Sample AFFIDAVIT FOR MOBILE TRACKING DEVICE

THE STATE OF TEXAS

COUNTY OF HARRIS

AFFIDAVIT FOR THE INSTALLATION AND USE OF A MOBILE TRACKING DEVICE

{ARTICLE 18.21, §14, TEXAS CODE OF CRIMINAL PROCEDURE}

I, Bill Turner, a peace officer employed by the Harris County Sheriff’s Department and assigned to the Burglary and Theft Division, 1301 Franklin, Houston, Harris County, Texas, have probable cause that Frank Gore, a white male, DOB: 7/7/63, is presently engaging in criminal activity, namely, burglary, and that the installation and use of a mobile tracking device on a 2007 Chevrolet pickup, Silverado model, bearing Texas license GJ7 5KL, is reasonably likely to yield information relevant to the investigation of that criminal activity. The vehicle on which the device will be placed is expected to be located at 777 Southland, Houston, Harris County, Texas.

MY BELIEF IS BASED ON THE FOLLOWING FACTS:

I have been contacted by a confidential informant, who for reasons of safety and security will remain unnamed throughout this affidavit. This informant has provided me with information on several past occasions regarding criminal activity. I have arrested several individuals in the past based on this informant’s information, and in each instance, that person was charged and convicted of the criminal offense the informant told me of. I have also executed several search warrants for the unlawful possession of controlled substances that were based on this informant’s information. In each instance, I found drugs as described by this informant. This informant told me, within the past week, that Frank Gore, a white male, about 45 years of age, was burglarizing homes and businesses on a regular basis. This informant said that Gore had been to the penitentiary for burglary and that he was out on parole. The person told me that Gore drove a Chevrolet pickup truck and that Gore used the money that he made from the items taken for drugs.

I then checked the records of the Harris County Sheriff’s Department and found that Frank Gore, a white male, DOB: 7/7/63, had been arrested several times in Harris County, Texas, for burglary. The records also show that Gore was convicted of a burglary in the 263rd District Court of Harris County, Texas in 2010 and that he was paroled in 2014. I then contacted Richard Smith, who is a parole officer with the State of Texas. He told me that he is the parole officer assigned to Gore and that Gore was living at 777 Southland, Houston, Harris County, Texas. He told me that he did not think that Gore was working and that he had been considering filing for a revocation of his parole because Gore was not reporting as ordered and was not working.

I then checked with the Houston Police Department Pawn Shop Detail. Sgt. K. L. Williams checked their records and told me that they have found a number of pawn slips where Frank Gore, DOB; 7/7/63 had pawned items, including four television sets and two VCRs, in the last three weeks.

I then went to 777 Southland. This house is in Harris County, Texas. Parked in the driveway was a 2007 Chevrolet pickup Silverado bearing Texas license GJ7 5KL. I checked the records of the Texas Department of Public Safety and found that this vehicle is registered to Frank Gore at that address. Prior to going to that location, I found a picture of Gore that was on file with the Sheriff’s Department. I watched the house and saw Gore leave, get into the truck and drive off. I attempted to follow him but could not, due to traffic. Over the next three days I continued to watch and attempt to follow Gore but was not able to keep up with him due to traffic. I did check with Sgt. Williams and found out that the Pawn Shop Detail had records showing that Gore had pawned jewelry and another television set during the days that I attempted to follow him but could not. I am not aware of Gore having possession of or access to a vehicle other than the 2007 Silverado (GJ7 5KL).

I believe, from the facts stated above, that Gore is burglarizing locations in and around Harris County, Texas, and that installation of a mobile tracking device will likely yield information relevant to the investigation into his criminal activity.

WHEREFORE, PREMISES CONSIDERED, I request that an Order be issued authorizing the installation of a mobile tracking device on the aforesaid 2007 Chevrolet Silverado truck at 777 Southland, Houston, Harris County, Texas, or at whatever location is in Harris County, Texas it can be located and that the Order further allow the usage and monitoring of said tracking device for a period not to exceed 90 days or whenever the investigation into said criminal activity is completed, whichever comes first.

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 Bill Turner, Affiant

Sworn to and subscribed, before me, on this the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge, \_\_\_\_ District Court

 Harris County, Texas