

2016-154-SW1

AFFIDAVIT FOR SEARCH WARRANT

FILED
2016 APR -4 PM 1:01
JULIA E. CREECH
DISTRICT CLERK
WACO, TX.
Flora

THE STATE OF TEXAS §
§
COUNTY OF McLENNAN §

The undersigned Affiant, being a Peace Officer under the laws of the State of Texas, and being duly sworn, on oath makes the following statements:

1. THERE IS IN McLENNAN COUNTY, TEXAS, A SUSPECTED PLACE DESCRIBED AND LOCATED AS FOLLOWS:

1209 James Avenue Unit B located in Waco, McLennan County, Texas referred hereafter as "Suspected Premise". The aforementioned address is further described as a single level duplex accessible from the north alley between the 1200-block of James Avenue and the south alley in the 1200-block of Speight Avenue. The duplex is dark brown in color with white trimmed windows. The windows are overlaid with metal bars. Unit B is a two bedroom and two bath unit. Unit B is shared by two occupants and has separate bedrooms and a common living area. The suspected bedroom is specifically located on the northeast corner of Unit B and will be referred hereafter as "Suspected Bedroom". The Suspected Bedroom also has an adjoining bathroom and is resided by the Suspect described in paragraph 3. Photographs of Suspected Premise are listed under Exhibit 1.

2. THERE ARE CERTAIN ITEMS THAT CONSTITUTE EVIDENCE LOCATED AT THE SUSPECTED BEDROOM AND SUSPECTED PREMISE DESCRIBED ABOVE, SAID ITEMS BEING MORE FULLY DESCRIBED AS FOLLOWS:

Women's panties, earrings, blood, semen, bodily fluids, hair, skin cells, DNA, bedsheets, and other items that constitute evidence.

3. IT IS THE BELIEF OF AFFIANT, AND AFFIANT HEREBY CHARGES AND ACCUSES THAT:

On or about April 3, 2016 Affiant was made aware of a sexual assault that occurred approximately between 0200 hours and 0300 hours at the said Suspected Premise on aforementioned date. Affiant learned that [REDACTED] (referred hereafter as "Victim") was sexually assaulted by Shawn Oakman (referred hereafter as "Suspect").

4. AFFIANT HAS PROBABLE CAUSE FOR THE STATEMENTS AND BELIEFS SET FORTH ABOVE BY REASON OF THE FOLLOWING FACTS:

- 4.1 Your Affiant is Sam Key, a peace officer under the laws of the State of Texas, and a Detective in the Waco Police Department, Waco, Texas. Affiant is currently assigned to the Special Crimes Unit, and is responsible for the investigation of crimes against persons, including sexual assault.
- 4.2 On April 3, 2016, Affiant was assigned to investigate the sexual assault of said Victim. Affiant was told by Waco Police Officers that they responded to 6901 Medical Parkway at Providence Medical Center Emergency Room in reference to a sexual assault.
- 4.3 Victim told the investigating Waco PD Officer that she met with Suspect at club called Scruffy Murphy's. Suspect asked Victim to come to back to Suspected Premise. Victim and Suspect walked back to Suspected Premise since it was near the club.
- 4.4 Once inside Suspected Premise, the Suspect forced Victim into the Suspect Bedroom. Affiant learned the Suspect forcibly removed the Victim's clothing. The Suspect forced Victim onto the bed and proceeded to sexually assault her.
- 4.5 After the sexual assault, Affiant learned that the Victim was able to leave but left her panties somewhere in the Suspected

Bedroom. Affiant also learned that Victim's earring was lost in the Suspected Bedroom during the assault.

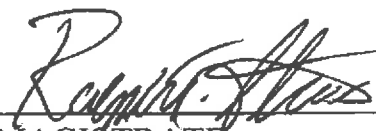
- 4.6 Victim was treated for her injuries and a sexual assault examination as conducted at Providence Medical Center. The sexual assault examination may contain evidence from the Suspect.
- 4.7 Investigating Officers briefly spoke with Suspect and he admitted to only having consensual sex with Victim.

WHEREFORE, Affiant requests the issuance of a warrant that will authorize him to search the place described in Paragraph 1 of this Affidavit for the items described in Paragraph 2 of this Affidavit, and to seize same.

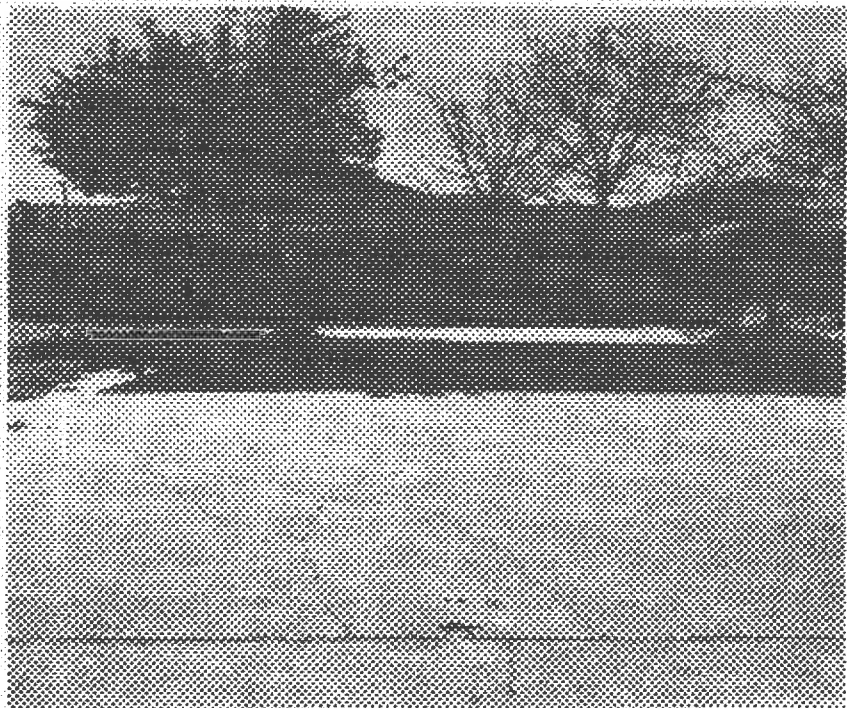
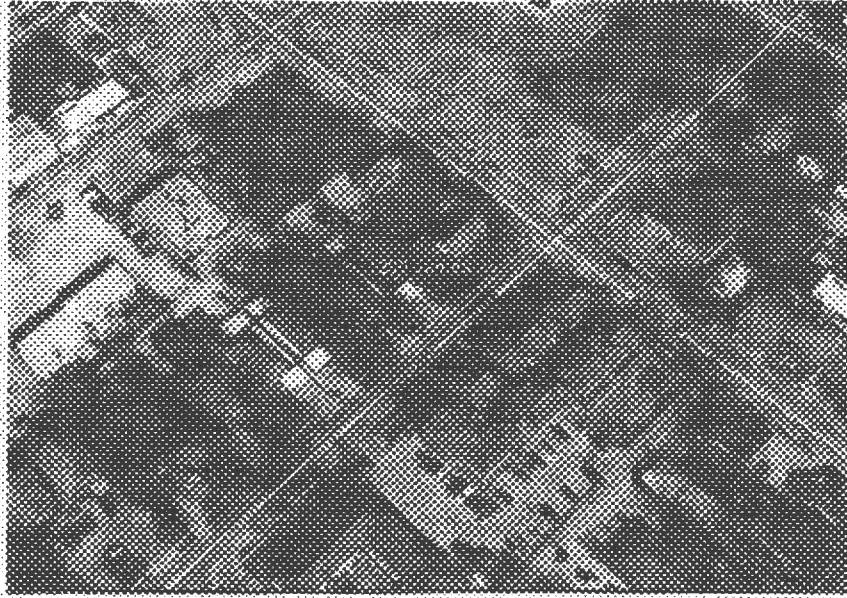


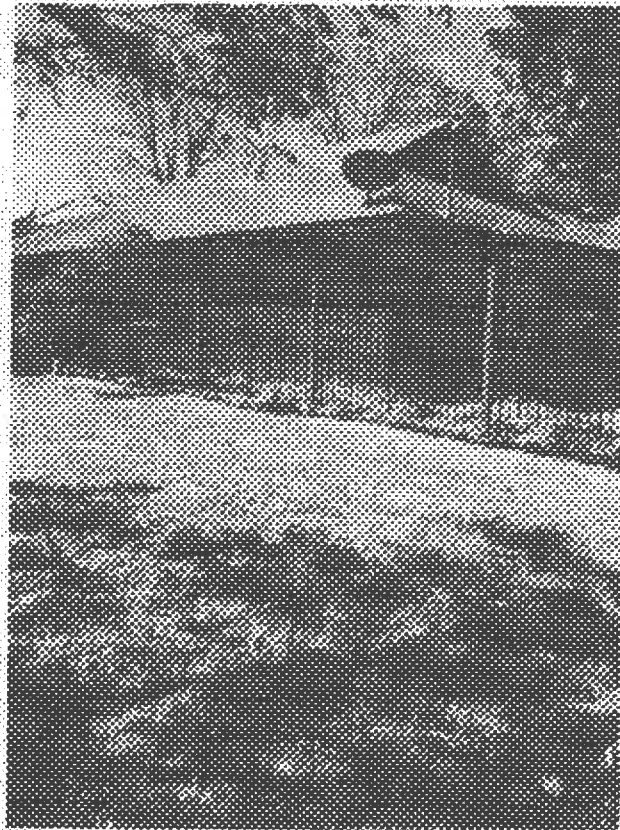
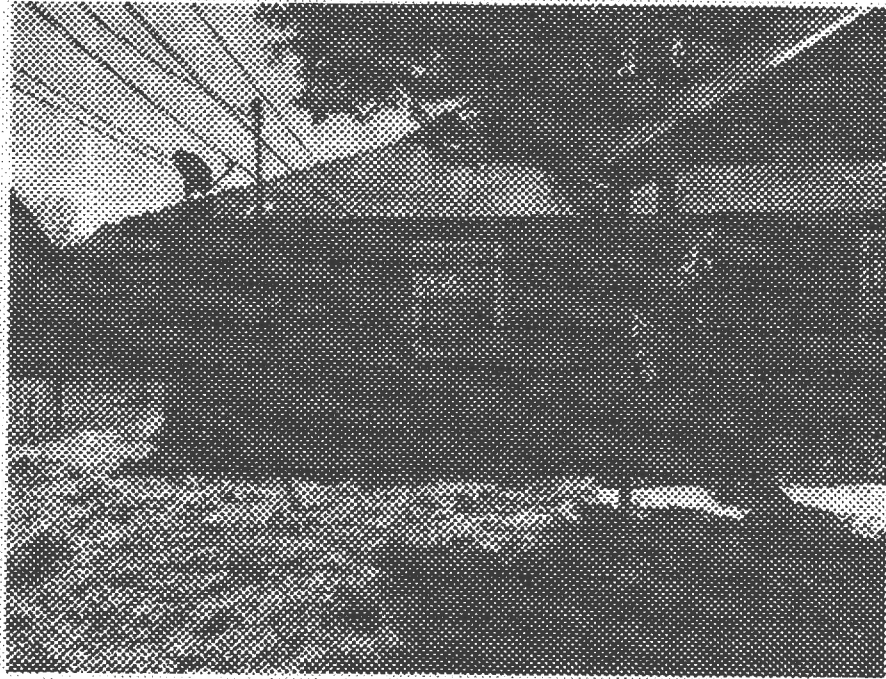
AFFIANT

Sworn to and subscribed before me by said Affiant on this 3rd day of April, 2016, at 1:52 o'clock A.M.



MAGISTRATE
McLENNAN COUNTY, TEXAS
RALPH T. STROTHER





THE STATE OF TEXAS §
 §
COUNTY OF MCLENNAN §

RETURN AND INVENTORY

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:


My name is Sam Key and I am commissioned as a peace officer by the City of Waco, Texas.

The attached Search Warrant came to hand on the day it was issued and it was executed on the 3rd day of April, 2016, at 0245 o'clock P.M. by conducting the search directed therein and by seizing during such search the following described property:

- (2) Comforters
- (1) Fitted Sheet
- (1) Flat Sheet


Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY THE SAID AFFIANT ON THIS THE 4th DAY OF April, 2016.


Magistrate, McLennan County, Texas
RALPH T. STROTHER
19th District Court