

Incident Report Pasadena Police Department

07-30520

Supplement No
0006

Item	Involvement	In Custody?	Tag No	Item No
3	EVIDENCE	Yes	D07030520	3

Description

DVD with Xuanmai Pham Statement (Plus Copy)

Typ	Cat	Article	# Pieces
A	MISCELLANEOUS ITEMS	DVD	2

Item	Involvement	In Custody?	Tag No	Item No
4	EVIDENCE	Yes	D07030520	4

Description

Phone Records from 281 221 1093

Typ	Cat	Article
A	MISCELLANEOUS ITEMS	DOCUME

Item	Involvement	In Custody?	Tag No	Item No
5	EVIDENCE	Yes	D07030520	5

Description

Consent 7418 Timber Line/Consent 7422 Timber Line/Permanent Receipt

Typ	Cat	Article
A	MISCELLANEOUS ITEMS	DOCUME

Item	Involvement	In Custody?	Tag No	Item No
6	EVIDENCE	Yes	D07030520	6

Description

Horn Statement

Typ	Cat	Article
A	MISCELLANEOUS ITEMS	DVD

Modus Operandi

Crime Code(s)

ASSAULTS

Narrative

Case Assignment

On Wednesday, November 14, 2007, at approximately 2:00 pm, Detective Villareal contacted me via telephone and advised me that Dispatch had broadcasted a burglary in progress call on Timberline Drive. Detective Villareal further advised me that shots had been fired and two subjects had been shot. Detective Villareal advised me that he was en route to the location. I advised Detective Villareal that I would be en route to the location from the police station.

While en route to the location, I contacted Dispatch and was advised that the incident had occurred at 7418 Timberline Drive. I was also advised that there were two subjects that had been shot and were deceased. I advised Dispatch that Detective Villareal and I would be en route to the scene.

Scene Summary

7400 Timberline Drive is a residential two-lane roadway located within the city limits of Pasadena, Harris County, Texas. There is one eastbound lane and one westbound lane. There are residential houses located on the north and south sides of the roadway.

7418 Timberline Drive is the address of a two-story residence located on the south side of the roadway. The residence was later determined to be Joseph Horn's residence. The front door to the residence faces north and opens into the foyer of the residence. There is a large game room located on the second floor of the residence. The game room is located in the southeast portion of the residence. There is a computer desk located in the southwest portion of the game room. The back of the computer desk is located along the south wall of the game room. The

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computer desk is positioned so that the monitor of the computer faces north. There are two windows located along the east wall of the game room. One window is located on the northern portion of the east wall and the other window is located on the southern portion of the east wall. There are two-inch wood blinds on the two windows located along the wall of the game room. The two windows on the east wall of the game room allow a visual view into the back yard and western side yard of the residence located at 7422 Timberline Drive. The two windows on the east wall of the game room also allow a visual view of the window of the master bathroom and a window along the west wall of the master bedroom to the residence located at 7422 Timberline Drive. It is approximately 17.5 feet from the windows of the game room of the residence located at 7418 Timberline Drive to the windows of the master bathroom and master bedroom of the residence located at 7422 Timberline Drive. There is a secondary bedroom located to the north of the game room and east of the top of the stairs. There is a window centrally located on the east wall of the secondary bedroom. There are two-inch wood blinds on the window located on the east wall of the secondary bedroom. The window located on the east wall of the secondary bedroom located to the north of the game room provides the same view as the windows along the east wall of the game room.

7422 Timberline Drive is the address of a two-story residence located on the south side of the roadway facing north. The residence was later determined to be the residence that the decedents were suspected of burglarizing. The residence is located to the east of 7418 Timberline Drive. There are two Asian ornamental statues located near the front door. The statues are located to the north of the front door and are on the east and west side of the front porch area. There are also two ornamental statues in the south area of the front yard. There is a tree located on the east side of the front yard. The tree is located approximately 18 feet north of the northeast corner of the residence located at 7422 Timberline Drive and approximately 12 feet west of the western most portion of the driveway located at 7502 Timberline Drive. The front door to the residence faces north and opens into the foyer of the residence. There is a dining room located to the east of the foyer. There is a half bath located along the east side of the foyer and south of the dining room. The door to the garage is located on the west side of the foyer. The kitchen is located to the south of the dining room. There is a breakfast area located to the south of the kitchen. The living room is located to the west of the eating area and kitchen.

The master bedroom is located to the west of the living room. There is a window located on the north portion of the west wall of the bedroom. There are two-inch wood blinds on the window located on the west wall. There are several small items on the floor directly beneath the window. The bed is located to the south of the window on the west wall. The headboard is along the west wall and the bed extends to the east. There are three windows located along the southern wall of the master bedroom. There are two-inch wood blinds on all three windows located along the southern wall of the master bedroom. There are nightstands located on the north and south side of the head of the bed. There is a desk located to the south of the south nightstand. The desk is along the southwest wall of the master bedroom. There are various other small items along the north and east walls of the master bedroom. The master bathroom is located to the north of the master bedroom. There is a garden tub located along the west wall of the master bathroom, and is located to the north of a shower stall. There is a glass blocked window located along the west wall, west of the garden tub. The master closet is located east of the master bathroom. The second floor of the residence consists of a game room, three secondary bedrooms, two full bathrooms, and attic access.

7502 Timberline Drive is the address of a two-story residence located on the south side of the

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roadway. The residence is located to the east of 7422 Timberline Drive. The front door of the residence faces north. There is a small grassy field located to the east of the residence that extends north to south. The decedent identified as Diego Ortiz was located in the grassy field located to the east of the residence located at 7502 Timberline Drive.

7415 Timberline Drive is the address of a one-story residence located on the north side of the roadway. The decedent originally identified as Miguel DeJesus was found in this yard. The residence is located to the northwest of 7418 Timberline Drive. The front door of the residence faces south.

7419 Timberline Drive is the address of a two-story residence located on the north side of the roadway. The residence is located north of 7418 Timberline Drive and east of 7415 Timberline Drive. The front door of the residence faces south.

I observed one of the deceased burglary suspects lying in the grassy field located to the east of the residence located at 7502 Timberline Drive. The deceased male subject in the grassy field was wearing white and green tennis shoes, white socks, blue jeans with a dark colored belt, a blue under shirt, and a dark green uniform type shirt. The deceased male was lying in the grass with his head south and his feet extending north. The center of the deceased male's head was 5.81 feet south of the northeast corner of the residence located at 7502 Timberline Drive and 9.97 feet east of the northeast corner of the residence located at 7502 Timberline Drive. The center of the deceased male's right foot was .33 feet south of the northeast corner of the residence located at 7502 Timberline Drive and 12.75 feet east of the northeast corner of the residence located at 7502 Timberline Drive. The center of the deceased male's left foot was 1.88 feet south of the northeast corner of the residence located at 7502 Timberline Drive and 12.99 feet east of the northeast corner of the residence located at 7502 Timberline Drive. The deceased male's left side of his face was on the grass and the right side of his face was visible. The deceased male's chest appeared to be flat on the ground and both of his arms were bent at the elbows and extending in a south direction. The deceased male's hands were slightly clinched and even with his head. The deceased male's left hip was flush with the grass. The deceased male's right leg was extended north and his left leg was beneath his right leg and was bent at the knee and pointed in a northeast direction. There was a large pool of what appeared to be blood on the grass beneath the deceased male's mouth and nose area. There was also what appeared to be blood on the deceased male's right arm.

As I walked westbound on Timberline from the grassy field, I observed what appeared to be several passive droplets of blood on the sidewalk that extended north south from the street to the front door of the residence located at 7502 Timberline Drive. The droplets of what appeared to be blood were approximately 18.5 feet north of the center of the front door of the residence located at 7502 Timberline Drive and approximately 1.5 feet east of the west side of the sidewalk that extends north to south from the street to the front door of the residence located at 7502 Timberline Drive.

I continued walking westbound on Timberline Drive and observed what appeared to be several more drops of what appeared to be passive blood on the driveway to the residence located at 7502 Timberline Drive. The droplets of what appeared to be blood were approximately 26 feet north of the northwest corner of the residence located at 7502 Timberline Drive and approximately 2.5 feet west of the eastern most portion of the driveway located at 7502

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Timberline Drive.

I continued walking westbound on Timberline Drive and arrived at the residence located at 7422 Timberline Drive. I knew from my conversation that this residence was where the alleged burglary had occurred. I observed a white baseball hat and a bag containing unknown items in the east portion of the front yard of the residence. The bag was located approximately 2 feet south of the tree in the east portion of the front yard of the residence located at 7422 Timberline Drive and the hat was located approximately 4.5 feet northeast of the tree in the east portion of the front yard of the residence located at 7422 Timberline Drive. It was later determined that the bag contained jewelry, cash in various denominations, as well as some documents. The exact contents of the bag are described in details further in the report. The white baseball hat was located on the north side of a tree, which was located to the north of the dining room. I observed the wording 'Alco Building Company' on the front of the white baseball hat. The bag containing the unknown items was located on the south side of the same tree as the white baseball hat. There was no explanation as to how the bag was positioned on the south side of the tree and the baseball hat was positioned on the north side of the tree.

I continued walking westbound on Timberline Drive and arrived at the residence located at 7418 Timberline Drive. I knew from my conversation with Officer Williams that this was the residence from which the white male had appeared and discharged his shotgun. I observed that the front door to the residence was open and I observed in plain view a black shotgun in a chair in the foyer of the residence. I observed that the butt of the shotgun was resting in the seat cushion of the chair and the shotgun extended upward. I observed two red 12-gauge 3" Winchester '00 Buck' spent shotgun shells in the front flower bed of the residence. The red 12-gauge 3" Winchester '00 Buck' spent shotgun shells were in the flower bed located to the east of the very southern portion of the sidewalk that extended north to south from the street to the front porch area. The shotgun shells were located in the flower bed approximately 7 feet and 7.75 feet north of the front door of the residence located at 7418 Timberline Drive and approximately 3 feet and 2.5 feet east of the west side of the sidewalk that extends north to south from the roadway to the front door of the residence located at 7418 Timberline Drive.

I walked northbound on the sidewalk from the front porch area of the residence located at 7418 Timberline Drive and as I approached the sidewalk that extended east to west along the south side of the roadway, I observed what appeared to be a watch band. The watch band was located on the sidewalk extending east to west and was located to the west of the sidewalk extending north south to the front door of the residence located at 7418 Timberline Drive. The watch band located on the sidewalk was approximately 39.5 feet north the northeast corner of the residence located at 7418 Timberline Drive and approximately 5.5 feet west of the west side of the sidewalk extending north to south from the roadway to the front door of the residence located at 7418 Timberline Drive.

I continued walking westbound on Timberline Drive and as I approached the driveway to the residence located at 7418 Timberline Drive, I observed a trail of what appeared to be passive blood droplets in the roadway north of the driveway. The trail of what appeared to be passive blood appeared to have a north, northwest direction across the roadway and continued into the driveway of the residence located at 7419 Timberline Drive. The trail of what appeared to be passive blood appeared to start at approximately 41 feet north of the northwest corner of the residence located at 7418 Timberline Drive and approximately 23 west of the northwest corner

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of the residence located at 7418 Timberline Drive. The trail of what appeared to be passive blood continued in a northwest direction across the roadway, which is approximately 27.5 wide. The trail of what appeared to be passive blood appeared to end at approximately 68.25 feet north of the northwest corner of the residence located at 7418 Timberline Drive and approximately 15.75 feet west of the northwest corner of the residence located at 7418 Timberline Drive. The trail of what appeared to be blood was approximately 5.25 feet in width. I also observed the face of watch in the roadway. The watch face was located to the west of the blood trail. The watch face was located approximately 57.25 feet north of the northwest corner of the residence located at 7418 Timberline Drive and approximately 1 foot west of the northwest corner of the yard located at 7418 Timberline Drive. I also observed what appeared to be the other part of the watch band in the roadway. The watch band in the roadway was approximately 40.5 feet north of the northeast corner of the residence located at 7418 Timberline drive and approximately 12 feet east of the east side of the sidewalk extending north to south from the roadway to the front door of the residence located at 7418 Timberline.

I crossed the roadway and began walking westbound on the east to west sidewalk on the north side of the roadway of 7400 Timberline Drive. I observed what appeared to be a passive drop of blood on the sidewalk at approximately 32.5 feet south of the southeast corner of the residence located at 7415 Timberline Drive and approximately 7 feet west of the southeast corner of the residence located at 7415 Timberline Drive. I observed another droplet of what appeared to be blood on the sidewalk at approximately 28 feet south of the southeast corner of the residence located at 7415 Timberline Drive and approximately 13.25 feet west of the southeast corner of the residence located at 7415 Timberline Drive.

As I walked westbound, I observed a small gold colored pellet on the north side of the sidewalk. The pellet was located approximately 28.25 feet south of the southeast corner of the residence located at 7415 Timberline Drive and approximately 11.75 feet west of the southeast corner of the residence located at 7415 Timberline Drive.

I continued walking westbound on the north side of Timberline Drive and observed the second deceased burglary suspect in the front yard of the residence located at 7415 Timberline Drive. The deceased male was located to the north of the east west sidewalk, and west of the south north sidewalk extending from the street to the front door of the residence located at 7415 Timberline Drive. The center of the deceased male's head was 26.90 feet south of the southwest corner of the residence located at 7415 Timberline Drive and 3.98 feet east of the southwest corner of the residence located at 7415 Timberline Drive. The center of the deceased male's right foot was located 30.21 feet south of the southwest corner of the residence located at 7415 Timberline Drive and 9.08 feet east of the southwest corner of the residence located at 7415 Timberline Drive.

The deceased male in the front yard of the residence located at 7415 Timberline Drive was lying on his back and was face up. The deceased male was lying on his left hip area. The deceased male's head was west and his body was extended east. The deceased male's left arm was extended northwest from his body. The deceased male's left arm was extended straight, with no bend at the elbow. The deceased male's right arm was extended to the east and his right hand was slightly beneath his right buttocks area. The deceased male's right leg was extended to the east and his left leg was slightly bent at the knee and was beneath his right leg. The deceased male was wearing brown boots, blue Dickies pants with a black belt, a white under shirt, and a

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blue Dickies outer shirt. There was a large amount of what appeared to be blood on the left side of the deceased male's white under shirt and also on the Dickies outer shirt. There was a black baseball hat located to the west of the deceased male's head. The deceased male appeared to have several gunshot pellet wounds on his left arm.

It was later determined during DeJesus' autopsy, that a shotgun pellet had traveled down his left arm causing the injuries that were observed to the deceased male's left arm. Based on that finding, it was possible that broken watch was caused by that shotgun pellet.

The weather is warm and clear and it is daytime. The lighting and visibility are good and the lighting is provided by natural light.

Scene Investigation

I arrived on scene at approximately 2:20 pm and observed that patrol officers had already placed crime scene tape in the area. The crime scene tape was placed east of the intersection of Shady Arbour and Timberline Drive that prohibited traffic from traveling westbound on Timberline Drive. There was also crime scene tape blocking off the intersection of Shady Arbour and Timberline Drive prohibiting traffic from turning onto Timberline Drive from Shady Arbour. The crime scene tape extended east and west along the front of the residences located on the north and south sides of the roadway of 7400 Timberline Drive. There was crime scene tape located to the west of the residence located at 7415 Timberline Drive which prohibited traffic from traveling eastbound on Timberline Drive. As I arrived in the area, I observed that there was a brown colored 'CenterPoint Energy' truck parked on the south side of the roadway facing east. The vehicle was several houses east of the residence located at 7502 Timberline Drive.

I made contact with Officer Williams, who is assigned to the Narcotics Division and was in plain clothes due to his current assignment. Officer Williams was standing near his city issued unmarked truck which was parked on the south side of the roadway and was parked to the north of the grassy field which is located to the east of 7502 Timberline Drive. Officer Williams advised me that he had been on scene when the shots were fired. Officer Williams advised me that he was in the area of Beltway 8 and Fairmont when he heard Dispatch broadcast the 'burglary in progress' call and thought he might be able to assist. Officer Williams advised me that he arrived in the area and pulled up in front of the residence located at 7418 Timberline Drive. Officer Williams stated that he later learned that Joseph Horn lives at the residence located at 7418 Timberline Drive. Officer Williams advised me that the passenger side of his vehicle was perpendicular to the sidewalk that extended from the street to the front door of the residence. Officer Williams advised me that the two suspects were walking shoulder to shoulder and were walking westbound across the front yard of 7418 Timberline Drive. Officer Williams stated that one of the suspects was carrying what appeared to be an off-white colored bag. Officer Williams stated that the bag appeared to contain items of some sort. Officer Williams stated that he was seated in his truck, facing east, and was approximately 25' to 35' from the suspects. Officer Williams stated that he observed a subject, later identified as Joseph Horn, cautiously stepping forward to the east as the suspects continued to walk west. Officer Williams stated that he did not see Horn come out of his residence (7418 Timberline Drive), but both he (Horn) and the suspects were in the front yard of 7418 Timberline Drive when he first saw him (Horn). Officer Williams stated that Horn had a shotgun to his shoulder, parallel to the

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ground, and was aiming it in the direction of the suspects. Officer Williams stated that Horn hollered something at the suspects as they faced him. Officer Williams stated that one of the suspects ran eastbound and the other suspect ran northwest. Officer Williams stated that Horn turned toward the suspect running northwest and appeared to track him for a second. Officer Williams stated that Horn then fired one time. Officer Williams stated that the suspect was still in Horn's front yard and approximately 3' to 5' from the south curb of Timberline Drive when Horn fired. Officer Williams stated that he informed Dispatch via police radio "shots fired". Officer Williams stated that Horn turned to toward the east and fired one more round, approximately two to three seconds after the first shot. Officer Williams stated that the suspect running eastbound was in the front yard of 7422 Timberline when the shot was discharged. Officer Williams stated that the suspect running eastbound dropped the bag that he had been carrying. Officer Williams stated that the suspect's hat fell to the ground at the same time. Officer Williams stated that the suspect running northwest collapsed in the front yard of the residence located at 7415 Timberline and the suspect running eastbound collapsed in a grassy field located to the east of the residence located at 7502 Timberline Drive. Officer Williams advised me that after the second shot, Horn went back inside his house carrying his shotgun. Officer Williams stated that he drove his truck eastbound on Timberline and stopped in front of the residence located at 7510 Timberline. Officer Williams stated that he exited his truck and checked on the welfare of the suspect in the grassy field and notified Dispatch of the situation. Officer Williams advised me that it appeared that Horn was aiming at the rear of both suspects. Officer Williams also stated that he believed the closest the suspects got to Horn was approximately 8' to 12'. **Refer to Officer Williams's supplementary reports for further details.**

I was contacted by Sergeant K. King who was on scene. Sergeant King advised me that Dispatch had originally broadcasted a burglary in progress call at 7400 Timberline Drive. Sergeant King stated that he arrived on scene after the shooting had occurred and was advised that the two deceased black males had been seen breaking into the residence located at 7422 Timberline Drive by the neighbor at the residence located at 7418 Timberline Drive. Sergeant King advised me that upon checking the perimeter of the residence at 7422 Timberline Drive, he observed the broken windows on the west side of the residence, and made the decision to force entry into the backdoor of the residence to make sure that there were no victims inside the residence and to make sure that there were no additional suspects inside the residence. Sergeant King advised me that once the residence was secured, all police personnel departed the residence. Sergeant King advised me that Officer R. Childers was posted at the rear door to ensure that no one entered the residence. Sergeant King advised me that one of the subjects that had been seen breaking into the residence located at 7422 Timberline Drive was deceased in the front yard of the residence located at 7415 Timberline Drive. Sergeant King advised me that the other subject that had been seen breaking into the residence located at 7422 Timberline Drive was in the grassy right of way located to the east of the residence located at 7502 Timberline Drive.

Officers J. Martinez, R. Hunt, and K. Ginther of the Crime Scene Unit all arrived on scene. K. Hall and P. McInnis of the Pasadena Regional Crime Lab also arrived on scene. Officer Hunt advised me that he would be in charge of operating the video camera. Officer Martinez advised me that he would be in charge of photographing the decedents. Officer Ginther advised me that he would be in charge of photographing the remainder of the crime scene. **Refer to Officer Ginther's, Officer Martinez's, and Officer Hunt's supplementary reports for further details.**

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I contacted P. McInnis and requested that she process the scene for any potential evidence. **Refer to P. McInnis supplementary report for further details.**

Due to the fact that there were several neighbors outside with children and the fact that the media was on scene, I decided to cover the deceased males' bodies at approximately 2:30 pm. Detective Bittner obtained an off-white blanket from ETMC paramedic D. Alexander. Detective Bittner provided me with the blanket and I placed the blanket on the body of the deceased male in the front yard of the residence located at 7415 Timberline Drive. Officer Dudley of the Crime Scene Unit retrieved a blue blanket from the Crime Scene Van and placed the blanket on the body located in the grassy field located to the east of the residence located at 7502 Timberline Drive.

I observed that paramedics with ETMC were attending to a white male in the front yard of 7418 Timberline Drive. The white male, who was identified as Joseph Horn [REDACTED], was the subject that had called 911 regarding the burglary in progress at 7422 Timberline Drive and was the subject who had shot the two burglary suspects. The paramedics were monitoring Horn's heart rate and blood pressure due to the fact that he was visibly upset about the shooting. The paramedics later determined that Horn did not require immediate medical attention; and furthermore, Horn had refused any further medical treatment.

At approximately 2:45 pm, I contacted Detective R. Herrera, who was on scene, and requested that he transport Horn to the police station to obtain a video recorded statement concerning the incident. Detective Herrera agreed and transported Horn to the police station. Once at the police station, Detective Herrera obtained a video recorded statement from Horn, which was later transferred to DVD by Detective Herrera and submitted to the property room as evidence (D-2). At my request, Detective Herrera also obtained written consent for the residence from Horn. Horn signed a "Consent to Search" form allowing myself to search the residence located at 7418 Timberline Drive. Horn signed the "Consent to Search" form at 3:10 pm. The "Consent to Search" form was later logged into the property room as evidence (D-5). Horn was later transported back to the scene by Detective Herrera.

While Horn was at the police station with Detective Herrera, Officer Dudley of the Crime Scene Unit swabbed his hands for gunshot residue. **Refer to Officer Dudley's supplementary report for further details.**

At approximately 3:40 pm, I contacted the Investigations Division of the Harris County Medical Examiner's Office and spoke with Investigator R. Mean. I advised Investigator Mean of the circumstances of the deaths and she advised me that an Investigator would be en route to my location.

Due to the fact that the decedents were wearing work type shirts and work type pants, and the fact that the 'Center Point Energy' truck was still on scene, I requested Dispatch attempt to locate a representative with Center Point Energy. At approximately 3:40 pm, Detective Villareal spoke with Gilbert Alvarez of Center Point Energy, who advised that all Center Point Energy employees working in the area had been accounted for. The 'Center Point Energy' truck was determined not to be involved in this incident.

I entered the residence located at 7418 Timberline Drive through the front door. I observed a

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black 12-gauge Winchester Defender shotgun in a chair in the foyer. At my request, the shotgun was later collected as evidence by P. McInnis of the Crime Lab. I then went upstairs to the second story of the residence and went to the game room and looked out the windows along the east wall of the room. The windows along the east wall of the room were closed and the blinds were all the way down and slightly opened, just as they had been when Horn was looking out the window. I observed that the windows along the east wall of the game room provided a view into the west side of the backyard of the residence located at 7422 Timberline Drive. From the game room of the residence located at 7418 Timberline Drive, I observed that a screen had been removed from a window along the west side of the residence at 7422 Timberline Drive and several glass blocks had been removed from a block window along the west side of the residence.

At approximately 4:00 pm the homeowner of 7422 Timberline Drive arrived on scene and identified himself as Tai Nguyen. Detective Bittner contacted Nguyen and Nguyen signed a "Consent to Search" form for his residence located at 7422 Timberline Drive. The "Consent to Search" form was later logged into the property room as evidence (D-5).

I proceeded to the residence located at 7422 Timberline Drive and walked into the backyard. I observed that the backdoor frame had been damaged as described by Sergeant King. I walked to the west side of the backyard and observed the screen to the window along the west wall of the master bedroom had been removed and the window had been broken. I observed broken glass in the grass near the window on the west wall of the master bedroom. I also observed that six glass blocks had been removed from the block window located on the west wall of the master bathroom. I also observed that there was a tire iron in the grass located to the west of the windows. The tire iron was located approximately 35 feet south of the northeast corner of the residence located at 7418 Timberline Drive and 5 feet east of the northeast corner of the residence located at 7418 Timberline Drive.

I entered the residence through the backdoor and proceeded to the master bedroom. As I entered the master bedroom, I observed that there was broken glass on the window sill of the window located on the west wall of the master bedroom and a small amount of broken glass on the carpet beneath the window. I also observed a blue and white \$100 paper money strap on the floor of the master bedroom. The money strap was located to the north of the bed and east of the nightstand on the north side of the bed.

I entered the master bathroom and observed that there was a box of checks on the floor just east of the garden tub. I observed that there were two books of checks in the box. I observed that the checks were numbered from [REDACTED]. I observed a black rectangular bag with a zipper located to the east of the box of checks. The bag was similar to that of a bank bag. I observed that the bag was empty.

I entered the master closet and it appeared that the closet had been ransacked due to the fact that there was clothing thrown about the closet. I observed that there was a fire safe on the floor, just east of the door to the master closet. The fire safe was open and the only contents of the fire safe were two passports and three watches. It appeared that the fire safe had been opened and then discarded on the floor of the master closet.

I checked the remainder of the residence, and it did not appear that any other room had been

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disturbed.

I departed the residence and contacted Tai Nguyen. I asked Nguyen about the money bag in the master bathroom and he stated that he believed there had been approximately \$3000 in various denominations of cash in the bag.

At approximately 4:50 pm, 'body car attendants' T. Mitchell and J. Guzman of the Harris County Medical Examiner's Office arrived on scene.

At approximately 5:00 pm, Investigator Maine of the Harris County Medical Examiner's Office arrived on scene. I escorted Investigator Maine to the body located in the grassy field located to the east of the residence located at 7502 Timberline Drive. Investigator Maine conducted her investigation and while searching the body, she located a wallet in the deceased male's back right pants pocket. The deceased male's wallet contained a 'USA ID Systems Photo Identification Card' with the name Carlos Soto. The date of birth on the 'USA ID Systems Photo Identification Card' showed to be March 13, 1973. The address on the card showed to be 6600 Hillcroft #3098 in Houston. The card showed the country of birth for Soto to be Puerto Rico. There was also a social security card ([REDACTED]) issued to a Carlos A Soto Rivera in the deceased male's wallet. The deceased male's wallet also contained a Colombian Consular Registration card. The name on the Colombian Consular Registration card showed to be Diego Fernando Ortiz Angulo. The date of birth showed to be March 3, 1975. There were also two business cards for 'Ortiz Painting and Home Repair' in the deceased male's wallet. The phone number on both business cards showed to be [REDACTED]. There were also what appeared to be several dry cleaning receipts in the deceased male's wallet. I was unable to locate any phone number or address on the items that appeared to be dry cleaning receipts.

Investigator Maine rolled the deceased male's body over and I observed that there was a logo above the front left breast pocket of his outer shirt. I observed that the logo stated 'CSG Contract Services Group, Inc. Integrated Facility Services Provider'. I also observed that there was a pair of black and white work gloves on the grass where the deceased male's body had been. Investigator Maine moved the back of the deceased male's under shirt and I observed what appeared to be five shotgun pellet wounds on the left side of the deceased male's back. I also observed what appeared to be two shotgun pellet wounds on the back left shoulder area of the deceased male. I also observed what appeared to be a shotgun pellet wound to the front left portion of the deceased male's neck.

The deceased male was also in possession of an LG Verizon Wireless cell phone. I checked the cell phone and observed that the phone number for the cell phone showed to be [REDACTED], which was the same phone number listed on the aforementioned business cards found in his possession. I contacted Detective Bell and requested that he attempted to locate who the phone was registered to. Detective Bell contacted me a short time later and advised me that the cell phone showed to be registered to a Diego Ortiz.

At my request, Officer Martinez collected the cell phone found in the deceased male's possession and also collected the blue blanket that had been covering the deceased male's body. P. McInnis took custody of the gloves that were discovered beneath the deceased male's body.

[REDACTED]

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Pasadena Police Department

07-30520

Supplement No
0006

Narrative

I then escorted Investigator Maine to the body located in the front yard of 7415 Timberline Drive. Investigator Maine conducted her investigation and while searching the body, located a black wallet in the deceased male's back right pants pocket. The wallet contained a Texas Identification Card [REDACTED] issued to a Miguel Antonio DeJesus, with the date of birth of February 28, 1969. The address on the identification card showed to be 2828 Hayes St #827 in Houston. The wallet also contained a social security card ([REDACTED]) issued to a Miguel Antonio DeJesus. Investigator Maine also located a chisel tool, a center punch tool, and a pair of black gloves while inventorying the deceased male's property. Investigator Maine had located the aforementioned items in the front right pants pocket of the deceased male's pants.

Investigator Maine moved the deceased male's shirts and I observed what appeared to be several shotgun pellet wounds on the left side of his chest and also on the left side of his back.

At my request, Officer Martinez took custody of the chisel, the center punch, and the cell phone found in possession of the deceased male. Officer Martinez also collected the off-white blanket that had been used to cover the deceased male's body. P. McInnis took custody of the gloves that were found in the deceased male's possession.

At the conclusion of her investigation at the scene, Investigator Maine departed. Ortiz's and DeJesus' bodies were placed in the 'body car' and were transported to the Harris County Medical Examiner's Office by 'body car attendants' T. Mitchell and J. Guzman. Investigator Maine and the 'body car attendants' left the scene at approximately 6:00 pm.

At approximately 5:20 pm, Detective Villareal contacted the resident located at [REDACTED] Timberline Drive and identified her as [REDACTED]. [REDACTED] advised Detective Villareal that she had seen a silver colored truck with 'Ortiz Painting' on the side of the truck. [REDACTED] advised Detective Villareal that she had seen two subjects in the truck. [REDACTED] advised Detective Villareal that it was approximately 9:00 or 10:00 am when she had seen the truck. [REDACTED] was unable to provide any further details to Detective Villareal about the truck or its occupants.

I contacted Horn and advised him that I would like him to complete a 'video walk-through'. I explained the process to him and he stated that he would cooperate. The video walk-through began at approximately 6:25 pm. Present for the video walk-through was Horn and I. The camera was operated by Officer Hunt of the Crime Scene Unit and Officer Martinez of the Crime Scene Unit served as a spotter for Officer Hunt. The following is a summary of Horn's video recorded walk-through: *Horn stated that he had been on his computer when he thought he heard some noise. Horn stated that he thought it might have been a cat, so he continued what he was doing at his computer. Horn stated that he heard the sound again and thought that it sound like breaking glass. Horn stated that he walked over to the window and looked out the blinds and observed two black males breaking out a window to his neighbor's house. Horn stated that he thought maybe they were replacing the glass but observed the second guy looking around and thought that was strange. Horn stated that he thought that the males might be burglars. Horn stated that he keeps a shotgun in his truck, so he went downstairs and got his shotgun from his truck and brought it back upstairs. Horn stated that when he got back upstairs, he observed that the males had moved to another window that had blocks in it. Horn stated that he noticed that the subjects had a crowbar and he knew that they weren't fixing the window, so he called 911. Horn stated that he gave the 911 operator the information about the subjects and what was going on. Horn stated that while he was on the phone, he observed the subjects enter his neighbor's*

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house. Horn stated that after a while, the subjects exited the residence with a bag. Horn stated that he could no longer see the subjects, so he went into his bedroom and looked out the window. Horn stated that he told the 911 operator that he could not see the subjects and further told the 911 operator that the subjects were leaving. Horn stated that he told the 911 operator that he had a shotgun and was not going to let anything happen to himself. Horn stated that he told the 911 operator that he was going to go downstairs and the 911 operator told him not to go downstairs. Horn stated that he went downstairs and told the 911 operator that he was going outside. Horn stated that he then placed his cell phone in his pocket. Horn stated that when he decided to go outside, his intent was to peak around the corner of his house and see what kind of car the subjects were in. Horn stated that at that point, he had his shotgun with him. Horn stated that before he left, he "jacked" one in the chamber. Horn stated that his shotgun is a 12-gauge Winchester Defender. Horn stated that he was not going to go outside without "one" in the chamber. Horn stated that he got outside and "bingo", the subjects were standing near the tree in his front yard. Horn stated that he brought his shotgun up and told the subjects "stop". Horn stated that he also told the subjects that he had called the police. Horn stated that one of the subjects jumped and he shot. Horn stated that the subjects never said a word. Horn stated that he came further out, wheeled around, and shot again. Horn stated that he may have shot three times, but he did not remember. Horn stated that he was not expecting "this". Horn stated that he was expecting a car, but "there they were" in his yard and he shot. Horn stated that he told them to "stop". Horn stated that he did not come outside shooting. Horn stated that the two black males that he shot in his front yard were the same two black males that he had seen breaking into his neighbor's house. Horn stated that he did not know exactly where the two male subjects had been standing in his yard, but knew they were standing near the tree in his front yard. Horn stated that he was not expecting to see anybody when he came outside. Horn stated that one of the subjects jumped and he (Horn) shot. Horn stated that there two of them and only one of him. Horn stated that physically there was no way that he could have handled them. Horn stated that he shot the subjects and he was not denying that. Horn stated that he did not come outside with the intent to shoot anybody. Horn stated that he was not going to go outside in that type of situation without his gun. Horn stated that he did not want to shoot anybody. Horn stated that he had never been in a situation like this before, but he shot. Horn stated that he shot because he "thought they were going to get him". Horn stated that when they did not stop, he thought "that's it". Horn stated that he was by himself and if they would have gotten the gun away from him, he "knew what they were going to do". Horn stated that he believed the subjects would have killed him if they would have been able to get the gun away from him. Horn stated that he was in fear of his life when the one subject jumped. Horn stated that he has never been scared like that before in his life. Horn stated that he came outside expecting to get a license plate. Horn stated that he did everything to avoid a situation "like this". Horn stated that one of the subjects took off and he "wheeled around" and shot. Horn stated that after he "wheeled around" he saw the first "shape" and shot. Horn stated that he was "pretty sure that he was running". Horn stated that he thought that the subject was going to come back and kill him. Horn stated that he thought he missed the second guy because he ran off. Horn stated that he did not recall seeing any vehicles during the incident. Horn stated that he was focused on the two subjects in his yard. Horn stated that he perceived the actions of the subject that jumped as a threat. The video walk-through was concluded at approximately 6:33 pm. Horn's video walk-through was later transferred to compact disc and logged as evidence in the property room by Officer Hunt. **Refer to Horn's video recorded walk-through for further details.**

At my request, Officer Hunt collected the bag from the front yard of 7422 Timberline Drive. Officer Hunt also collected the watch bands and watch face, as well as the tire iron that was found in the back yard of the residence located at 7422 Timberline Drive.