

SAE #4 Assault

For Use When:	Charging and seeking arrest warrant for misdemeanor offense when civilian victim is affiant for complaint
Offense Charged:	Assault
Options Included:	Arrest warrant
Form Used:	Complaint: #2; Arrest warrant and return: #3

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 # 979-14-CR

§

COUNTY OF TRAVIS

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COURT: County Court at Law No. 5

COMPLAINT

{Article 15.04 & 15.05, Texas Code of Criminal Procedure}

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS AND ACCUSATIONS:

My name is Annabelle Brewster. I hereby state upon my oath that I have reason to believe and do believe that heretofore, and before the making and filing of this Complaint, that

Billy Bigelow, w/m, d.o.b. 1/4/90

on or about the 5th day of May, 2018, in Travis County, Texas, did then and there intentionally, knowingly, and recklessly cause bodily injury to Annabelle Brewster by hitting and slapping the said Annabelle Brewster with his hands and fists, against the laws of the State.

My probable cause for said belief and accusation is as follows: Until the above date, I have lived with Billy Bigelow for the past 4 years, all the time in Travis County. We were never married, but we have one child, a 5 year old son named Todd Bigelow. I have been employed from time to time during the past 4 years as a waitress; Billy sometimes works as a truck driver for local delivery companies. We live in Apartment 10 at Bridgepointe Landing in Austin.

Our son is graduating from kindergarten in two weeks and I want both of us, his mother and

father, to attend the ceremony. When I told Billy about the occasion, I also advised that we both should buy some decent clothes to attend the graduation.

This made Billy mad and he started drinking. The more he drank, the more upset he got — I'm not sure if it was because we were going to have to spend money on new clothes or because what I said hurt his feelings about his appearance.

At one point, he ran out of beer and was leaving to go buy some at the convenience store. Todd, our son, wanted to go with him and Billy wanted to take him. I refused to let Todd go because Billy was drunk and I was afraid for Todd to ride in the car with Billy. Billy grabbed Todd's hand and started out the door to go to the car. I ran out the door and ran to the car, got in, and locked the doors. When Billy would try to use the key to unlock the doors, I would lock them again from inside.

Billy started cursing me and Todd started crying, pleading for us both to stop what we were doing. It made me feel bad and I opened the door to tell Todd that I was sorry and Billy punched me in the head with his fist. It knocked me to my knees and when I got up, I was cursing him for hitting me. He then slapped me twice with his open hand. It hurt very much and I started screaming and crying.

Then Dottie Atkins, one of our neighbors, came out and yelled at Billy to leave me alone. He started cursing her and I grabbed Todd and we ran back into the house. Billy did not follow, but got in the car and drove off. I'm sure he was intoxicated.

He did not come home last night and the first thing this morning, I called my step-father to come over and help me move out. I was gone by noon and I haven't seen Billy Bigelow since that night. I've always heard that when a man hits a woman, he will do it again and there's no use staying with him just hoping he won't do it again. It was a horrible thing for Todd to see and I think Billy should be prosecuted for hitting me, especially in front of my son. I'm not sure if Dottie Atkins saw Billy hitting me, but she sure did hear all the screaming and crying because that's when she came outside.

/s/ Annabelle Brewster
Complainant

SWORN TO AND SUBSCRIBED BEFORE ME BY SAID AFFIANT/COMPLAINANT ON THIS
THE 6TH DAY OF MAY, 2018.

/s/ Corporal Zachary Soto
Austin Police Department
Travis County, Texas

WARRANT OF ARREST

THE STATE OF TEXAS

To any Peace Officer of the State of Texas, Greeting:

You are hereby commanded to arrest

Billy Bigelow, w/m, d.o.b. 1/4/90

if to be found in your County and bring him/her before me, Judge of the County Court at Law Number 5, Travis County, Texas, at my office at 1210 Nueces Street in the City of Austin in said County, immediately, then and there to answer the State of Texas for an offense against the laws of said State, to-wit:

Assault

of which offense he/she is accused by the written Complaint under oath or affirmation of Annabelle Brewster, filed before me. Said Complaint is attached hereto and made a part hereof.

Herein fail not, but of this writ make due return, showing how you have executed the same.

Witness my official signature, this 6th day of May, 2018.

/s/ Anita Z. O'Rourke
Judge, County Court at Law No. 5, Magistrate
Travis County, Texas

OFFICER'S RETURN

Came to hand the 6th day of May, 2018, at 7:36 o'clock P.M., and executed on the 6th day of May, 2018, at 10:15 o'clock P.M., by arresting the within named Billy Bigelow, w/m, d.o.b. 1/4/90 at The Triangle Lounge in the City of Austin in Travis County, Texas.

I actually and necessarily traveled 14 miles in the service of this writ, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

Sheriff John M. Brown,
Travis County, Texas
By /s/ Richard Royal, Deputy