

Specific Search Examples

(Includes affidavit, search warrant, and return and inventory)

SSE #18: House for felony fugitive: residence of third party (Format A)

On CD as:	#65
Type of warrant:	Search only
Authority for search:	CCP Article 18.02(a)(11)
Place to be searched:	House in residential subdivision
Controlled by:	Named individuals harboring felony fugitive
Thing to be seized:	Person wanted for felony offense
Offense charged:	None in this warrant; felony warrant previously issued
Probable cause source:	Investigating officer
Other features:	Format A
Forms used:	Affidavit: #17; Search Warrant: #20; Return and Inventory: #21

CAUTION:

Always read thoroughly and carefully every word of any affidavit and requested warrant submitted to a magistrate. Use of a form inapplicable to the specific circumstances of the case may invalidate results of the investigation and possibly expose affiant and others to criminal penalties and civil liabilities.

READ IT BEFORE YOU SUBMIT IT!

THE STATE OF TEXAS

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DOCKET # 1234

COUNTY OF SAN PATRICIO

COURT: Justice Precinct No. 1

AFFIDAVIT FOR SEARCH WARRANT {Article 18.02(a)(11), Texas Code of Criminal Procedure}

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 Russell Kirk and I am commissioned as a peace officer by the Aransas County Sheriff's Office as a Deputy Sheriff.

1. There is in San Patricio County, Texas, a suspected place and premises described and located as follows: In the City of Portland, Texas, a single family residence located at 1117 Houston Avenue. The exterior of the house is yellow brick veneer and the roof is weathered gray cedar shingles. The wood trim is blue-gray in color. The south side of the house is the front and the front door enters from a vestibule-type covered porch. A double car garage is attached to the west side of the house; approaching the garage from Houston Avenue is a straight cement-paved driveway with vegetation apparent in the cracks of the cement. Usually parked in the driveway on a trailer is a black bass-type boat with a Mercury outboard motor affixed. The boat is covered with a gray-colored tarpaulin. Also usually parked in the driveway is a black 2012 Toyota automobile bearing Texas registration C475FS. A large ash tree on the eastern side of the front yard obscures the windows on the front of the house. An aqua-colored garden hose is hanging in a coil beneath one of the front windows. No numbers are visible from Houston Avenue that identify the address of the house.

The location of the suspected place is found by proceeding in said City westward from the intersection of Houston Avenue and 12 Street into the 1100 block of Houston Avenue. The suspected place is the third house from the intersection on the north side of Houston Avenue and being otherwise known as "1117 Houston Avenue."

Said suspected place, in addition to the foregoing description, also includes all other buildings, structures, places and

vehicles on said premises and within the curtilage, if said premises is a residence, that are found to be under the control of the suspected party named below and in, on, or around which the object of the search requested herein may reasonably be found.

Attached hereto as Exhibit A, to be considered as part of this affidavit as if written herein, is a photograph illustrating the appearance of the place to be searched.

2. Said suspected place is in the charge of and controlled by each of the following named and/or described suspected parties (hereafter called "suspected party," whether one or more), to wit: Bernard Steele, described as an Anglo male, approximate age 30-35 years, height 6' 1-2", weight 185-195 pounds, with brown hair, clean shaven, and usually wearing one earring; Tania Corredor Steele, described as an Hispanic female, approximate age 25-30 years, height 5', weight 135-140 pounds, with short blonde hair and tattoos on both upper arms.

3. I have reason to believe that the following person is taking refuge at said suspected place, being therein concealed by said suspected party: Cesar Corredor, described as an Hispanic male, date of birth July 20, 1973, height 5' 11", weight 197 pounds, brown hair, brown eyes, and usually wearing a mustache and beard.

4. I have probable cause for said belief by reason of the following facts and circumstances: I am employed by the Tri-County Narcotics Task Force as a criminal investigator. On November 29, 2013, while investigating illegal narcotics trafficking in Aransas County, I was working in an undercover capacity. On that date, Cesar Corredor personally delivered cocaine to me in exchange for a negotiated amount of cash. Corredor was not arrested at the time of the offense because I chose to protect my identity as a peace officer and keep same confidential until completion of the investigation then underway.

On February 14, 2014, I filed a felony complaint with the Aransas County Justice Court, Precinct No. 2, charging Corredor with the offense of Delivery of a Controlled Substance in Penalty Group 1 and received felony arrest warrant number 2009214-CR. With warrant in hand, I personally attempted to execute same at what is believed to be the residence of Cesar Corredor, 1315B Key Allegro Circle, in the City of Fulton in Aransas County. Residence was confirmed by city utility records, State driver's license records, and prisoner records from previous arrests at the Aransas County Jail, all of which reflect 1315B Key Allegro Circle as Corredor's address. Repeated attempts to determine if Corredor is present at his residence have failed.

Yesterday, April 1, 2014, I received information from an individual present at the same place of business where Tania Corredor Steele, sister of Cesar Corredor, is employed. This individual, whose identity I will not disclose because the individual has requested to remain anonymous for purposes of seeking the warrant requested herein, overheard Tania Corredor Steele telling fellow employees and others present that Cesar Corredor is a fugitive temporarily lodging in the Steele household in Portland, San Patricio County, Texas ("suspected place" described above). Tania Corredor Steele was also overheard saying that she and her husband, Bernard Steele, were hiding her brother until he could get enough money to leave town. She said if the cops asked if he were there, they would not admit it. She reportedly said she would protect her brother, even if it meant having to go to jail herself.

I proceeded to the area of 1117 Houston Avenue in the City of Portland and identified the suspected place; a more detailed description of the premises is set out in section 1, above, and a photograph is attached as Exhibit A.

I confirmed it to be the residence of Bernard and Tania Steele through the City's utility and emergency locator records. A 2012 Toyota automobile was parked in the driveway and when I checked its registration (Texas C47 5FS) the Motor Vehicle Records report identified its owners as the suspected parties described above and that their address is the same as the suspected place.

James Leahey, the Building Inspector for the City of Portland, resides at 1116 Austin Avenue in said city, one block to the North of Houston Avenue. Leahey's backyard adjoins that of the Steele's and is separated by a chain link-type fence that does not obstruct the view of the backyard of the house at 1117 Houston Avenue. I contacted Leahey and asked him to assist me to confirm that Cesar Corredor is at the suspected place and he agreed to do so. From County Jail prisoner records and the Texas Department of Public Safety Driver's License records I obtained photographs of Cesar Corredor and provided them to Leahey. I also provided Leahey with the means to contact me 24 hours a day. At my request he said he would monitor activity in the rear of 1117 Houston Avenue in an attempt to observe Cesar Corredor.

Today, April 3, 2014, at approximately 7:45 a.m., Leahey called me on my cell phone advising he was at that moment observing Cesar Corredor standing near the back door of the suspected place smoking a cigarette and drinking what appeared to be coffee. For the next several moments, Leahey relayed his observations of Cesar Corredor over the telephone until Corredor entered the suspected place through the back door and disappeared from view.

I believe the foregoing facts and circumstances establish probable cause that a search of the suspected place will yield the person of Cesar Corredor. I and other officers will go to said suspected place in an attempt to take custody of Cesar Corredor by executing the felony arrest warrant No. 2009214-CR issued by the Justice Court of Aransas County. I intend

to seek voluntary surrender of Cesar Corredor with the cooperation of Bernard and/or Tania Corredor Steele, should either of these individuals be present at the time officers arrive at the premises. Notwithstanding my intention to seek cooperation from individuals at the suspected place, I request a search warrant to authorize entry into the suspected place for purposes of seizing Cesar Corredor should consensual entry be denied.

Wherefore, I ask for issuance of a warrant that will authorize me and other peace officers to search said suspected place and premises for the person named and described above and seize same in order to execute the arrest warrant outstanding from the Aransas County Justice Court. Upon execution of the requested search warrant and execution of the aforementioned arrest warrant, I intend to return Cesar Corredor to Aransas County until the grand jury considers the charges against him.

/s/ Russell Kirk
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY SAID AFFIANT ON THIS THE 3rd DAY OF APRIL, 2014.

/s/ John Z. Gilmore
Justice of the Peace, Precinct No. 1
San Patricio County, Texas

Exhibit A
1117 Houston Ave., Portland, Texas



THE STATE OF TEXAS
COUNTY OF SAN PATRICIO

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DOCKET # 1234
COURT: Justice Precinct No. 1

SEARCH WARRANT
{Article 18.02(a)(11), Texas Code of Criminal Procedure}

The State of Texas: To the Sheriff or any Peace Officer of San Patricio County, Texas, or any Peace Officer of the State of Texas:

Whereas I have been presented an affidavit requesting issuance of a search warrant by the affiant therein, and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he/she expresses therein, and whereas I believe said affidavit properly establishes grounds for issuance of this Warrant;

Now, Therefore, you are commanded to enter the suspected place, vehicles, and premises described in said affidavit, to-wit: In the City of Portland, Texas, a single family residence located at 1117 Houston Avenue. The exterior of the house is yellow brick veneer and the roof is weathered gray cedar shingles. The wood trim is blue-gray in color. The south side of the house is the front and the front door enters from a vestibule-type covered porch. A double car garage is attached to the west side of the house; approaching the garage from Houston Avenue is a straight cement-paved driveway with vegetation apparent in the cracks of the cement.

The location of the suspected place is found by proceeding in said City westward from the intersection of Houston Avenue and 12th Street into the 1100 block of Houston Avenue. The suspected place is the third house from the intersection on the north side of Houston Avenue and being otherwise known as "1117 Houston Avenue."

Said suspected place, in addition to the foregoing description, also includes all other buildings, structures, places and vehicles on said premises and within the curtilage, if said premises is a residence, which are found to be under the control of the suspected party named below and in, on, or around which said suspected party may reasonably harbor the person that is the object of the search requested herein.

At said places you shall search for and, if same be found, seize and bring before me the person described in the affidavit, to-wit: Cesar Corredor, described as an Hispanic male, date of birth July 20, 1973, height 5' 11", weight 197 pounds, brown hair, brown eyes, who usually wears a mustache and beard.

Herein fail not, but have you then and there this Warrant to be executed without delay; and upon compliance with the orders herein, make return forthwith showing how you have executed same within three days of the date shown below, exclusive of said date and the day of its execution.

Upon execution of this search warrant and execution of the aforementioned arrest warrant, affiant is ordered to take Cesar Corredor to a magistrate in San Patricio County for the requisite statutory warnings, and then deliver him to the Sheriff of Aransas County to await consideration of the charges against him by the grand jury.

Issued this the 3rd day of April, 2014, at 10:47 o'clock A.M. to certify which witness my hand this day.

/s/ John Z. Gilmore
Justice of the Peace, Precinct No. 1
San Patricio County, Texas

Exhibit A
1117 Houston Ave., Portland, Texas



THE STATE OF TEXAS

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DOCKET # 1234

COUNTY OF SAN PATRICIO

COURT: Justice Precinct No. 1

**RETURN AND INVENTORY
FOR SEARCH WARRANT
{Article 18.02(a)(11), Texas Code of Criminal Procedure}**

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 Russell Kirk and I am commissioned as a peace officer by the Aransas County Sheriff's Office as a Deputy Sheriff.

The attached Search Warrant came to hand on the day it was issued and it was executed on the 3rd day of April, 2014, by conducting the search directed therein and by seizing during such search the following described person:

Cesar Corredor,

an individual for whom I held a felony arrest warrant issued by the Justice Court of Aransas County, Texas. The arrest warrant was executed and Cesar Corredor was delivered to the custody of the Aransas County Sheriff.

Also arrested at the searched premises was

Tania Corredor Steele (date of birth: March 10, 1989)

for the offense of Hindering Apprehension (Texas Penal Code §38.05), an offense committed in my presence and other officers after Tania Corredor Steele was admonished about the consequences of harboring a felony fugitive. She was delivered into the custody of the San Patricio County Sheriff.

/s/ Russell Kirk
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID PEACE OFFICER WHOSE NAME IS SIGNED ABOVE ON THIS THE 4th DAY OF APRIL, 2014.

/s/ John Z. Gilmore
Justice of the Peace, Precinct No. 1
San Patricio County, Texas