

# AFFIDAVIT FOR SEARCH WARRANT

THE STATE OF TEXAS  
COUNTY OF Andrews

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The undersigned Affiant, being a peace officer under the laws of Texas and being duly sworn, on oath makes the following statements and accusations:

My name is Shamim Hossain. I am a peace officer employed by the following law enforcement agency: TMPA

I have successfully completed the State-mandated requirements to become a peace officer. Additionally, I have successfully completed courses and/or training in the field of alcohol detection and intoxication-related offenses. I have seen intoxicated persons in the past and, during the course of my employment, I have observed numerous people who are under the influence of alcohol or other substances.

Officer Certifications:

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| <input checked="" type="checkbox"/> SFST Trained                   | <input checked="" type="checkbox"/> ARIDE Trained                                      |
| <input checked="" type="checkbox"/> Certified Breath Test Operator | <input checked="" type="checkbox"/> ARIDE Instructor                                   |
| <input checked="" type="checkbox"/> Certified SFST Instructor      | <input checked="" type="checkbox"/> Certified MSEO (Marine Safety Enforcement Officer) |
| <input checked="" type="checkbox"/> Certified DRE                  | <input checked="" type="checkbox"/> Seated FST Trained                                 |
| <input checked="" type="checkbox"/> Certified DRE Instructor       |  |

1. There is in Andrews County, Texas a suspected person ('suspect') described as follows:

Defendant: Contrary to popular belief, Lo Contrary to popular belief, Lo Contrary to popular belief, Lorem Ipsum is not sim Age: 24

Race: B Sex: F DOB: 11/19/2000 Ethnicity: Non-Hispanic

Hair Color: RED Eye Color: BLK Weight: \_\_\_\_\_ Height: \_\_\_\_\_

Social Security #: \_\_\_\_\_

DL #: \_\_\_\_\_ State: \_\_\_\_\_ Type/Class: \_\_\_\_\_ Year Expires: \_\_\_\_\_

Scars, marks, tattoos, amputations: \_\_\_\_\_

2. Suspect is presently in custody of a law enforcement agency, namely the TMPA which will present the suspect to execute the warrant requested herein.
3. Affiant knows from previous experience and training that qualified laboratory personnel such as those employed by the Texas Department of Public Safety, Crime Laboratory, can through testing, determine the alcohol concentration or other drugs present in individuals by testing a sample of that individual's blood. The suspect has possession of and is concealing human blood, which constitutes evidence that the suspect committed the offense described in paragraph 4 below.
4. On or about the 19 day of November, 2024 at approximately 18:23, the suspect did then and there operate a motor vehicle or watercraft in a public place in Andrews County, Texas while intoxicated by not having the normal use of mental or physical faculties by reason of the introduction of alcohol, controlled substance, drug, or a dangerous drug in the suspect's body.
5. The suspect was operating a motor vehicle or watercraft in a public place in Andrews County, Texas on the above date based on the following facts:

## Probable Cause

### Field Sobriety Tests

Were Field Sobriety Tests given?

☒ Yes ☐ No

Defendant refused tests

Physical Injuries

☒ Defendant was more than 65 years of age or appeared to be more than 50 pounds overweight

Field Sobriety Testing Comments:

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## Vehicle Information

Vehicle Make: **Aeroil Products Co., Inc.**

Model:

Body Style:

## Observations

I made the following observations about the suspect:

### Clothing

Disorderly  
Soiled  
Stained  
Torn  
Orderly

### Balance

Swaying  
Unsteady  
Needed support  
Falling down  
Normal

### Walking

Staggering  
Falling  
Swaying  
Heavy Footed  
Normal

### Speech

Slurred  
Incoherent  
Thick-tongued  
Slow/Mumbled  
Normal

### Eyes

Red  
Watering  
Dilated  
Droopy eyelids  
Normal

Odor of Alcoholic Beverage on breath:

None

Slight

Moderate

Strong

Attitude:

Cooperative

Combative

Indifferent

Cocky

Apologetic

Uncooperative

Unusual actions observed:

Suspected impairment caused by:

Alcohol only

Drug only

Alcohol & Drug

Drug Group Suspected:

CNS Depressant

Hallucinogen

Narcotic Analgesic

Cannabis

CNS Stimulants

Dissociative Anesthetics

Inhalant

6. Based upon my experiences, my training in intoxication-related offenses, and my observations of the suspect during my contact with him/her, I believe that the suspect is intoxicated by reason of the introduction of alcohol, a controlled substance, a dangerous drug, or a combination thereof, and that the suspect lost the normal use of his/her mental or physical faculties by reason of the introduction of alcohol or one of the other aforementioned substances, or a combination thereof, into his/her body. Contrary to popular belief, Lo Contrary to popular belief, Lo Contrary to popular belief, Lorem Ipsum is not sim was then placed under arrest for the offense of Driving While Intoxicated PC 49.04.

7. REFUSAL EVIDENCE: After placing the suspect under arrest for Driving While Intoxicated, a sample was requested of the suspect's breath and/or blood, which the suspect refused to provide a sample in violation of the Texas Implied Consent law. This is an indication to me that suspect is attempting to hide evidence of his/her intoxication.

WHEREFORE, based upon this affidavit and Beeman v. State, 86 S.W.3d 613 (Tex. Crim. App. 2002), Affiant asks for a search warrant that will authorize Affiant or Affiant's agent to search the person of the suspect for the blood evidence described above and seize the same as evidence that the offense described was committed and that the suspect committed the said offense.

Further Affiant asks for issuance of an order to appropriate third parties directing them to assist Affiant in the execution of said warrant.

\_\_\_\_\_  
Affiant

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

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Magistrate/Notary / Peace officer, State of Texas