

THE UNDERSIGNED AFFIANT, BEING A PEACE OFFICER UNDER THE LAWS OF TEXAS AND BEING DULY SWORN, ON OATH MAKES THE FOLLOWING STATEMENTS AND ACCUSATIONS:

1. THERE IS IN ECTOR COUNTY, TEXAS A SUSPECTED PLACE DESCRIBED AND LOCATED AS FOLLOWS: A SINGLE FAMILY DWELLING BELIEVED TO BE LOCATED AT 232 LOTTEMAN DRIVE. THE SAID SUSPECTED PLACE IS BETTER DESCRIBED AS A WHITE RESIDENCE WITH GREEN TRIM. THE NUMERALS "232" ARE DISPLAYED ON A WHITE MAIL BOX THAT IS DIRECTLY IN FRONT OF THE RESIDENCE. THE FRONT DOOR OF THE RESIDENCE FACES SOUTH. IN ADDITION TO THE FOREGOING DESCRIPTION, ALSO INCLUDES ALL OTHER BUILDINGS, STRUCTURES, PLACES AND VEHICLES ON SAID PREMISES AND WITHIN THE CURTILAGE OF SAID SUSPECTED PLACE.
2. SAID SUSPECTED PLACE IS IN CHARGE OF AND CONTROLLED BY EACH OF THE FOLLOWING NAMED PARTIES (HEREAFTER CALLED "SUSPECTED PARTY" WHETHER ONE OR MORE) TO WIT: 1) AN UNKNOWN WHITE MALE, APPROXIMATELY 6'00, 210 POUNDS, LAST WEARING A TWO-TONE JACKET WITH JEANS AND A BLACK BEENIE CAP
3. IT IS THE BELIEF OF AFFIANT, AND AFFIANT HEREBY CHARGES AND ACCUSES, THAT SAID SUSPECTED PARTY HAS POSSESSION OF AND IS CONCEALING AT SAID SUSPECTED PLACE THE FOLLOWING DESCRIBED PERSONAL PROPERTY, TO WIT: MARIJUANA, UNITED STATES CURRENCY, PACKAGING MATERIALS, COPIES OF CASHIERS CHECKS, SCALES, HAND WRITTEN NOTES REGARDING QUANTITIES OF CONTROLLED SUBSTANCES, ADDRESS/TELEPHONE LISTS OR BOOKS, PHOTOGRAPHS OF CO-CONSPIRATORS, TELEPHONE PAGERS, CELL PHONES AND OTHER EVIDENCE OF THE IMPORTATION, SECRETING, TRANSFER, AND/OR CONCEALMENT OF ASSETS AND/OR MONEY, WHICH ARE FRUITS, EVIDENCE, AND INSTRUMENTS RELATED TO VIOLATIONS OF STATE AND FEDERAL DRUG LAWS
4. AFFIANT HAS PROBABLE CAUSE FOR THE SAID BELIEF BY REASON OF THE FOLLOWING FACTS, TO WIT:
 - 1) AFFIANT, JESSE GARCIA IS A POLICE OFFICER, FOR THE CITY OF ODESSA, ASSIGNED TO THE NARCOTICS/VICE UNIT, WHOSE PRIMARY FUNCTION IS THE INVESTIGATION OF NARCOTIC OFFENSES. AFFIANT HAS BEEN A POLICE OFFICER FOR APPROXIMATELY EIGHT YEARS.
 - 2) THAT ON OR ABOUT THE 4TH DAY OF DECEMBER, 2008 AFFIANT RECEIVED INFORMATION FROM AN ANONYMOUS SOURCE IN REFERENCE TO A MALE SUBJECT THAT RESIDES AT THE SAID SUSPECTED PLACE THAT WAS SAID TO BE IN POSSESSION OF A LARGE QUANTITY OF MARIJUANA. THE INFORMATION WAS IN THE FORM OF A LETTER THAT WAS LEFT AT THE FRONT DESK OF THE ODESSA POLICE DEPARTMENT ON THE 3RD DAY OF DECEMBER 2008 BY A PASTOR TERRY PIERCE. IT IS UNKNOWN WHO WROTE THE LETTER.
 - 3) THE INFORMATION GIVEN STATED THAT A MALE SUBJECT FROM OHIO IS GROWING 80 MARIJUANA PLANTS INSIDE THE SAID SUSPECTED PLACE. THE SAID SUSPECTED PLACE IS SAID TO BE A RENTED RESIDENCE. THE MALE SUSPECT IS TO BEGIN HARVESTING THE MARIJUANA ON FRIDAY, WHICH WOULD BE ON DECEMBER 5, 2008, AND IS TO LEAVE ON THAT SAME DATE AND IS TO TAKE THE MARIJUANA TO OHIO. THE INFORMATION STATED THAT THE HARVESTING OF THE MARIJUANA IS AN ALL DAY PROCESS. THE INFORMATION ALSO STATED THAT THE MALE SUSPECT DOES NOT LEAVE THE SAID SUSPECTED PLACE BECAUSE HE TAKES CARE OF THE MARIJUANA PLANTS.
 - 4) THE INFORMATION RECEIVED STATED THAT THE MALE SUSPECT DRIVES A SILVER NISSAN VERSA THAT IS PARKED IN THE DRIVEWAY OF THE SAID SUSPECTED PLACE. THE INFORMATION STATES THAT THE MALE SUSPECT REMOVED THE OHIO LICENSE PLATES FROM THE VEHICLE SO NO PERSONS WOULD KNOW THAT THE VEHICLE WAS FROM OHIO. THE MALE SUSPECT ALLEGEDLY MOVED THE MARIJUANA PLANTS FROM ARIZONA TO THE SAID SUSPECTED PLACE RECENTLY AND HAS BEEN GROWING MARIJUANA FOR A LONG PERIOD OF TIME.

- 5) THE INFORMATION STATED THAT THE MALE SUSPECT COVERS THE BEDROOM WINDOWS WITH FOIL TO CONCEAL THE MARIJUANA. THE INFORMATION STATED THAT THE MALE SUSPECT VENTS THE HOT AIR FROM THE SAID BEDROOM WITH A FAN AND AN AIR CONDITIONING UNIT THAT IS AT A WINDOW LOCATED NEAR THE FRONT DOOR.
- 6) THE INFORMATION WENT ON TO STATE THAT THE MALE SUSPECT IS CURRENTLY CONCEALING \$19,000.00 IN U.S. CURRENCY INSIDE THE FIREPLACE OF THE SAID SUSPECTED PLACE.
- 7) ODESSA POLICE DEPARTMENT NARCOTICS DETECTIVES INITIATED AN INVESTIGATION INTO THE INFORMATION. ON THE 4TH DAY OF DECEMBER, 2008 DETECTIVES MAUREEN FLETCHER AND JESSE DUARTE WENT TO THE SAID SUSPECTED PLACE AND CONDUCTED SURVEILLANCE. THE DETECTIVES OBSERVED THAT THERE WAS A SILVER NISSAN VEHICLE IN THE DRIVEWAY THAT HAD NO LICENSE PLATES ON IT.
- 8) THE DETECTIVES OBSERVED THAT THE SOUTH PORTION, THE FRONT SIDE, OF THE SAID SUSPECTED PLACE HAD WINDOWS THAT WERE COVERED WITH FOIL. THE WINDOW THAT WAS NEXT TO THE FRONT DOOR OF THE SAID SUSPECTED PLACE HAD AN AIR CONDITIONING UNIT THAT WAS VISIBLE. A CHIMNEY WAS ALSO VISIBLE ON THE SAID SUSPECTED PLACE.
- 9) AFTER FURTHER SURVEILLANCE CORPORAL BRAD DAVIS OBSERVED THE SAID SUSPECTED PARTY WALKING IN THE AREA OUTSIDE THE SAID SUSPECTED PLACE. CORPORAL DAVIS OBSERVED THE SAID SUSPECTED PARTY ENTER THE RESIDENCE AFTER A SHORT WHILE.

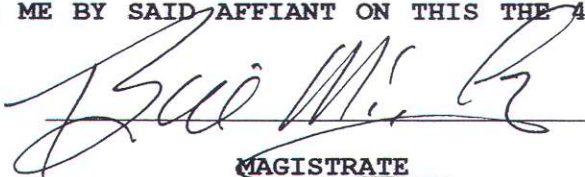
- 10) A COPY OF THE ANONYMOUS LETTER IS ATTACHED TO THIS AFFIDAVIT AND IS LABELED AS ATTACHMENT "A".
- 11) AFTER FURTHER INVESTIGATION THE RENTER OF THE SAID SUSPECTED PLACE SHOWED TO BE A JENNIFER MOORE, WHOSE PRIOR RESIDENCE WAS IN SHERWOOD, OHIO.
- 12) AFFIANT KNOWS, THROUGH TRAINING AND EXPERIENCE AS A PEACE OFFICER, THAT NARCOTICS DISTRIBUTORS COMMONLY STORE ADDITIONAL QUANTITIES OF NARCOTICS IN THEIR RESIDENCES TO AVOID DETECTION FROM LAW ENFORCEMENT.
- 13) BASED ON THE ABOVE STATED INFORMATION, I BELIEVE THAT IT IS HIGHLY PROBABLE THAT A SEARCH OF THE SAID SUSPECTED PLACE AND PREMISES WILL YIELD A QUANTITY OF MARIJUANA.

WHEREFORE, AFFIANT ASKS FOR ISSUANCE OF A WARRANT THAT WILL AUTHORIZE THE SEARCH OF SAID SUSPECTED PLACE FOR SAID SUSPECTED PROPERTY AND SEIZE THE SAME AND TO ARREST EACH SUSPECTED PARTY.



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID AFFIANT ON THIS THE 4TH DAY OF DECEMBER, A.D., 2008.



MAGISTRATE

Attachment "A"

I'm leaving Odessa because my boyfriend is out of control. The cops only have a few days to catch him. I can't talk to the police because I have traffic warrants. He is from Ohio and is growing 80 marijuana plants in the house he rented in Odessa at 232 Lottman. There is clones to. He never leaves the house because he babysit the plants. They are almost ready so he is going to start harvest Friday morning. It takes him all day and he will leave to Ohio late this Friday night. He vent the hot air with a fan that blows out of the bedroom window ac by the front door. If you walk up to the door to pretend you are Jehovahs witness you can feel the air coming from the vent and you can smell the plants. I tore a small piece of tinfoil he use to cover the bedroom windows. He doesn't know I tore it so drive by at nite and you can see the brite lights. He moved the half grown plants from Arizona to Odessa in a U Haul because his land lady got suspicious. He drives a Nissan Versa that is silver that he parks in the driveway and takes off the plates so nobody knows he is from Ohio. He knows about tap raps and will not answer the door if the police are there. He has \$19,000 hidden in the fireplace but I took \$1000 out to get me back home. He always keeps his money in the fireplace. He does not know I'm telling and thinks I don't know about him cheating on me. He has been growing pot for a long time and never get caught and he is getting sloppy. He will be easy to catch if the cops get him before he goes to Ohio.

STATE OF TEXAS
COUNTY OF ECTOR

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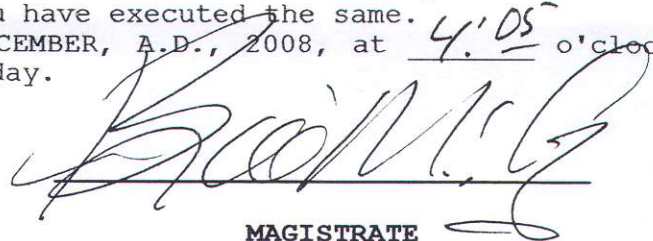
THE STATE OF TEXAS to the Sheriff or any Peace Officer of Ector County, Texas or any Peace Officer of the State of Texas, GREETING:

WHEREAS, the Affiant whose names appear on the Affidavit on the reverse side hereof are Peace Officers under the laws of Texas and did heretofore this day subscribe and swear to said Affidavit before me (which said Affiant is here now made part hereof for all purposes), and whereas I find that the verified facts stated by Affiant in said Affidavit show that Affiant have probable cause for the belief they express therein and establish existence of proper grounds for issuance of this Warrant; now, therefore, you are commanded to enter the suspected place described in said Affidavit, to wit: A SINGLE FAMILY DWELLING BELIEVED TO BE LOCATED AT 232 LOTTEMAN. THE SAID SUSPECTED PLACE IS BETTER DESCRIBED AS A WHITE RESIDENCE WITH GREEN TRIM. THE NUMERALS "232" ARE DISPLAYED ON A WHITE MAIL BOX THAT IS DIRECTLY IN FRONT OF THE RESIDENCE. THE FRONT DOOR OF THE RESIDENCE FACES SOUTH. IN ADDITION TO THE FOREGOING DESCRIPTION, ALSO INCLUDES ALL OTHER BUILDINGS, STRUCTURES, PLACES AND VEHICLES ON SAID PREMISES AND WITHIN THE CURTILAGE OF SAID SUSPECTED PLACE. At said places you shall search for and, if same be found, seize and bring before me the property described in the affidavit which the said suspected party, or others in control of the said suspected place, are alleged to be concealing and to have in his/her possession in violation of the laws of the State of Texas, Texas Health and Safety Code, to wit: MARIJUANA, UNITED STATES CURRENCY, PACKAGING MATERIALS, COPIES OF CASHIERS CHECKS, SCALES, HAND WRITTEN NOTES REGARDING QUANTITIES OF CONTROLLED SUBSTANCES, ADDRESS/TELEPHONE LISTS OR BOOKS, PHOTOGRAPHS OF CO-CONSPIRATORS, TELEPHONE PAGERS, CELL PHONES AND OTHER EVIDENCE OF THE IMPORTATION, SECRETING, TRANSFER, AND/OR CONCEALMENT OF ASSETS AND/OR MONEY, WHICH ARE FRUITS, EVIDENCE, AND INSTRUMENTS RELATED TO VIOLATIONS OF STATE AND FEDERAL DRUG LAWS. Further, you are commanded to arrest and search each suspected party named and described in the said affidavit, to wit: 1) AN UNKNOWN WHITE MALE, APPROXIMATELY 6'00, 210 POUNDS, LAST WEARING A TWO-TONE JACKET WITH JEANS AND A BLACK BEENIE CAP

This individual is accused of an offense against the laws of the State of Texas, namely, Possession of a Controlled Substance. You may arrest others for same offense who are unknown to the Affiant but found to be occupants of the said premises and in control of the same.

HEREIN FAIL NOT, but have you then and there this Warrant within three days, exclusive of the day of its issuance and exclusive of the day of its execution, with your return thereon, showing how you have executed the same.

ISSUED this the 4TH day of DECEMBER, A.D., 2008, at 4:05 o'clock P.M. to certify which witness my hand this day.



MAGISTRATE

COUNTY OF ECTOR

Each of the undersigned Affiant, being a Peace Officer under the laws of Texas and being duly sworn, on oath certifies that the foregoing Warrant came to hand on the day it was issued and that it was executed on the 4th day of DECEMBER, A.D., 2008 by making the search directed therein and by arresting and placing in jail each of the following parties, to wit: No Arrest


and by seizing during such search the following described property:

No items seized



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by each of said affiant whose name is signed above on this the 5 day of DECEMBER, A.D., 2008.



MAGISTRATE