

DP14-004

CHRYSLER

9/15/2014

Legals and Cust Complaints

PUBLIC



(0115) 021_21



(0116) 022_22



(0117) 023_23



(0118) 024_24



(0119) 025_25



(0120) 026_26



(0121) 027_27



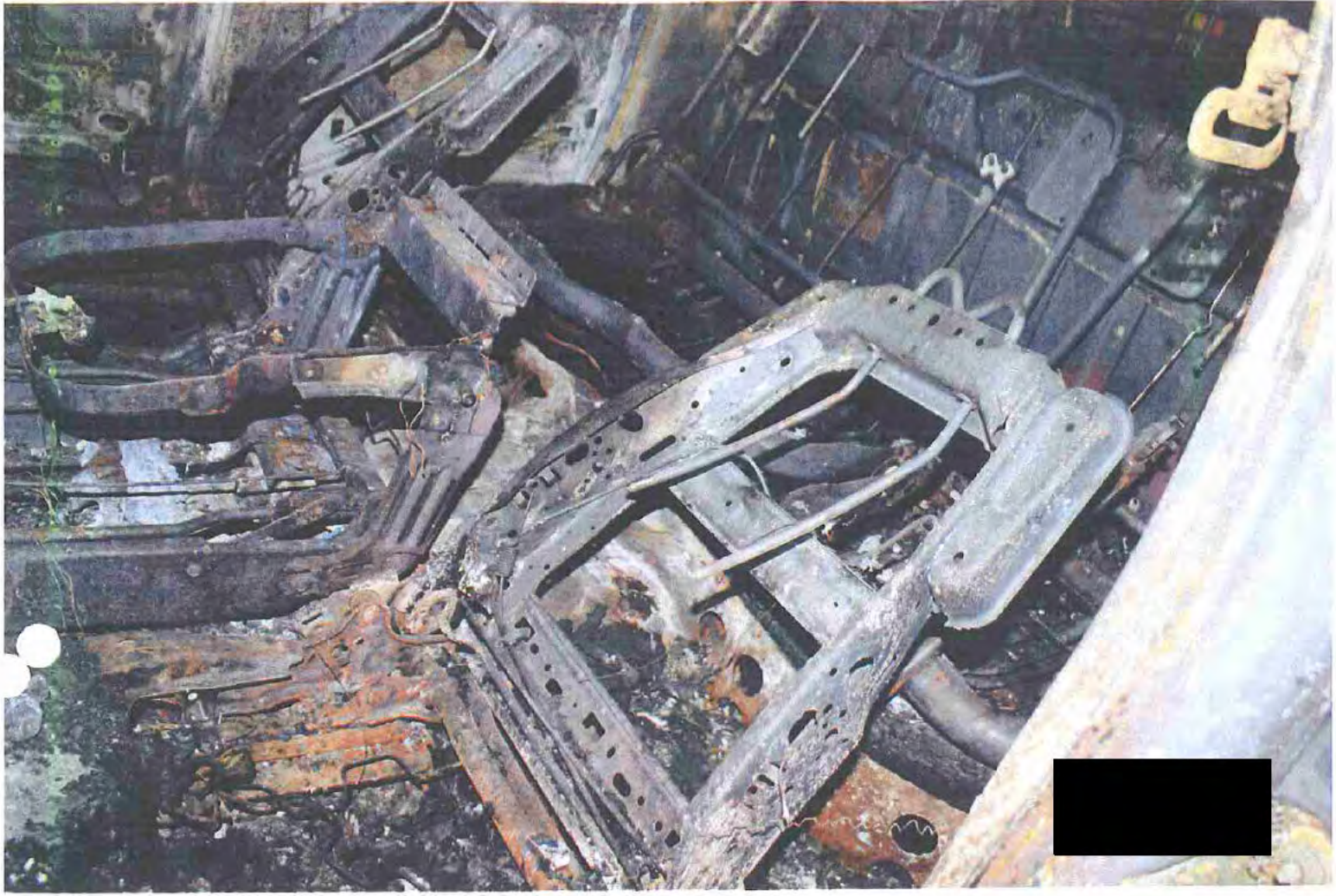
(0122) 028_28



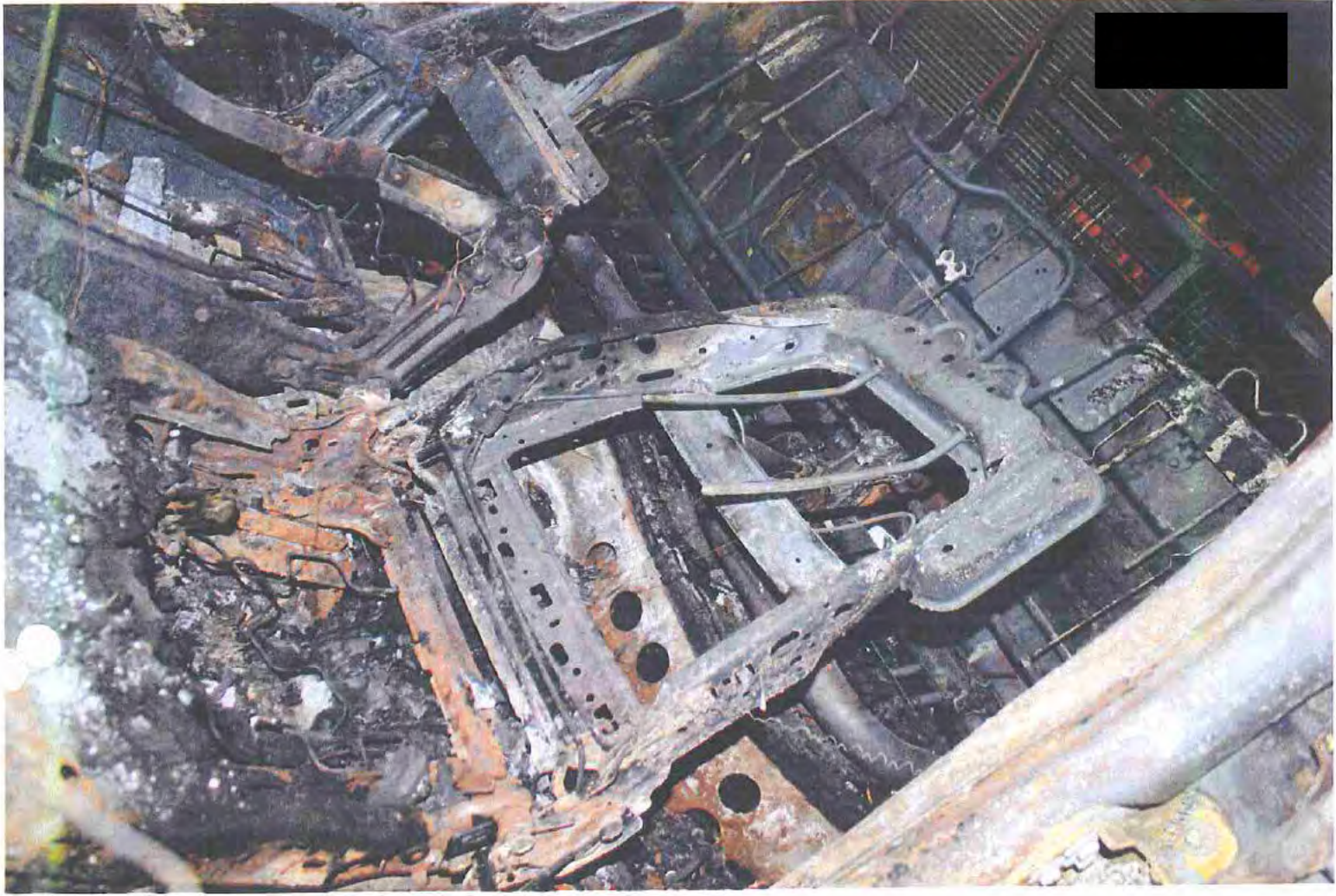
(0123) 029_29



(0124) 030_30



(0125) 031_31



(0126) 032_32



(0127) 033_33



(0128) 034_34



(0129) 035_35



(0130) 036_36



(0131) 037_37



(0132) 038_38



(0133) 039_39



(0134) 040_40



(0135) 041_41



(0136) 042_42



(0137) 043_43



(0138) 044_44



(0139) 045_45



(0140) 046_46



(0141) 047_47



(0142) 048_48



(0143) 049_49



(0144) 050_50



(0145) 051_51



(0146) 052_52



(0147) 053_53



(0148) 054_54



(0149) 055_55



(0150) 056_56



(0151) 057_57



(0152) 058_58



(0153) 059_59



(0154) 060_60



(0155) 061_61



(0156) 062_62



(0157) 063_63



(0158) 064_64



(0159) 065_65



(0160) 066_66



(0161) 067_67



(0162) 068_68



(0163) 069_69



(0164) 070_70



(0165) 071_71



(0166) 072_72



(0167) 073_73



(0168) 074_74

INCIDENT/OFFENSE REPORT

800 10TH ST, FLORESVILLE, TEXAS 78114 - 830-393 Sheriff

JOE TACKITT
Sheriff

Case Number
[REDACTED]

Incident Received Date 1160921 12/18/2010	Time Received 05:04AM	Received Method PHONE	Received By GAUNA, CRYSTAL LYNN
Nature of Call Reported DEATH/VEHICLE FIRE		Initial Call Reported By [REDACTED]	Dispatched To 243 541 E POTH, TX

Officer(s)/Unit(s) Assigned	Date Notified	Dispatch	Arrive	Clear	Total	Disposition
PFD-POTH FD	12/18/2010	05:07	05:24	07:53	02:46	NO CALL CARD
2364-ZURITA JR., DANIEL	12/18/2010	05:07	05:26	08:00	02:53	NO CALL CARD
2380-BECK, TRAVIS	12/18/2010	05:07	05:12	08:00	02:53	CALL CARD
2395-GARCIA JR, TORBIO C	12/18/2010	05:08	05:12	08:00	02:52	NO CALL CARD
2283-LAUGHLIN, GARY LEE JR	12/18/2010	05:48	05:53	08:01	02:13	NO CALL CARD

Investigator Assigned	Att/Compl COMPLETED	Area WEST SIDE	Subdiv/Grid POTH
Incident/Offense Date 12/18/2010	Incident/Offense Time 05:04AM	UCR Code CLEAR-UNFOUNDED	Status Date 12/23/2010
Incident/Offense Address [REDACTED]	City, State & Zip Code POTH, TX 78147		

Entry Point	Exit Point	Weapon/Force Used NO FORCE	Evidence Collected PHOTOGRAPHS
Inventory Code 9025 9010	Incident/Offense Description DEATH FIRE		

CATEGORY	CLASS	DESCRIPTION OF ITEM(S)	ESTIMATED VALUE	DISP

YEAR	MAKE	MODEL	COLOR	LICENSE	DESCRIPTION
2008	DODG	1/2 TON	BLACK	[REDACTED]	BURNED

CONNECTION	NAME & ADDRESS	TELEPHONE	DESCRIPTION/IDENTIFICATION
COMPLAINANT	[REDACTED] POTH, TX [REDACTED]	H: [REDACTED]	W M [REDACTED]
COMPLAINANT	[REDACTED] POTH, TX [REDACTED]		W M 511 150 [REDACTED]
WITNESS	[REDACTED] STOCKDALE, TX [REDACTED]	W: [REDACTED]	W M 603 180 [REDACTED] BAILEY 21061-00002
WITNESS	[REDACTED] STOCKDALE, TX [REDACTED]	W: [REDACTED]	W M 510 210 [REDACTED]

Note: This report is furnished in compliance with the Texas Open Records Act, article 6252-17 case law, and published rulings relating to cases under investigation. © 1999, The Soft

On Saturday December 18th, 2010 at approximately 05:07 all county units were notified of a vehicle fire with a subject possibly still inside. Dispatch further advised that the caller was the brother of the possible trapped subject. He told dispatch that it was indeed his brother's truck, but that his brother was not inside the residence.

Upon arrival the vehicle was contained to the cab and engine compartment but quickly spreading to the rest of the vehicle. We approached the vehicle to attempt to see if someone was inside. It was hard to see due to the smoke and flames. I met with [REDACTED] and [REDACTED] who were trying to douse the flames with a garden hose. I asked them if they had seen the fire start and they advised that they were passing by on the way to go deer hunting and noticed the vehicle. They advised that they were just there to assist. I then spoke with [REDACTED] ([REDACTED]). I asked him why he felt that his brother was in the vehicle and he stated that he wasn't inside. I asked him if his brother was home at all the night before and he stated that when he got home his brother was not there.

Both Fire Department arrived on scene shortly and began putting out the fire. It was at this time that Deputy Garcia - 8325 notified that he believed he saw something in the vehicle from the passenger side window. I walked over to his location and immediately identified what I noticed to be a human skull, highlighted by the flames, on the driver's side of the vehicle. I immediately notified dispatch to call the on-call Justice of the Peace (JP#4) and on-call investigator (Richard Nichols - 8338) to make the scene.

Both Fire Department quickly put out the fire and as soon as all was settled Deputy Garcia roped off the scene with yellow "Sheriff's Line, Do Not Cross" tape. It was at this time that a crime scene log was started by Deputy Garcia. Deputy Zurita - 8383 notified [REDACTED] brother of the findings and took him away from the scene until family or friends could be there with him.

Upon Investigator [REDACTED] arrival on scene I filled him in on the events that had already unfolded. At this time I began taking photographs of the scene including the placement and positioning of the deceased, identified as [REDACTED] ([REDACTED]), inside the vehicle. It appeared as if [REDACTED] had fallen asleep in the vehicle and that the vehicle had somehow caught fire while running. The temperature outside was near freezing and appeared that the vehicle had been running with the heater on.

At this time I had dispatch contact Rick's Towing and Franklin Funeral Home to make the location. Upon arrival of Franklin I waited inside with the family while the body was removed from the vehicle, advising that they needed to stay away from the windows and doors during this process. After completion of this Rick's Towing removed the vehicle and as much debris he could off of the driveway. After a brief talk with the family all county units returned to service.

Travis Beck - 8344

[REDACTED]

Sheriff:
JOE TACKITT

INCIDENT/OFFENSE REPORT

Incident ID: [REDACTED] Off Date: 12/18/2010 Time: 05:04 Location Type: RESIDENCE
Status : A (ACTIVE) # Premises : 1

INITIAL CALL INFORMATION

Initial Call Reported By:

[REDACTED]
POTH TX [REDACTED]
[REDACTED]

Received By: GAUNA, CRYSTAL LYNN
Date: 12/18/2010
Time: 05:04am
Meth: PHONE

Nature of Call : DEATH/VEHICLE FIRE

INCIDENT/OFFENSE INFORMATION

Offense Code/Description..... Att/Compl. Offender(s) Used.....
9025 (DEATH) COMPLETED
9010 (FIRE)

Offense/Incident Location:

[REDACTED]
Poth, TX [REDACTED]
[REDACTED]

Area of Off: WEST SIDE
Subdiv/Grid: POTH

Officer/Unit Assigned.....	Date.....	Disp..	Arr...	Clear.	Total.	Disposition.....
FPD (POTH PD)	12/18/2010	05:07	05:24	07:53	02:45	NO CALL CARD
2364 (ZURITA JR., DANIEL)	12/18/2010	05:07	05:26	08:00	02:52	NO CALL CARD
2380 (BECK, TRAVIS)	12/18/2010	05:07	05:12	08:00	02:52	CALL CARD
2395 (GARCIA JR, TORBIG C)	12/18/2010	05:08	05:12	08:00	02:51	NO CALL CARD
2283 (LAUGHLIN, GARY LEE JR)	12/18/2010	05:48	05:53	08:01	02:13	NO CALL CARD

Investigator Assigned :
Access for Theft/Burglary : NO FORCED ENTRY
Weapon/Force Used : NO FORCE
Type of Robbery : NOT APPLICABLE
Property/Evidence : PHOTOGRAPHS
Family Violence (Y/N)? : N

COMPLAINANT/VICTIM INFORMATION

PID.....	Name of Victim/Complainant....	Description.....	Address.....	Phone.....	Injury Type.....
57186	[REDACTED]	W M 509 145	[REDACTED]	H [REDACTED] W:	
67275	[REDACTED]	W M 511 150	[REDACTED]	H: W:	

WITNESS INFORMATION

PID.....	Name of Witness.....	Description.....	Address.....	Phone.....	Comments.....
53205	[REDACTED]	W M 503 130	[REDACTED]	[REDACTED]	-2815
34619	[REDACTED]	W M 510 210	[REDACTED]	[REDACTED]	

[REDACTED]

WILSON COUNTY SHERIFF OFFICE
800 10TH ST; FLORESVILLE, TEXAS 78114 Ph:830-393-2535

19 DEC 201

Sheriff:
JOE TACKITT

INCIDENT/OFFENSE REPORT

PAGE

Incident ID: [REDACTED] Off Date: 12/18/2010 Time: 05:04 Location Type: RESIDENCE
Status : A (ACTIVE) # Premises : 1

PID..... Name of Witness..... Description..... Address..... Phone..... Comments.....

Stockdale, TX [REDACTED]

VEHICLE INFORMATION

Veh ID..	Year	Make of Vehicle.....	Model.....	Color.....	License	Description.....	Condition
70746	2008	DODGE	1/2 TON	BLACK	[REDACTED]	BURNED	

SUMMARY/DETAILS

TRUCK ON FIRE MAYBE A PERSON INSIDE OF IT FRONTEND IS ON FIRE

[Signature]
REPORTING OFFICER

[Signature]
APPROVED BY



INCIDENT REPORT [REDACTED] Case Number: [REDACTED]
by Officer 2380 (BECK, TRAVIS) 12/19/2010 04:57

On Saturday December 18th, 2010 at approximately 05:07 all county units were notified of a vehicle fire with a subject possibly still inside. Dispatch further advised that the caller was the brother of the possible trapped subject. He told dispatch that it was indeed his brother's truck, but that his brother was not inside the residence.

Upon arrival the vehicle was contained to the cab and engine compartment but quickly spreading to the rest of the vehicle. We approached the vehicle to attempt to see if someone was inside. It was hard to see due to the smoke and flames. I met with Paul and Travis Rutledge who were trying to douse the flames with a garden hose. I asked them if they had seen the fire start and they advised that they were passing by on the way to go deer hunting and noticed the vehicle. They advised that they were just there to assist. I then spoke with [REDACTED]. I asked him why he felt that his brother was in the vehicle and he stated that he wasn't inside. I asked him if his brother was home at all the night before and he stated that when he got home his brother was not there.

Both Fire Department arrived on scene shortly and began putting out the fire. It was at this time that Deputy Garcia - 8325 notified that he believed he saw something in the vehicle from the passenger side window. I walked over to his location and immediately identified what I noticed to be a human skull, highlighted by the flames, on the driver's side of the vehicle. I immediately notified dispatch to call the on-call Justice of the Peace (JP#4) and on-call investigator (Richard Nichols - 8338) to make the scene.

Both Fire Department quickly put out the fire and as soon as all was settled Deputy Garcia roped off the scene with yellow "Sheriff's Line, Do Not Cross" tape. It was at this time that a crime scene log was started by Deputy Garcia. Deputy Zurita - 8383 notified the brother of the findings and took him away from the scene until family or friends could be there with him.

Upon Investigator Nichols arrival on scene I filled him in on the events that had already unfolded. At this time I began taking photographs of the scene including the placement and positioning of the deceased, identified as [REDACTED], inside the vehicle. It appeared as if [REDACTED] had fallen asleep in the vehicle and that the vehicle had somehow caught fire while running. The temperature outside was near freezing and appeared that the vehicle had been running with the heater on.

At this time I had dispatch contact Rick's Towing and Franklin Funeral Home to make the location. Upon arrival of Franklin I waited inside with the family while the body was removed from the vehicle, advising that they needed to stay away from the windows and doors during this process. After completion of this Rick's Towing removed the vehicle and as much debris he could off of the driveway. After a brief talk with the family all county units returned to service.

Travis Beck - 8344

[REDACTED]

Incident #: [REDACTED] Case #: [REDACTED] Rcvd By: 2418
Date/Time: 12/18/10 05:04am

How Rptd : P (PHONE)
Rptd By : [REDACTED]
Address : [REDACTED]
CSZ : POTH TX
Phone : [REDACTED]
Complaint: DEATH/VEHICLE FIRE
Date/Time: 12/18/10 05:04am

Location : Subdiv :
Address : Area :
CSZ : POTH, TX Priority: 3 (NON-PRIORITY)
Phone : [REDACTED] Hazard :

Officer/Unit Assigned.....	Date....	Disp.	Arr..	Clr..	Tot..	Disposition.....
PFD (POTH FD)	12/18/10	05:07	05:24	07:53	02:45	NCC (NO CALL CAR
2364 (ZURITA JR., DANIEL)	12/18/10	05:07	05:26	08:00	02:52	NCC (NO CALL CAR
2380 (BECK, TRAVIS)	12/18/10	05:07	05:12	08:00	02:52	CC (CALL CARD)
2395 (GARCIA JR, TORBIO C)	12/18/10	05:08	05:12	08:00	02:51	NCC (NO CALL CAR
2283 (LAUGHLIN, GARY LEE JR)	12/18/10	05:48	05:53	08:01	02:13	NCC (NO CALL CAR

Details : TRUCK ON FIRE MAYBE A PERSON INSIDE OF IT FRONTEND IS ON
FIRE



Joe D. Tackitt, Jr.
WILSON COUNTY SHERIFF'S OFFICE
P. O. BOX 7
800 TENTH ST.
FLORESVILLE, TEXAS 78114



June 21, 2011

To: Spencer Claims Service, INC.
Sandra J. Spencer
P.O. Box 7201
Corpus Christi, TX 78467

Re: [REDACTED]

12/18/10

To Whom It May Concern,

Per your request, enclosed are the copies of reports, one statement, and photographs in reference to the above case number. State Fire Marshal Dean Shirley forwarded his report and photographs on a compact disc to our agency. Upon viewing the compact disc, it was discovered that Mr. Shirley attached the wrong photographs with his report. In order to receive the correct photographs, you will need to contact Fire Marshal Dean Shirley.

If you have any additional questions, you may call (830) 393-2535.

Sincerely,

Richard Nichols #8338

Investigator Richard Nichols #8338
Wilson County Sheriff's Office

Sheriff:
JOE TACKITT

INCIDENT/OFFENSE REPORT

Incident ID: [REDACTED] Off Date: 12/18/2010 Time: 05:04 Location Type: RESIDENCE
Status : A (ACTIVE) # Premises : 1

INITIAL CALL INFORMATION

Initial Call Reported By:

[REDACTED]
POTH TX
[REDACTED]

Received By: GAUNA, CRYSTAL LYNN
Date: 12/18/2010
Time: 05:04am
Meth: PHONE

Nature of Call : DEATH/VEHICLE FIRE

INCIDENT/OFFENSE INFORMATION

Offense Code/Description..... Att/Compl. Offender(s) Used.....
9025 (DEATH) COMPLETED
9010 (FIRE)

Offense/Incident Location:

[REDACTED]
Poth, TX
[REDACTED]

Area of Off: WEST SIDE
Subdiv/Grid: POTH

Officer/Unit Assigned.....	Date.....	Disp..	Arr...	Clear.	Total.	Disposition.....
PFD (POTH FD)	12/18/2010	05:07	05:24	07:53	02:45	NO CALL CARD
2364 (ZURITA JR., DANIEL)	12/18/2010	05:07	05:26	08:00	02:52	NO CALL CARD
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Investigator Assigned :
Access for Theft/Burglary : NO FORCED ENTRY
Weapon/Force Used : NO FORCE
Type of Robbery : NOT APPLICABLE
Property/Evidence : PHOTOGRAPHS
Family Violence (Y/N)? : N

COMPLAINANT/VICTIM INFORMATION

PID.....	Name of Victim/Complainant....	Description.....	Address.....	Phone.....	Injury Type.....
57186	[REDACTED]	W M 509 145	[REDACTED]	H: W:	
67275	[REDACTED]	W M 511 150	[REDACTED]	H: W:	

WITNESS INFORMATION

PID.....	Name of Witness.....	Description.....	Address.....	Phone.....	Comments.....
63205	[REDACTED]	W M 603 180	[REDACTED]	H: W:	
34619	[REDACTED]	W M 510 210	[REDACTED]	H:	

Sheriff:
JOE TACKITT

INCIDENT/OFFENSE REPORT

PAGE

Incident ID: [REDACTED] Off Date: 12/18/2010 Time: 05:04 Location Type: RESIDENCE
Status : A (ACTIVE) # Premises : 1

PID..... Name of Witness..... Description..... Address..... Phone..... Comments.....
W: [REDACTED]
Stockdale, TX 78160

VEHICLE INFORMATION

Veh ID.. Year Make of Vehicle..... Model..... Color..... License Description..... Condition
70746 2008 DODGE 1/2 TON BLACK [REDACTED] BURNED

SUMMARY/DETAILS

TRUCK ON FIRE MAYBE A PERSON INSIDE OF IT FRONTEND IS ON FIRE


REPORTING OFFICER


APPROVED BY

On Saturday December 18th, 2010 at approximately 05:07 all county units were notified of a vehicle fire with a subject possibly still inside. Dispatch further advised that the caller was the brother of the possible trapped subject. He told dispatch that it was indeed his brother's truck, but that his brother was not inside the residence.

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Incident #: [REDACTED]

Rcvd by: 2418
Date/Time: 12/18/10 05:04am

How Rptd : P (PHONE)
Rptd By : [REDACTED]
Address : [REDACTED]
CSZ : POTH TX
Phone : [REDACTED]
Complaint: DEATH/VEHICLE FIRE
Date/Time: 12/18/10 05:04am

Location :
Address : 243 541 E
CSZ : POTH, TX
Phone : 830-391-0656
Subdiv :
Area :
Priority: 3 (NON-PRIORITY)
Hazard :

Officer/Unit Assigned.....	Date....	Disp.	Arr..	Clr..	Tot..	Disposition.....
PFD (POTH FD)	12/18/10	05:07	05:24	07:53	02:45	NCC (NO CALL CAR
2364 (ZURITA JR., DANIEL)	12/18/10	05:07	05:26	08:00	02:52	NCC (NO CALL CAR
2380 (BECK, TRAVIS)	12/18/10	05:07	05:12	08:00	02:52	CC (CALL CARD)
2395 (GARCIA JR, TORBIO C)	12/18/10	05:08	05:12	08:00	02:51	NCC (NO CALL CAR
2283 (LAUGHLIN, GARY LEE JR)	12/18/10	05:48	05:53	08:01	02:13	NCC (NO CALL CAR

Details : TRUCK ON FIRE MAYBE A PERSON INSIDE OF IT FRONTEND IS ON FIRE

DATE: 12-18-2010 05:25:30 AM Type: Recv

SUBJECT: KR FROM NDLS - RSDWW: 15166201
Message:
Reference:
Msg ID :
Msg Key :
Date/Time:
Ent Agy :
Requester:
User :
ORI :
Source : NDLS
Dest : FVSZ
Control :
Summary : RSDWW:

TXT: SEARCH ON 15166201

NAME: [REDACTED]
DESCRIPTION: WHITE\MALE\ [REDACTED] \BLONDE\GREEN
SEX OFF: N COMM IMPED: N ORGAN DONOR: VISA EXP:
PHYSICAL ADD: [REDACTED]
CI/CO/ST/ZIP: POTH, WILSON, TEXAS, [REDACTED]
MAILING ADD: [REDACTED]
CI/ST/ZIP: POTH, TEXAS, [REDACTED]
REC STATUS: ELIGIBLE
ADMIN STATUS:
CARD STATUS:
HME THR ASMT: EXP:
CARD TYPE: DL #: [REDACTED] CLASS: A TYPE: CDL EXPIR DATE: 06062012
RESTRICTIONS: M CDL INTRASTATE ONLY
ENDORSEMENTS: N TANK VEHICLE
***** END OF RECORD*****
MRI: 82206039 IN: NDLS 18879 AT 18DEC2010 05:24:53
OUT: FVSZ 174 AT 18DEC2010 05:24:53

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

DATE: 12-18-2010 05:23:45 AM Type: Recv

SUBJECT: DR FROM NDLS - RSDW: [REDACTED]
Message:
Reference: 0338000078
Msg ID : 0338000078
Msg Key : DR
Date/Time: 20101218052446
Ent Agy :
Requester:
User :
ORI : TXOLN0000
Source : NDLS
Dest : FVSH
Control :
Summary : RSDW: WINKLER,DUSTIN

TXT: SEARCH ON [REDACTED]

NAME: [REDACTED]
DESCRIPTION: WHITE\MALE [REDACTED] \BLONDE\BLUE
SEX OFF: COMM IMPED: ORGAN DONOR: N VISA EXP:
PHYSICAL ADD: [REDACTED]
CI/CO/ST/ZIP: POTH,WILSON,TEXAS,[REDACTED]
MAILING ADD: [REDACTED]
CI/ST/ZIP: POTH,TEXAS,[REDACTED]
REC STATUS: ELIGIBLE
ADMIN STATUS:
CARD STATUS:
HME THR ASMT: EXP:
CARD TYPE: DL #: 22593267 CLASS: A TYPE: CDL EXPIR DATE: 03272015
RESTRICTIONS: M CDL INTRASTATE ONLY
ENDORSEMENTS: N TANK VEHICLE
***** END OF RECORD*****
MRI: 82205983 IN: NDLS 18875 AT 18DEC2010 05:24:45
OUT: FVSH 168 AT 18DEC2010 05:24:46

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

DATE: 12-18-2010 07:39:00 AM Type: Recv

8344

SUBJECT: RSDW FROM MVD - RSDW: 65JJV9

Message:

Reference: 0338000089

Msg ID : 0338000089

Msg Key : RSDW

Date/Time: 20101218073822

Ent Agy :

Requester:

User :

ORI : TXDMV0000

Source : MVD

Dest : FVSZ

Control :

Summary : RSDW: 65JJV9

TXT: LIC [REDACTED] OCT/2011 OLD # [REDACTED] OCT/2010 EWT 5300 GWT 6300 TONS 1/2

TRUCK PLT [REDACTED] REG CLASS 35 \$ 67.49 WILSON CNTY

TITLE [REDACTED] ISSUED 12/10/2008 ODOMETER 10 REG DT 10/20/2010

2008,DODG,,PK,1D7HU18298S [REDACTED] TRK<=1, SALES PRICE \$ 26098.00

PREV OWN ALLWAYS AUTO GROUP LTD PLEASANTON, TX

OWNER [REDACTED]

VEHL LOC 243 FM [REDACTED] POTH, TX, [REDACTED]

LIEN 11/15/2008,RANDOLPH BROOKS FEDERAL CREDIT,, PO BOX 2097,, UNIVERSAL C
ITY, TX, 78148

PLATE AGE: 2 LAST ACTIVITY 11/06/2010 RENEW OFC: 247

REMARKS RELEASE OF PERSONAL INFO RESTRICTED.ACTUAL MILEAGE.DATE OF ASSIGNMEN

T:2008/11/15.PAPER TITLE.

MRI: 82265551 IN: MVD 37251 AT 18DEC2010 07:38:20

OUT: FVSZ 187 AT 18DEC2010 07:38:22

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

DATE: 12-18-2010 07:38:59 AM Type: Recv

SUBJECT: FRVPR FROM FRVP - RSDW: 65JJV9

Message:

Reference: 0338000089

Msg ID : 0338000089

Msg Key : FRVPR

Date/Time: 20101218073821

Ent Agy :

Requester:

User :

ORI : TXDPS0000

Source : FRVP

Dest : FVSZ

Control :

Summary : RSDW: 65JJV9

TXT: REGARDING INQUIRY ON: 65JJV9

Insurance Status:

Registered To:

OLN:

Vehicle Registration (LIC):

Vehicle Id Number (VIN):

Vehicle Make:

Vehicle Model:

Vehicle Year:

Confirmed
[REDACTED]
Not Available
65JJV9
1D7HU18298S [REDACTED]
DODG
Not Available
2008

Insurance Carrier:

NAIC#:

Policy ID #:

Policy Type:

Policy Effective date:

Policy Expiration date:

Mileage Expiration:

MRI: 82265547 IN: FRVP 22511 AT 18DEC2010 07:38:20

OUT: FVSZ 186 AT 18DEC2010 07:38:21

Texas Farm Bureau Casualty Insurance Company
13004
[REDACTED]
Not Available

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

DATE: 12-18-2010 08:28:04 AM Type: Recv

SUBJECT: DR FROM NDLS - QUERY: RUTLEDGE, PAUL

Message:

Reference: 033800008L
Msg ID : 033800008L
Msg Key : DR
Date/Time: 20101218082726
Ent Agy :
Requester:
User :
ORI : TXOLN0000
Source : NDLS
Dest : FVSZ
Control :
Summary : QUERY: [REDACTED]

TXT: NAME: [REDACTED]

DESCRIPTION: WHITE\MALE [REDACTED] BROWN\BROWN
SEX OFF: COMM IMPED: ORGAN DONOR: VISA EXP:
PHYSICAL ADD: 3589 FM 1347
CI/CO/ST/ZIP: STOCKDALE WILSON, TEXAS, [REDACTED]
MAILING ADD: [REDACTED]
CI/ST/ZIP: STOCKDALE, TEXAS [REDACTED]
REC STATUS: ELIGIBLE
ADMIN STATUS:
CARD STATUS:
HME THR ASMT: EXP:
CARD TYPE: DL #: [REDACTED] CLASS: A TYPE: CDL EXPIR DATE: 10232011
RESTRICTIONS: A WITH CORRECTIVE LENSES
ENDORSEMENTS: N TANK VEHICLE
P PASSENGER
***** END OF RECORD*****
MRI: 82304514 IN: NDLS 23822 AT 18DEC2010 08:27:25
OUT: FVSZ 194 AT 18DEC2010 08:27:26

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

DATE: 12-18-2010 08:27:30 AM Type: Recv

SUBJECT: DR FROM NDLS - QUERY: RUTLEDGE, TRAVIS

Message:

Reference: 033800008G

Msg ID : 033800008G

Msg Key : DR

Date/Time: 20101218082652

Ent Agy :

Requester:

User :

ORI : TXOLN0000

Source : NDLS

Dest : FVSZ

Control :

Summary : QUERY: [REDACTED]

TXT: NAME: [REDACTED]

DESCRIPTION: WHITE\MALE\ [REDACTED] \BROWN\GREEN

SEX OFF: [REDACTED] COMM IMPED: [REDACTED] ORGAN DONOR: VISA EXP:

PHYSICAL ADD: [REDACTED]

CI/CO/ST/ZIP: STOCKDALE, WILSON, TEXAS, [REDACTED]

MAILING ADD: [REDACTED]

CI/ST/ZIP: STOCKDALE, TEXAS [REDACTED]

REC STATUS: ELIGIBLE

ADMIN STATUS:

CARD STATUS:

HME THR ASMT:

CARD TYPE: DL #: [REDACTED] CLASS: C TYPE: DL EXPIR DATE: 11232012

RESTRICTIONS:

ENDORSEMENTS:

***** END OF RECORD*****

MRI: 82304076 IN: NDLS 23793 AT 18DEC2010 08:26:51

OUT: FVSZ 191 AT 18DEC2010 08:26:52

DISSEMINATED ON TLETS FOR CRIMINAL JUSTICE PURPOSES ONLY.

SUPPLEMENT REPORT

by Officer 2165 (NICHOLS, RICHARD) 12/20/2010 09:07

On Saturday 12/18/2010 at approximately 5:19am, I investigator Richard Nichols # 8338 was contacted by dispatch in reference to a 10-39 deceased person.

Dispatch informed me that Deputy Travis Beck # 8344 had responded to 243 FM 541E for a vehicle fire. They further told me that Deputy Beck had determined that a body was found in the vehicle.

Upon arriving to the scene at approximately 5:53am, Deputy Beck informed me that the Poth VFD had already extinguished the fire, and that a burnt human corpse was found in the driver's seat of a 2008 Dodge truck. Deputy Beck further informed me that the truck bearing Txlp # [REDACTED] belonged to a [REDACTED] with an address of P.O. Box [REDACTED] Poth, Texas [REDACTED]. It was also noted that [REDACTED] did indeed live at the address of [REDACTED]. Deputy Beck reported to me that a Dustin Winkler called and reported the vehicle fire at approximately 5:05am. At the time of the fire, [REDACTED] knew that it was his brother's truck, but did not know where his brother ([REDACTED]) was at. Deputy Beck stated that upon his arrival the fire was in the engine and cab compartments, but was quickly spreading to the rest of the vehicle. Two witnesses that Deputy Beck had identified as [REDACTED] and [REDACTED] were trying to extinguish the fire with a water hose from the house. These witnesses informed Deputy Beck that they were passing by the house as they were going hunting, and noticed the vehicle on fire at which time they drove onto the property to assist. Deputy Beck told me that Dustin had stated that his brother was not home when he arrived home. Deputy Beck claims that the Poth VFD arrived shortly after him and began extinguishing the fire. It was at this time that Deputy Toribio Garcia # 8325 had viewed what appear to be a human skull in the driver's seat of the vehicle. Note: this is when Deputy Beck had dispatch notify me.

I immediately identified the Poth VFD personel that was on scene. See List As Follows.

1. Steve Martinez 2nd assistant fire chief
2. Christopher Fish (w/m dob [REDACTED])
3. Luke Scidenberger (w/m [REDACTED])
4. Anthony Fish (w/m dob [REDACTED])
5. Derrick Dzuik (w/m dob [REDACTED])
6. Christian Gonzales (w/ [REDACTED])

Second assistant Chief Steve Martinez informed me that he was certified in Arson 1, 2, and 3 in fire investigations from Texas A&M. He believes that the fire was most likely started due to the fact that the vehicle motor and heater was running continuously. He was able to point out that the front left area (engine) may be the hottest source area due to the fact that it had melted the front driver's side tire and rim. Assistant Chief Martinez told me that the vehicle was fully engulfed upon their arrival.

I asked Deputy Beck if any photos were taken while the vehilce

was on fire, and he stated "no". I requested that Deputy Beck take photos of the vehicle and the victim along with the position the victim was located inside the vehicle. I viewed that the victim was in the driver's seat which appeared to be laid back lying more to his left side with his legs in a bent position. I further viewed that there was several beer cans in the back of the cab behind the passenger seat, along with what appeared to be a melted ice chest in the back of the bed. There was also a barrell to a Remington Model 700 Chamberlin 25-06 Serial number [REDACTED] behind the driver's seat. The barrell to this rifle was pointing down towards the floor board. We were unable to determine if the victim was wearing his seat belt, because it had been destroyed in the fire. It is believed that the vehicle was running at the time of the fire due to the temperature being close to freezing the morning of the fire. Note: the steering column was also destroyed during the fire, and we were unable to locate the key switch. I was also informed by Deputy Beck that he may have seen the victim earlier in the morning at a small BBQ (party). Deputy Beck told me that the alleged victim was at Sgt. Dale Harrell's house earlier. Deputy Beck stated that he was asked to come by to get some food, and when he did, he noticed that the alleged victim was there. Deputy Beck stated this was around 1:45am. I was advised earlier by dispatch that numerous attempts were made to get a hold of Sgt. [REDACTED], but no one ever answered the phone.

At approximately 6:27am we were able to open the driver's side door so that the body could be removed by Franklin's Funeral. At approximately 7:07am we found in the area of the front seat what appeared to be a burnt wallet. This item was severly burned, but upon opening it, we were able to read some paper inside which contained a name of [REDACTED]. This item was collected by Deputy Garcia # 8325, and then released to me. The vehicle was then released to Rick's Towing. I had a police hold put on the vehicle until the fire investigation was concluded by the fire marshalls.

Upon Franklin's Funeral Home arriving, and the body being removed I made contact with the 911 caller [REDACTED]. He informed me that his brother was not at home when he got home around 11:45pm. [REDACTED] did inform me that [REDACTED] had went out with some of his friends, but did not know where they went. Since Deputy Beck had seen [REDACTED] the alleged victim at Sgt. [REDACTED] house at 1:45am, I knew I had to make contact with him to determine what time [REDACTED] may have left the party. When I asked [REDACTED] about the truck, [REDACTED] stated that it had no known maintenance problems. [REDACTED] told me that the trucks stereo was not the original, and that his brother installed it. [REDACTED] further told me that the truck had a new computer program chip installed by his brother. [REDACTED] claims that this was about a year or two ago. [REDACTED] also told me that [REDACTED] has been known to fall asleep in his truck with it running.

I then made contact with [REDACTED] mother [REDACTED] who also arrived to the scene. I explained to [REDACTED] the procedures that were going to take place by the medical examiners office. I further explained that because we only assumed the body inside the truck was her son [REDACTED] we were going to have the medical examiners officer check dental records for positive ID. At this time [REDACTED] was able to provide me with two dentist that [REDACTED] has seen in the past. One was a Dr. David R. Mireles 512-333-1020, and the other was Dr. Larry Poth out of Floresville. At the time I only had the number to Dr. Mireles. I called the number provided and received an answering machine which stated that the office hours were from Monday

thru Thursday. I informed [REDACTED] that I was going to have the burnt truck towed and stored for further investigation. I explained to her that the state fire marshalls will be called in reference to the vehicle fire. I further explained to [REDACTED] that at this time no signs of criminal activity or foul play could be found and that it appears to have been an accident. Note: Rick's towing was called to remove the truck, and a hold was placed on it.

Upon departing the scene, I along with deputies came back to the Sheriff's Office. While enroute dispatch contacted me, and informed me that Dr. Larry Poth was trying to get a hold of me. I called Dr. Poth once back in office. He explained to me that Mrs. [REDACTED] had contacted him, and informed him that she needed some dental records to give to our agency so that a positive identification could be made. Dr. Poth told me that he would meet me at his office, at which time he would release X-Rays of [REDACTED] teeth.

Upon receiving the X-rays from Dr. Poth, I came back to the sheriff's office. By this time Chief Deputy Johnnie Deagen # 8329 had came into the office. He was advised of the situation, at which time I had dispatch attempt to contact Sgt. [REDACTED] again. Dispatch informed me that Deputy Robert Shockley had driven over to Sgt. Harrell's house, and was advising him to call the sheriff's office. A short time later Sgt. [REDACTED] called Chief Deagen on his cell phone. Sgt. Harrell informed us that [REDACTED] was at his residence attending a BBQ (party). Sgt. [REDACTED] claims that all guest including [REDACTED] left around 4:00am. Sgt. Harrell further stated that [REDACTED] allegedly followed [REDACTED] home.

I then received a call from the Bexar County Medical Examiners Office advising me that they were going to do the autopsy. I advised them that I was on my way, and that I had received a dental X-ray for their examination. Upon my arrival I was informed by Dr. Molina that they would not be able to determine the cause of death until the fire marshall concludes his investigation. She did however explain that they would be able to determine if the subject was alive before the fire. Dr. Perez who performed the autopsy stated that due to the heat defect of the skull there would be no evaluation for trauma. They were able to take several fluid samples for the toxicology examination, but it would take 2 to 6 weeks before we would get any results. Dr. Perez did inform me that upon his examination, he was able to conclude that a lot of soot was in the airways of the victim, and that he was most likely to be alive before and during the fire. Before departing the Medical Examiners office, I was given particles of what was believed to be the victims clothing. These items were placed in a tin can so that they may be preserved for the fire marshall. Note: this item was brought back to the sheriff's office and placed into the evidence room.

At approximately 5:00pm I made contact with [REDACTED]. I asked [REDACTED] if she had heard the news about [REDACTED]. [REDACTED] told me "yes". I explained to [REDACTED] that I had heard that she and her brother [REDACTED] had attended Sgt. [REDACTED] party, and that [REDACTED] was their as well. I also told [REDACTED] that I had heard that she and [REDACTED] may have followed Roger back to his house, and if so could she explain. [REDACTED] told me that they all left the party around 4:00 or 4:15am. She stated that they did follow [REDACTED] to his house. At this time I told [REDACTED] that I would like to meet with her and possibly her brother so that I could get a statement of the alleged event. [REDACTED] told me that she was not available at

the time, and that her brother was already back at work. I told [REDACTED] that I understood and that I was not available at this time as well. I informed [REDACTED] that I would be calling her sometime so that I could get her statement, and she said that was fine.

On Monday 12/20/10 I met with Fire Marshall Dean Shirley. We drove out to the scene 243 FM 541E and made contact with the victims mother [REDACTED]. At approximately 11:23am [REDACTED] gave us consent to search her son truck. While at the scene Fire Marshall Shirley took several more photos and talked to the witness and the mother. The witness (brother) [REDACTED] told us that he was already on the phone with 911 when the other witnesses arrived and volunteered their assistance. [REDACTED] further told us that he use to drive the truck that was burned, and that he never had any problems with it. [REDACTED] stated that [REDACTED] had replaced the stereo and added an amplifier along with some sub woofers. [REDACTED] identified the stereo as a Kenwood, the subs were 10in JL Audio, and the amplifier was an Alpine. [REDACTED] told us that [REDACTED] and he installed the system by themselves. [REDACTED] also told us that [REDACTED] had a super chip programmer installed a year or two ago. Family members [REDACTED], his sister [REDACTED], and his mother all told us that [REDACTED] was known to come home and fall asleep in his truck with it running. [REDACTED] even stated that one time he woke up, and heard a strange noise, and that when he went outside to check, he found that his brother had fallen asleep in his truck with it running and his foot was on the accelerator. In reference to the morning of the fire, [REDACTED] told us that he heard the boom at which time he ran outside. [REDACTED] claims that the front end and the tires were already on the ground. [REDACTED] stated that the fire was coming out of the cab and engine compartment, and that it was going from front to back.

Upon leaving FM 541 we drove over to Rick's Towing to view the truck. This was approximately 1:48pm. Fire Marshall Tommy Huberts ran his dog through the truck and debri. The dog hit on possible accelerant inside the cab. The accelerant was collected by Huberts on 12/20/10 at 2:45pm. Note: It is believed that the accelerant came from the road gravel that was collected from the scene, and that was accidentally thrown into the cab as the tow truck driver was cleaning the scene. This evidence was kept by the Fire Marshalls. I informed them that I had particles of the victims clothing at the sheriff's office and they informed me that it would not be needed, and to just hold on to it. Also at Rick's Towing was Farm Bureau insurance agent John Ball. John explained that his agency was also going to send an investigator to view the truck. We all agreed that this would be fine due to the fact that no criminal activity or signs of foul play have been found in this investigation, and that it appears to be an accident. Upon completion of the Fire Marshall's investigation of the truck, we all left the scene. See fire marshall's report for further details.

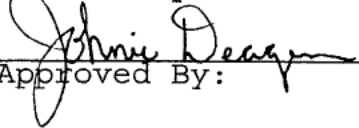
On Tuesday 12/21/10 at approximately 12:48pm, Rick Torres fire consultant of Rimkus Consulting Group, Inc. and I drove over to Rick's Towing so that he could view the truck for Farm Bureau Insurance adjuster John Ball. Rick Torres took several digital photos of the truck. He informed me that it was his believe that the fire started in the engine compartment and traveled from front to back. Rick told me that he was not going to do much more that take photos due to the fact that this issue may become a civil matter, because no criminal activity was found. He explained that if a civil law suit was filed represantives of every agency involved would have to be

present. At this time I told Rick Torres that if his investigation was concluded and the Fire Marshall's investigation was concluded that I was going to release the truck back to the insurance adjuster John Ball. I told Rick of Rick's Towing that the truck could be released, and that John Ball the adjuster maybe calling him with instructions on what to do with the truck.

On Wednesday 12/22/10 I contacted [REDACTED] and asked her if she would come to the sheriff's office to provide me a statement on what she had told me earlier on the events the morning of the fire. Cassi agreed to come in and stated that she would be in by 3:45 or 4:00pm. Upon her arrival I escorted her into the CID office. [REDACTED] told me that her and her brother ([REDACTED]) attended a party in Poth, Texas at [REDACTED] house. She stated that they were in her brothers truck, and that they arrived at the party around 10:30pm. [REDACTED] claims that many people attended this party, but at the time they left which was around 4:00 or 4:15am only certain people were there. [REDACTED] did tell me that a friend of theirs by the name of [REDACTED] did attend this party. She stated that he arrived alone in his truck around 11:00 or 11:15pm, and was one of the few that stayed until 4:00 or 4:15am. [REDACTED] said that the last people she knew was there was her brother, [REDACTED] herself, and the home owners [REDACTED]. [REDACTED] stated that she remembered looking down at her watch realizing that it was 4:00am, and telling her brother they needed to go. [REDACTED] claims that [REDACTED] did not want to stay at [REDACTED] even after [REDACTED] had asked him too. [REDACTED] told me that she told Nita not to worry and that she would follow [REDACTED] home, because he only lived approximately 1 mile up the road. [REDACTED] stated that she was the one who drove and followed [REDACTED] home. [REDACTED] claims that she did this because she felt it was her responsibility to make sure [REDACTED] got home since she told [REDACTED] she would. [REDACTED] told me that she followed [REDACTED] into his driveway, but did not go all the way down. [REDACTED] stated that she did not want to drive her brother's large truck down the driveway, and then have to back it all the way out. [REDACTED] stated that she knew [REDACTED] put his truck in park, because she saw the reverse lights come on and then off indicating to her that he took the truck out of drive. [REDACTED] said that she felt that [REDACTED] was safely home, so she and her brother went home. (See statement attached to report for further details).

On Thursday 12/23/2010 at approximately 11:23am, I made contact with [REDACTED] via the phone. I asked [REDACTED] if he would come down to the sheriff's office to provide me with a statement on the events the morning of the vehicle fire. [REDACTED] who is a State Trooper for DPS advised me that he was going to give his statement to his own internal affairs department. At this time no further actions were taken, and we hung up.

At this time, this case will be considered closed and unfounded. There has been no signs of criminal activity or foul play to even support that a crime has been committed. Any further investigation on a criminal bases will be pending on the toxicology examination. As of this time all evidence has shown that the victim ([REDACTED]) died from smoke inhalation, and then fire which may have been caused by a motor vehicle defect. No further actions will be taken at this time. End of report.

Approved By: 

 # 8338
Inv. Richard Nichols # 8338

WILSON COUNTY SHERIFF'S OFFICE
State of Texas

Voluntary Statement - (not under arrest)
COPY

THE STATE OF TEXAS
COUNTY OF WILSON

page 1 of 1

Before me, the undersigned authority in and for said County and State, on this the 22nd day of December, A. D. 2010, personally appeared [redacted] who, after being by me duly sworn, deposes and says:

My name is [redacted]. I am 26 years old, and my date of birth is [redacted]. My driver's license number is Tx. [redacted] and my social security number is [redacted]. My phone number is [redacted] and my current address is [redacted] Pleasanton, Texas [redacted]. I can read and write the English language, but request that investigator Richard Nichols with the Wilson County Sheriff's Office type out my statement.

CW On Saturday 12/18/2010 my brother [redacted] and I attended a party in Poth, Texas. My brother [redacted] drove us to the party in his truck. We arrived at the party at around 10:30pm. We stayed at the party until around 4:00 or 4:15am. Many people attended this party, but at the time that we left there was only a few left. Our friend [redacted] also attended this party. I believed he showed up to the party at around 11:00 or 11:15pm. Friday night. [redacted] was by himself, and was driving his truck. Most people attending the party was drinking including [redacted]. Everybody ended up leaving the party. The last people that I know that were there was [redacted] myself, and the home owners [redacted]. I remember looking at my watch and noticing that it was 4:00am in the morning. I told my brother that it was time to leave. When we decided to leave, [redacted] did not want to stay at [redacted] even after [redacted] asked him too. I told [redacted] not to worry about it, and that I would follow him home, because he only lived about 1 mile away. [redacted] then got into his truck, and drove away. Because I told [redacted] that I would follow [redacted] home, and felt it was my responsibility, I got into the driver's seat of my brothers truck while he got into the passenger side at which time I followed him home. When [redacted] turned down his driveway I proceeded to follow him. I did not go all the way down the driveway due to the fact that my brothers truck is large and I did not want to have to back it all the way out. I did notice that [redacted] pulled all the way up to his house, and even saw his reverse lights come on, and off as he put the vehicle into park. At this time I felt that [redacted] was safely at home, therefore I and my brother headed home. *CW*

The above statement is true and correct to the best of my knowledge. I was not promised anything, nor was I coerced in any manner to give this statement. I gave this statement to investigator Richard Nichols on my own free will.

Richard Nichols # 8538
Officer's Signature

[Redacted Signature Area]

Signature of Person Giving Statement

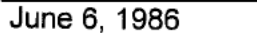
Subscribed and sworn to before me, _____, a peace officer of the State of Texas and pursuant to 602.002 Texas Government Code, on this the ___ day of _____, A. D. 20____.

Peace Officer



February 21, 2011

Wilson County Sheriff Department
Attn: Records
800 10th Street
Floresville TX 78114-1860

RE: Policy No.: 
Deceased: 
Date of Birth: June 6, 1986
Date of Death: December 18, 2010

Dear Records:

We have received a claim under the above-listed policy. To complete our review of this claim, we request the following information:

- A copy of the police report to include the toxicology results. This is required for all deaths investigated by any law enforcement agency.

If a pre-payment is required for this information, please provide us with an invoice including your federal tax identification number. **Also, please either include our policy number or return a copy of our request letter with any correspondence submitted to us.**

The enclosed signed authorization is for your records. Please send us the requested information, directly from your office, as soon as possible. For your convenience, you may fax the documentation to us toll-free at 1-877-442-3522, Attn: Claims, PP413530 (please include a copy of this letter).

If you need our help or if you have any questions, please visit aflac.com or call us toll-free at 1-800-99-AFLAC (1-800-992-3522). Our customer service representatives are here to assist you Monday through Friday from 8 a.m. to 8 p.m. Eastern time.

Sincerely,

Aflac Claims Department

E00385

Enc

Joe D. Tackitt, Jr.
WILSON COUNTY SHERIFF'S OFFICE

800 10TH STREET
FLORESVILLE, TEXAS 78114

(830) 393-2535
fax: (830) 393-7402

FACSIMILE TRANSMITTAL SHEET

TO: Claims, [REDACTED] FROM: Knystal
COMPANY: Aflac DATE: 2-28-11
FAX NUMBER: 877-442-3522 TOTAL NO. OF PAGES INCLUDING COVER: 10
RE: [REDACTED]

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

notes/Comments:



BEXAR COUNTY MEDICAL EXAMINER'S OFFICE

7337 LOUIS PASTEUR
SAN ANTONIO, TEXAS 78229-4565
(210) 335-4000
FAX (210) 335-4002



"Accredited by the National Association of Medical Examiners"

CAUSE AND MANNER OF DEATH

Name of Deceased: [REDACTED]
M.E. Case Number: [REDACTED]

Agency: Wilson County S.O.
Agency #: [REDACTED]

Date Issued: 12/23/2010
Date of Exam: 12/18/2010
Date Found:
Date Pronounced: 12/18/2010

Exam Type: Autopsy
Examination Performed By: Danielo B. Perez, M.D.

Cause of Death:

Pending

Due to: _____
Due to: _____
Due to: _____

Other Significant Conditions (Part II):

Manner of Death: Pending

**RANDALL E. FROST, M.D.
CHIEF MEDICAL EXAMINER**

WILSON COUNTY SHERIFF'S OFFICE
State of Texas

Voluntary Statement - (not under arrest)

THE STATE OF TEXAS
COUNTY OF WILSON

page 1 of 1

Before me, the undersigned authority in and for said County and State, on this the 22nd day of December, A. D. 2010, personally appeared [REDACTED] who, after being by me duly sworn, deposes and says:

My name is [REDACTED] I am 26 years old, and my date of birth is [REDACTED] My driver's license number is Tx. [REDACTED] and my social security number is [REDACTED] My phone number is [REDACTED] and my current address is [REDACTED] Pleasanton, Texas [REDACTED] I can read and write the English language, but request that investigator Richard Nichols with the Wilson County Sheriff's Office type out my statement.

CW On Saturday 12/18/2010 my brother [REDACTED] and I attended a party in Poth, Texas. My brother ([REDACTED]) drove us to the party in his truck. We arrived at the party at around 10:30pm. We stayed at the party until around 4:00 or 4:15am. Many people attended this party, but at the time that we left there was only a few left. Our friend [REDACTED] also attended this party. I believed he showed up to the party at around 11:00 or 11:15pm. Friday night. [REDACTED] was by himself, and was driving his truck. Most people attending the party was drinking including [REDACTED]. Everybody ended up leaving the party. The last people that I know that were there was [REDACTED] myself, and the home owners [REDACTED]. I remember looking at my watch and noticing that it was 4:00am in the morning. I told my brother that it was time to leave. When we decided to leave, [REDACTED] did not want to stay at [REDACTED] even after [REDACTED] asked him too. I told [REDACTED] not to worry about it, and that I would follow him home, because he only lived about 1 mile away. [REDACTED] then got into his truck, and drove away. Because I told [REDACTED] that I would follow [REDACTED] home, and felt it was my responsibility, I got into the driver's seat of my brothers truck while he got into the passenger side at which time I followed him home. When [REDACTED] turned down his driveway I proceeded to follow him. I did not go all the way down the driveway due to the fact that my brothers truck is large and I did not want to have to back it all the way out. I did notice that [REDACTED] pulled all the way up to his house, and even saw his reverse lights come on, and off as he put the vehicle into park. At this time I felt that [REDACTED] was safely at home, therefore I and my brother headed home. *CW*

The above statement is true and correct to the best of my knowledge. I was not promised anything, nor was I coerced in any manner to give this statement. I gave this statement to investigator Richard Nichols on my own free will.

Richard Nichols #8338
Officer's Signature



Subscribed and sworn to before me, _____, a peace officer of the State of Texas and pursuant to 602.002 Texas Government Code, on this the ___ day of _____, A. D. 20 ____.

Peace Officer

CRIME SCENE ENTRY LOG SHEET

ALL PERSONS ENTERING THE CRIME SCENE MUST SIGN THIS SHEET

AGENCY: WCSO

INCIDENT #: _____

SCENE LOCATION: _____

NOTE: Officers assigned to maintain scene security must also log in and out on this sheet and should state their reason as "Log Officer".

NAME & TITLE	INITIALS	AGENCY	IN	OUT	REASON FOR ENTERING
			DATE / TIME	DATE / TIME	
Steve Martinez		PVFD	12/18/10 5:40	12/18/10 5:42	Part of shift
Anthony Fish		PVFD	12/18/10 5:40	12/18/10 5:42	Part of shift
Travis Beck 2344		WCSO	12/18/10 5:40	12/18/10 5:53	Deputy
Toby Green 2325		WCSO	12/18/10 5:40	1	Deputy
Steve Martinez		PVFD	12/18/10 5:44	12/18/10 5:50	Look at scene
Derrick Dairick		PVFD	12/18/10 5:45	12/18/10 5:48	ensure fire out
Mike Scidenberger		PVFD	12/18/10 5:45	12/18/10 5:48	ensure fire out
Danny Zuercher		WCSO	12/18/10 5:50	12/18/10 6:10	Deputy
Christina Fish		PVFD	12/18/10 5:51	1:57	ensure scene
Christina Gonzalez		PVFD	12/18/10 5:51	1:57	ensure fire out
Richard Nulobas		WCSO	12/18/10 5:53	1	Investigator
Travis Beck		WCSO	12/18/10 5:56	1	Deputy
Cpl Gary Lee Laughlin		WCSO	12/18/10 5:56	12/18/10 5:58	CPI
Cpl Gary Lee Laughlin			12/18/10 5:59	1	CPI
Steve Martinez			12/18/10 6:05	12/18/10 6:12	Explain scene
SPO Judge Jackson			12/18/10 6:09	12/18/10 6:23	SPO

Danny Zuercher
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 Franklin Fournel
 Rick Tandy

12/18/10 6:18
 12/18/10 7:06
 12/18/10 7:20



BEXAR COUNTY MEDICAL EXAMINER'S OFFICE

7337 LOUIS PASTEUR
SAN ANTONIO, TEXAS 78229-4565
(210) 335-4000
FAX (210) 335-4002



"Accredited by the National Association of Medical Examiners"

EVIDENCE RELEASE FORM

Date: 12/18/2010

Time: 11:42

NAME OF DECEDENT



M.E. Case Number:

Evidence Type	List of Evidence
Law Enforcement	Charred clothing in paint can
1 Item Listed	

I have received all of the items listed above.

I release the Medical Examiner's Office from any liability.

RELEASED BY: Danielo B. Perez, M.D.

DATE: 12/18/2010

RELEASED TO: stephanie

AGENCY: Bcmeo

Signature

Signature

RELEASED BY: Stephanie Rivas

DATE: 12/18/2010

RELEASED TO: richard nichols

AGENCY: Wilson county

Signature

Signature

To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.



Joe D. Tackitt, Jr
Wilson County Sheriff's Office
800 Tenth Street
Floresville, Texas 78114
(830)393-2535 Fax: (830)393-7402

Facsimile Transmittal Sheet

To: Lt. Lopez

From: Tax. Richard Nichols

Company: DPS

Date: 2/8/11

Fax Number

Total No. of Pages Including Cover:

512-424-5769

8

R



BCME office report

Urgent

For Review

Please Comment

Please Reply

Please Recycle

Notes/Comments:

10/12/2011

CT Log Number 519302518

TO: Melissa Gravlin
Chrysler Group LLC
Office Of General Counsel, 1000 Chrysler Drive
CIMS: 485-13-62
Auburn Hills, MI 48326-2766

RE: Process Served in Texas

FOR: Chrysler Group LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: [REDACTED], Deceased, et al., Pptrs. vs. Chrysler Group, L.L.C., et al., Dtrs.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation, First Amended Petition

COURT/AGENCY: 150th Judicial District Court Bexar County, TX
Case # [REDACTED]

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - 2008 Dodge Ram 1500 pickup truck (no VIN number shown) - Defective engine components was the cause of a fire in the car resulting in the wrongful death of [REDACTED] who was in the vehicle and unable to escape

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 10/12/2011 at 15:17

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next after the expiration of 20 days after you were served - File Written Answer // Within 50 days - Request for Disclosure

ATTORNEY(S) / SENDER(S): Joseph M. Dunn
Wigington Rumley Dunn, L.L.P.
601 Howard Street
San Antonio, TX 78212
210-487-7500

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 797619179209
Image SOP

SIGNED: C T Corporation System
PER: Beatrice Casarez
ADDRESS: 350 North St Paul Street
Suite 2900
Dallas, TX 75201
TELEPHONE: 214-932-3601

10-12-2011

PRIVATE PROCESS

"The State of Texas"

NO. [REDACTED]



2011CI14273 -S00004

[REDACTED] Plaintiff vs.

CHRYSLER GROUP LLC ETAL Defendant (Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT 150th JUDICIAL DISTRICT BEXAR COUNTY, TEXAS

NOTICE

Citation Directed to: CHRYSLER GROUP LLC

BY SERVING ITS REGISTERED AGENT, CT CORPORATION SYSTEMS

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." Said petition was filed on the 3rd day of October, 2011.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 3rd DAY OF October A.D., 2011.

FIRST AMENDED ORIGINAL PETITION JURY DEMAND AND REQUEST FOR DISCLOSURE



DONNA KAY MCKINNEY District Clerk of Bexar County, Texas

Handwritten signature of Stephanie R. Holman, Deputy District Clerk

JOSEPH M DUNN Attorney/PLAINTIFF address 601 HOWARD ST SAN ANTONIO, TX 78212-4301

OFFICER'S RETURN

Came to hand ___ day of ___, A.D. ___, at ___ o'clock ___.M. and executed (not executed) the ___ day of ___, A.D. ___, in ___ at ___ o'clock ___.M. by delivering to ___ in person a true copy of this citation together with the accompanying copy of plaintiff's petition. Served at ___ Cause of failure to execute this citation ___ I traveled ___ miles in the execution of this citation. Fees: ___ Serving citation \$ ___ Mileage ___ Total \$ ___ Badge/PPS # ___ County, Texas

The State of Texas

NON - PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER) SWORN TO this ___ day of ___, ___

NOTARY PUBLIC, STATE OF TEXAS



ORIGINAL (DK002)

I. DISCOVERY LEVEL

1.1 Plaintiffs plead that discovery should be conducted in accordance with a Level 3 discovery control plan under Rule 190 of the Texas Rules of Civil Procedure.

II. PARTIES

2.1 Plaintiff, [REDACTED] is a United States citizen and citizen and resident of Poth, Texas.

2.2 Plaintiff, [REDACTED] is a United States citizen and citizen and resident of San Antonio, Texas.

2.3 Plaintiff, [REDACTED] is a United States citizen and citizen and resident of Poth, Texas.

2.4 Defendant, CHRYSLER GROUP, L.L.C. ("Chrysler"), is a foreign corporation, incorporated in the state of Michigan, doing business, engaging in business and transacting business in Bexar County, Texas, and may be served with process by serving its Texas registered agent for service of process: CT Corporation Systems, 350 N. St. Paul St., Dallas, Texas 75201.

2.5 Defendant, ANTHONY'S PLANET PICKUP, INC. ("Anthony's"), is a Texas corporation, doing business, engaging in business, and transacting business in Bexar County, Texas, and may be served with process by serving its registered agent for service of process: [REDACTED], San Antonio, Texas [REDACTED].

2.6 Defendant, SUPERCHIPS, INC., is a foreign corporation, incorporated in the state of Florida, doing business, engaging in business and transacting business in Bexar County, Texas. SuperChips, Inc. does not have a Registered Agent on file with the Texas Secretary of State. Service of Process can be accomplished by serving the

Summons and Original Petition in duplicate by certified mail, return receipt requested on the Secretary of State of Texas, for service in turn by registered mail, return receipt requested, on [REDACTED] or any other officer of the company, at its address:
[REDACTED] Sanford, Florida [REDACTED] as provided by the Texas Long Arm Statute. See Tex. Civ. Prac. & Rem. Code, §17.044, et seq.

III. JURISDICTION AND VENUE

3.1 The subject matter in controversy is within the jurisdictional limits of this Court.

3.2 The Plaintiffs would show that certain Defendants engaged in activities constituting business in the State of Texas as provided by Section 17.042 of the Texas Civil Practice and Remedies Code, in that said Defendant Anthony's committed a tort in whole or in part in Texas subjecting them to the jurisdiction of Texas Courts. The remaining Defendants are business entities and individuals that do business in Texas and are subject to the jurisdiction of this Court.

3.3 Venue in Bexar County is proper in this cause pursuant to the Texas Civil Practice and Remedies Code. Bexar County is where events giving rise to Plaintiffs' claims occurred.

IV. STATEMENT OF FACTS

4.1 Plaintiff [REDACTED], are the surviving parents of [REDACTED]. Plaintiff [REDACTED] is the surviving brother of [REDACTED].

4.2 On or about the evening of December 18, 2010 [REDACTED], a 24 year-old man, fell asleep in his 2008 Dodge Ram 1500 pickup truck ("the vehicle") while it was parked in his driveway with the engine running. The vehicle was designed, manufactured, marketed, and sold by Defendant Chrysler.

4.3 At some point during the night in question, a fire originating from the engine compartment engulfed the entire vehicle. [REDACTED] was in the vehicle and was unable to escape before perishing in the fire.

4.4 [REDACTED] found the vehicle burning, but was unable to save his brother. Dustin Roy Winkler suffered mental anguish as a result.

4.5 One or more defective engine components was the cause of the fire.

4.6 August 10, 200 [REDACTED] d with Anthony's for purchase and installation of a Dodge Gas Flashpaq 3865 performance tuner. The Flashpaq performance tuner is a product that is manufactured, marketed, and distributed by Defendant Superchips.

4.7 Anthony's either installed a defective Flashpaq or incorrectly installed the Flashpaq.

4.8 The negligent actions undertaken by Defendants as described above are the proximate cause of the fire in the vehicle, which led to the death of [REDACTED].

V. CAUSES OF ACTION OF STRICT PRODUCTS LIABILITY AGAINST DEFENDANT CHRYSLER

5.1 Plaintiffs adopt and reallege all prior paragraphs as if fully set forth herein.

5.2 At all times relevant to this lawsuit, Chrysler was in the business of manufacturing, selling and otherwise placing into the stream of commerce vehicles such as the "vehicle in question." At all times material hereto, as part of its business, Chrysler was

regularly engaged in business in the United States and in Texas by designing, manufacturing, and selling vehicles which are intended to and do reach ultimate consumers located in Texas, including "the vehicle in question." The "vehicle in question" was designed, manufactured and sold by Chrysler, and Chrysler is legally liable for defects in said vehicle under the doctrine of strict liability in tort.

5.3 At the time the "vehicle in question" left the hands of Chrysler, the said vehicle contained one or more design defects in that the design of the vehicle failed to include proper mechanisms for controlling the danger of starting fire which manufacturing and design defects were a producing cause of the death to [REDACTED] and of the damages suffered by Plaintiffs.

5.4 At the time the "vehicle in question" left the hands of Chrysler, the vehicle contained one or more manufacturing defects, in that the component parts of the engine, during the manufacturing process, did not sufficiently control the initiation of fire, which defect was a producing cause of the death of [REDACTED] and of the damages suffered by Plaintiffs.

5.5 It was entirely foreseeable to, well known, and even intended by Chrysler that its vehicles would be used in the manner and fashion in which [REDACTED] used his Dodge Ram 1500 pickup truck.

5.6 Chrysler defectively designed, manufactured, marketed, and distributed the subject vehicle, Roger Winkler's Dodge Ram 1500 Pickup truck.

5.7 The defective and unreasonably dangerous component engine part was a producing cause of death of [REDACTED] resulting in damages sustained by Plaintiffs.

VI. CAUSES OF ACTION OF NEGLIGENCE AGAINST DEFENDANT CHRYSLER

6.1 Plaintiffs adopt and reallege all previous paragraphs as if fully set forth herein.

6.2 Chrysler had a duty to exercise ordinary care in the design, manufacture, testing, marketing, assembly, and distribution of the subject vehicle to ensure that they were not unreasonably dangerous for their foreseeable or reasonably anticipated uses.

6.3 Chrysler knew, or in the exercise of ordinary care should have known, the subject vehicle was defective and unreasonably dangerous with an unreasonable chance of starting a fire.

6.4 The negligence of Chrysler was a proximate cause of [REDACTED] death and Plaintiffs' resultant damages.

VII. CAUSES OF ACTION OF NEGLIGENCE AGAINST DEFENDANT ANTHONY'S PLANET PICKUP, INC.

7.1 Plaintiffs adopt and reallege all previous paragraphs as if fully set forth herein.

7.2 Anthony's had a duty to exercise ordinary care in selling and installing products on [REDACTED] vehicle.

7.3 Anthony's knew or should have known the Flashpaq was defective and/or how to correctly install in a way that it would not cause a fire in the vehicle.

7.4 The negligence of Anthony's was a proximate cause of the death of Roger Winkler and Plaintiffs' resultant damages.

VIII. CAUSES OF ACTION OF NEGLIGENCE AGAINST DEFENDANT SUPERCHIPS, INC.

8.1 Plaintiffs adopt and reallege all previous paragraphs as if fully set forth herein.

8.2 Superchips had a duty of ordinary care in the design, manufacture, testing, marketing, assembly, and distribution of Flashpaq products to ensure that they were not unreasonably dangerous for their foreseeable or reasonably anticipated uses.

8.3 The Flashpaq product was used on [REDACTED] vehicle in its intended and foreseeable use.

8.4 Superchips knew, or in the exercise of ordinary care should have known, the Flashpaq was defective and unreasonably dangerous with an unreasonable chance of starting a fire.

8.5 The negligence of Anthony's was a proximate cause of the death of [REDACTED] and Plaintiffs' resultant damages.

IX. CAUSES OF ACTION OF STRICT PRODUCTS LIABILITY AGAINST DEFENDANT SUPERCHIPS, INC.

9.1 Plaintiffs adopt and reallege all prior paragraphs as if fully set forth herein.

9.2 At all times relevant to this lawsuit, Superchips was in the business of manufacturing, selling and otherwise placing into the stream of commerce Flashpaq products such as the Flashpaq product installed on the "vehicle in question." At all times material hereto, as part of its business, Superchips was regularly engaged in business in the United States and in Texas by designing, manufacturing, and selling Flashpaq products which are intended to and do reach ultimate consumers located in Texas, including [REDACTED]. [REDACTED] The Flashpaq was designed, manufactured and sold by Superchips, and

Superchips is legally liable for defects in said vehicle under the doctrine of strict liability in tort.

9.3 At the time the Flashpaq left the hands of Superchips, the said product contained one or more design defects in that the design of the product failed to include proper mechanisms for controlling the danger of starting fire which manufacturing and design defects were a producing cause of the death to [REDACTED] and of the damages suffered by Plaintiffs.

9.4 At the time the Flashpaq left the hands of Superchips, the product contained one or more manufacturing defects, in that the initiated fire, which defect was a producing cause of the death of [REDACTED] and of the damages suffered by Plaintiffs.

9.5 It was entirely foreseeable to, well known, and even intended by Superchips that its Flashpaq products would be used in the manner and fashion in which [REDACTED] used in his Dodge Ram 1500 pickup truck.

9.6 Superchips defectively designed, manufactured, marketed, and distributed the Flashpaq 3865 Performance Tuner.

9.7 The defective and unreasonably dangerous Flashpaq was a producing cause of death of [REDACTED] resulting in damages sustained by Plaintiffs.

X. DAMAGES

10.1 Nearly all of the elements of damages for personal injury and wrongful death are unliquidated and, therefore, not subject to precise computation. Plaintiffs seeks to recover damages in amounts that the jury finds the evidence supports and that the jury finds to be appropriate under all of the circumstances.

A. ROGER ALLEN WINKLER'S SURVIVAL DAMAGES

10.2 As a result of the incident in question [REDACTED], sustained excruciating pain, mental anguish, and terror associated with the knowledge of his impending death and the devastation of leaving his family. His estate is entitled to recover for his mental anguish, physical pain, and necessary funeral and burial bills and expenses, for which recovery is sought. Plaintiffs further sue for recovery and pre-judgment and post-judgment interest as provided by law.

B. WRONGFUL DEATH DAMAGES OF REBECCA ANN BAILEY

10.3 Decedent [REDACTED] was 24 years of age at the time of his death. He was in good health with a reasonable life expectancy of many years. During his lifetime, the decedent was a good, caring son who gave comfort and companionship to his family. In all reasonable probability, he would have continued to do so for the remainder of his natural life.

10.4 As a result of the death of her son, [REDACTED], his biological mother, [REDACTED] has suffered damages in the past and in the future, including pecuniary damages, mental anguish, loss of companionship, loss of consortium, and loss of inheritance, for which damages are sought under the Texas Wrongful Death Act and Texas Survival Act.

C. WRONGFUL DEATH DAMAGES OF [REDACTED]

10.5 Decedent, [REDACTED] was 24 years of age at the time of his death. He was in good health with a reasonable life expectancy of many years. During his lifetime, the decedent was a good, caring son who gave comfort and companionship to his family. In

all reasonable probability, he would have continued to do so for the remainder of his natural life.

10.6 As a result of the death of his son, [REDACTED], his biological father, [REDACTED] has suffered damages in the past and in the future, including pecuniary damages, mental anguish, loss of companionship, loss of consortium, and loss of inheritance, for which damages are sought under the Texas Wrongful Death Act and Texas Survival Act.

D. BYSTANDER DAMAGES OF [REDACTED]

10.7 As a bystander, finding his brother, [REDACTED], burning to death in his pickup truck, [REDACTED] has suffered mental anguish. [REDACTED] was near the accident, suffered shock as a result of the direct emotional impact of seeing his brother's truck on fire, and had a close relationship with his brother, [REDACTED]. [REDACTED] is entitled to recover damages for mental anguish under a bystander claim.

XI. PRE-JUDGMENT AND POST-JUDGMENT INTEREST

11.1 Plaintiffs seek pre-judgment and post-judgment interest as allowed by law.

XII. JURY DEMAND

12.1 Plaintiffs request a trial by jury for all issues of fact and have submitted the requisite timely and proper jury fee.

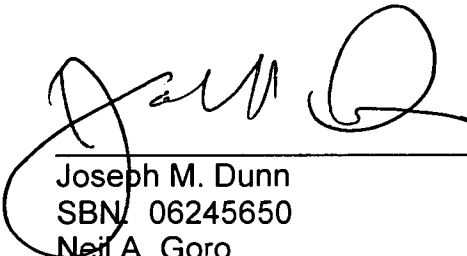
XIII. REQUEST FOR DISCLOSURE

13.1 Pursuant to Rule 194 of the Texas Rules of Civil Procedure, each Defendant is requested to disclose, within fifty (50) days after service of this request upon each Defendant, the information described in Rule 194.2 of the Texas Rules of Civil Procedure.

XVI. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendants be cited to appear and answer herein, that this cause be set for trial before a jury, that plaintiffs recover judgment of and from the Defendants their damages in excess the minimum jurisdictional limits of the court at such amount as the evidence may show and the jury may determine to be proper, together with pre-judgment interest, post-judgment interest, costs of suit, and such other and further relief to which they may show them to be justly entitled.

Respectfully submitted,



Joseph M. Dunn

SBN: 06245650

Neil A. Goro

SBN: 24062751

Jeffrey G. Wigington

SBN: 00785246

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DATED: 10-3-2011





