that point GRIFFIN's demeanor changed and he began to appear concerned. At that time GRIFFIN stated that if they believed he was guilty of murder that he needed an attorney. At that point the detectives quit asking questions of GRIFFIN and one detective left as another remained with GRIFFIN.

In summary Detectives have surveillance footage of the suspect vehicle arriving at the Whataburger in Liberty City at 3:55 pm and leaving at 4:02 pm and statements from the suspects that they were occupying the vehicle at Whataburger along with video of them being in the store. Detectives observe one of them to be wearing a Cossack Motorcycle Club T shirt with cut off sleeves that is similar in appearance to a traditional Motorcycle Club "cut" as described by witnesses to having been worn by the front seat passenger of the vehicle when it was driving on

Affiant

JR

Magistrate

TH

WARRANT # TH050620-FW3

FM 850. Detectives then located surveillance footage of the suspect vehicle one car behind the victim on HWY 31 E in Tyler, SMITH COUNTY, Texas at 4:35 pm, approximately 33 minutes after leaving the Whataburger in Liberty City. Detectives then have the suspect vehicle on video driving directly behind the victim on FM 850 at approximately 4:42 pm, only a quarter mile from where the victim was found deceased. Detectives also observed on the video that no other vehicles were in proximity to the victim and the suspect vehicle at the time of the shooting.

That based on the above facts and information being related to him, and as a result of this investigation, your affiant has reason to believe and does believe that probable cause does exist for the arrest of the **Joshua Ray TIBBITS w/m 03/10/1991**, for the offense of **MURDER** against the State of Texas as set forth in the Penal Code.

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

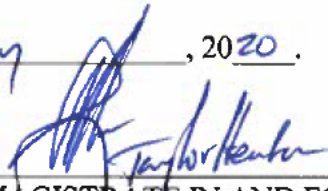
WITNESS my signature, this, the 6th day of May, 2020.



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID AFFIANT

On this, the 6th day of May, 2020.



MAGISTRATE IN AND FOR SMITH COUNTY, TEXAS

Judge of the CCL#2 Smith County TX.

TITLE AND OFFICE HELD BY MAGISTRATE