



Probable Cause Affidavit

Arrested Person

County: OKLAHOMA

Last Name: SMITH First: JIMMY MI: DAN

DOB: 07/05/82 Arrest Date: 02/16/11

Case #: 11-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge) MAIMING 21-751

On 02/15/11, at 22:17 officers were dispatched to Dan O'Brien's Bar in reference to a fight. Upon arrival officers found off-duty Oklahoma City Police Officer, VI-Chad Peery, lying on the ground outside the club. VI-Peery was badly injured with a possible neck injury. Det. Wegner reviewed video surveillance from the club. Det. Wegner observed VI-Peery attempt to escort a group of males outside the club. Upon exiting the club AR-Rinken is observed pushing VI-Peery in the face. VI-Peery and AR-Rinken engage each other and move out of camera view.

Synopsis of arrest to include all elements of the charged crime:

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: Det. J. Pope Commission #: 1220

State of Oklahoma )  
County of Oklahoma ) SS.



Subscribed and sworn to me this 16 day of Feb, 20 11.

11-13-2014 06011071 My Commission Expires:  
Monica Y. Baker Notary Public

I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 600

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
- Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

\_\_\_\_\_  
Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: SMITH First: JIMMY MI: DAN

Witness Martin observed two males punch VI-Peery in the face. One of these males was described as being short with a gray shirt, later identified as AR-Smith. The other male assaulting VI-Peery was taller, heavier, and wearing a bandanna, and having tattoos on his arms. The taller male, later identified as AR-Rinken, also grabbed VI-Peery around the midsection forcing VI-Peery's head downward. AR-Rinken appear to attempt to obtain a choke hold on VI-Peery. AR-Smith threw 6-7 punches, striking VI-Peery in the face. Both AR's left the scene prior to police arrival. Witnesses obtained vehicle license plate numbers. Police tracked down both AR's and they were arrested.

VI-Peery was transported to OU Medical Center for treatment. DR. Khan advised VI-Peery's neck had fractured and displaced C4 and C5 vertebra. Dr. Khan advised VI-Perry would be quadriplegic as a result of the injuries.

AR-Smith confessed under Miranda to punching VI-Peery in the face and knowing he was a police officer before the assault.

This incident and arrest occurred in Oklahoma City, Oklahoma County.

Officer: \_\_\_\_\_

*Det. Lopez #1220*

Commission #: \_\_\_\_\_

Probable Cause Affidavit

Arrested Person

County: OK

Last Name: Smith First: [redacted] MI: D

DOB: 7-5-82 [redacted] Arrest Date: 2-23-11

Case #: 1-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge:

Conspiracy to Commit a Felony

Synopsis of arrest to include all elements of the charged crime: On 2-15-11, officers responded to 2747 W. Memorial Rd. (City of Oklahoma City/Oklahoma County) in reference to an Officer Down call. Upon arrival, officers found victim, Officer Peery unconscious with an apparent broken neck. During the course of the investigation, it was learned the defendants Rinken, Smith, and Cadmio were responsible for the assault on Officer Peery. It was learned Defendant Rinken assaulted Officer Peery while inside the listed location. As Officer Peery was trying to escort the Defendants out of the business, Officer Peery was assaulted again while at the front door. Officer Peery was being held in wrestling-type hold by Defendant Rinken, with Officer Peery's head bent down, and the back of Officer Peery's head pinned into Defendant Rinken's torso. Defendant Smith then assaulted Officer Peery with his fist.

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: [Signature] Commission #: 0826

State of Oklahoma )
) SS.21-421
County of OK )

Subscribed and sworn to me this 23rd day of FEBRUARY, 20 11

12/15/14 My Commission Expires: [Signature] Notary Public



I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 0850

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: SMITH, JIMMY First: \_\_\_\_\_ MI: \_\_\_\_\_

Cont.

After Officer Peery is struck by Defendant Smith, Defendant Rinken is witnessed holding Officer Peery from behind and in an upright position. At this time, witness state Officer Peery is obviously unconscious. Defendant Rinken is then seen dropping or throwing Officer Peery down to the ground

During the attack on Officer Peery, Defendant Lopez his preventing witnesses from going to the aid of Officer Peery by pushing the witnesses back.

All defendants were working in concert during this attack on Officer Peery.

As a result of the attack, Officer Peery suffered a broken neck and is paralyzed.

Officer:  Commission #: 0920

Revised 07/07



11/10



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Probable Cause Affidavit

RECEIVED FEB 1<sup>st</sup> 2011

Arrested Person

County: OKLAHOMA

Last Name: LOPEZ First: CADMIO MI: ANTONIO

DOB: 06/19/79 Arrest Date: 02/16/11

Case #: 11-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge) MAIMING 21-751

On 02/15/11, at 22:17 officers were dispatched to Dan O'Brien's Bar in reference to a fight. Upon arrival officers found off-duty Oklahoma City Police Officer, VI-Chad Peery, lying on the ground outside the club. VI-Peery was badly injured with a possible neck injury. Det. Wegner reviewed video surveillance from the club. Det. Wegner observed VI-Peery attempt to escort a group of males outside the club. Upon exiting the club AR-Rinken is observed pushing VI-Peery in the face. VI-Peery and AR-Rinken engage each other and move out of camera view.

Synopsis of arrest to include all elements of the charged crime:

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: Det. J. Pope Commission #: 1220

State of Oklahoma )
) SS.
County of Oklahoma )

Subscribed and sworn to me this 16<sup>th</sup> day of FEB., 20 11.

12/15/14 My Commission Expires: Helen Harris Notary Public



I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 0850

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: LOPEZ First: CADMIO MI: A

Witness Martin observed two males punch VI-Peery in the face. One of these males was described as being short with a gray shirt, later identified as AR-Smith. The other male assaulting VI-Peery was taller, heavier, and wearing a bandanna, and having tattoos on his arms. The taller male, later identified as AR-Rinken, also grabbed VI-Peery around the midsection forcing VI-Peery's head downward. AR-Rinken appeared to attempt to obtain a choke hold on VI-Peery. AR-Smith threw 6-7 punches, striking VI-Peery in the face. Witness Martin observed another white male wearing a red ball cap backwards, later identified as AR-Lopez, get involved in the fight. AR-Lopez threw Witness Martin his coat prior to getting involved. Both AR's left the scene prior to police arrival. Witnesses obtained vehicle license plate numbers. Police tracked down all three AR's and they were arrested.

VI-Peery was transported to OU Medical Center for treatment. DR. Khan advised VI-Peery's neck had fractured and displaced C4 and C5 vertebra. Dr. Khan advised VI-Perry would be quadriplegic as a result of the injuries.

AR-Smith confessed under Miranda to punching VI-Peery in the face and knowing he was a police officer before the assault. AR-Lopez also spoke to Det. Pope under Miranda. AR-Lopez admitted to holding other people back so AR-Rinken could have a fair fight with VI-Perry. AR-Lopez also fled the scene with AR-Smith and AR-Rinken prior to officers arrival.

This incident and arrest occurred in Oklahoma City, Oklahoma County.

Officer: \_\_\_\_\_

*Det. J. Pope*

Commission #: \_\_\_\_\_

1226

Probable Cause Affidavit

Arrested Person

County: OK

Last Name: Lopez First: Carmis MI: A

DOB: 6-19-79 [REDACTED] Arrest Date: 2-23-11

Case #: 11-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge:

Conspiracy to Commit a Felony

Synopsis of arrest to include all elements of the charged crime: On 2-15-11, officers responded to 2747 W. Memorial Rd. (City of Oklahoma City/Oklahoma County) in reference to an Officer Down call. Upon arrival, officers found victim, Officer Peery unconscious with an apparent broken neck. During the course of the investigation, it was learned the defendants Rinken, Smith, and Cadmio were responsible for the assault on Officer Peery. It was learned Defendant Rinken assaulted Officer Peery while inside the listed location. As Officer Peery was trying to escort the Defendants out of the business, Officer Peery was assaulted again while at the front door. Officer Peery was being held in wrestling type hold by Defendant Rinken, with Officer Peery's head bent down, and the back of Officer Peery's head pinned into Defendant Rinken's torso. Defendant Smith then assaulted Officer Peery with his fist.

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: [Signature] Commission #: 0926

State of Oklahoma )  
County of OK ) SS.21-421

Subscribed and sworn to me this 23<sup>RD</sup> day of FEBRUARY 20 11

12/15/11 My Commission Expires: [Signature] Notary Public



I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 0850

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
- Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

\_\_\_\_\_  
Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: Lopez First: COSMIO MI: \_\_\_\_\_

Cont.

After Officer Peery is struck by Defendnat Smith, Defendant Rincken is witnessed holding Officer Peery from behind and in an upright position. At this time, witness state Officer Peery is obviously unconscious. Defendant Rincken is then seen dropping or throwing Officer Peery down to the ground

During the attack on Officer Peery, Defendant Lopez his preventing witnesses from going to the aid of Officer Peery by pushing the witnesses back.

All defendants were working in concert during this attack on Officer Peery.

As a result of the attack, Officer Peery suffered a broken neck and is paralyzed.

Officer:  Commission #: 0926

Revised 07/07



SNT.



Probable Cause Affidavit

Arrested Person

County: OKLAHOMA

Last Name: RINKEN First: JOSHUA MI: B

DOB: 08/06/82 Arrest Date: 02/16/11

Case #: 11-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge) MAIMING 21-751

On 02/15/11, at 22:17 officers were dispatched to Dan O'Brien's Bar in reference to a fight. Upon arrival officers found off-duty Oklahoma City Police Officer, VI-Chad Peery, lying on the ground outside the club. VI-Peery was badly injured with a possible neck injury. Det. Wegner reviewed video surveillance from the club. Det. Wegner observed VI-Peery attempt to escort a group of males outside the club. Upon exiting the club AR-Rinken is observed pushing VI-Peery in the face. VI-Peery and AR-Rinken engage each other and move out of camera view.

Synopsis of arrest to include all elements of the charged crime:

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: Det. J. Pope Commission #: 1220

State of Oklahoma )  
 ) SS.  
County of Oklahoma )



Subscribed and sworn to me this 16 day of Feb, 20 11.

11-13-2014 # 06011071  
My Commission Expires: \_\_\_\_\_  
Monica V. Black  
Notary Public

I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 682

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
- Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

\_\_\_\_\_  
Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: RINKEN First: JOSHUA MI: B

Witness Martin observed two males punch VI-Peery in the face. One of these males was described as being short with a gray shirt, later identified as AR-Smith. The other male assaulting VI-Peery was taller, heavier, and wearing a bandanna, and having tattoos on his arms. The taller male, later identified as AR-Rinken, also grabbed VI-Peery around the midsection forcing VI-Peery's head downward. AR-Rinken appear to attempt to obtain a choke hold on VI-Peery. AR-Smith threw 6-7 punches, striking VI-Peery in the face. Both AR's left the scene prior to police arrival. Witnesses obtained vehicle license plate numbers. Police tracked down both AR's and they were arrested.

VI-Peery was transported to OU Medical Center for treatment. DR. Khan advised VI-Peery's neck had fractured and displaced C4 and C5 vertebra. Dr. Khan advised VI-Perry would be quadriplegic as a result of the injuries.

AR-Smith confessed under Miranda to punching VI-Peery in the face and knowing he was a police officer before the assault.

This incident and arrest occurred in Oklahoma City, Oklahoma County.

Officer: Det. J. Payne #1220 Commission #: \_\_\_\_\_

Probable Cause Affidavit

Arrested Person

County: OK

Last Name: Rincken First: Joshua MI: B

DOB: 8-6-82 [REDACTED] Arrest Date: 2-23-11

Case #: 11-11433 Related Case #: \_\_\_\_\_

Offense (Warrantless arrest for State Felony or misdemeanor charge:

Conspiracy to Commit a Felony

Synopsis of arrest to include all elements of the charged crime: On 2-15-11, officers responded to 2747 W. Memorial Rd. (City of Oklahoma City/Oklahoma County) in reference to an Officer Down call. Upon arrival, officers found victim, Officer Peery unconscious with an apparent broken neck. During the course of the investigation, it was learned the defendants Rincken, Smith, and Cadmio were responsible for the assault on Officer Peery. It was learned Defendant Rincken assaulted Officer Peery while inside the listed location. As Officer Peery was trying to escort the Defendants out of the business, Officer Peery was assaulted again while at the front door. Officer Peery was being held in wrestling type hold by Defendant Rincken, with Officer Peery's head bent down, and the back of Officer Peery's head pinned into Defendant Rincken's torso. Defendant Smith then assaulted Officer Peery with his fist.

I swear the above information is true and correct to the best of my knowledge and belief.

Officer: [Signature] Commission #: 0926

State of Oklahoma )
) SS.21-421
County of OK )

Subscribed and sworn to me this 23rd day of FEBRUARY, 20 11

12/15/14
My Commission Expires:

[Signature]
Notary Public



I have reviewed the above information and believe the necessary elements exist for an arrest based on probable cause.

Supervisor: [Signature] Commission #: 0850

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest. Arraignment before a Magistrate is ordered
Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

Judge of the District Court

Probable Cause Affidavit  
Continuation Sheet

Arrested Last Name: RINKEN First: JOSHUA MI: \_\_\_\_\_

Cont.

After Officer Peery is struck by Defendant Smith, Defendant Rinken is witnessed holding Officer Peery from behind and in an upright position. At this time, witness state Officer Peery is obviously unconscious. Defendant Rinken is then seen dropping or throwing Officer Peery down to the ground

During the attack on Officer Peery, Defendant Lopez his preventing witnesses from going to the aid of Officer Peery by pushing the witnesses back.

All defendants were working in concert during this attack on Officer Peery.

As a result of the attack, Officer Peery suffered a broken neck and is paralyzed.

Officer: [Signature] Commission #: 0826

Revised 07/07

