

1200 Baker Street
Houston, TX 77002
www.hcso.hctx.net
(713) 221-6000

07-105881

Supplement No ORIG

Reported Date
08/21/2007
Report Type
DWI/DUI
Omoer
SMITH, M.A.

Agency		LICHT	e Inform	idito		Offens	e Numbe		Suppleme	of Nin	Reported Dat	n n		Reported TI	MA	
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The defendant was operating his motorcycle on a public roadway while intoxicated.

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Report Officer	Printed At	
S14123/SMITH, M.A.	10/08/2008 15:20	Page 2 of 4
DIIII DE LE CONTROL DE LA CONT	T01001 2000 20120	149- 2 47 2

Incident Report

Office of Sheriff Tommy Thomas

Vehicle	:										
Involvement Traffic	accident	Type Auto	License No		State	isian	2	Lic Year 2008			
Lic Type Regular	Passenger	Automol	oile Plat	ės		Year 1999	Bu	ke iick	Model Regal	Style 4-door Automobile	
Color Gray	VIN	***************************************	2	Unit#					<u> </u>		
Narrativ	/e										

***** SCENE SUMMARY ******

This crash took place in the 13900 block of Ella Blvd and the 1200 block of Clear Valley Drive in North Harris County. This portion of Ella Blvd is a four lane concrete roadway. There are two northbound and two southbound lanes of traffic, divided by a grass median, which is surrounded by a raised concrete curb. This portion of Clear Valley is a four lane concrete roadway on the west side of Ella Blvd. There are two eastbound and two westbound lanes of traffic, divided by a grass median, which is surrounded by a raised concrete curb. The posted speed limit for this portion of Ella Blvd is 45 mph. The posted speed limit for this portion of Clear Valley is 30 mph. Visibility was good as it was night time with artificial lighting.

Upon arrival I found the scene to be a two vehicle crash approximately 25 feet south of Clear Valley on Ella Blvd. I first observed a gray and black motorcycle bearing Texas license plate. This motorcycle was against the inside curb of the southbound lane of Ella Blvd. The motorcycle had minor damage to the front and left side. I then observed a Gray Buick Regal bearing Louisiana license plate in the outside southbound lane of Ella Blvd facing north. There were several scrape marks from the motorcycle. These marks started in the outside lane of Ella Blvd and traveled to the southeast. These marks ended at the final resting position of the motorcycle.

****** NARRATIVE ******

On Tuesday August 21, 2007 I was assigned to the Harris County Sheriff's Office, Traffic Enforcement Section, as Unit #50T31 working in the North District. At approximately 2340 hours dispatch advised there was a major accident in the 13900 block of Ella Blvd. I arrived at approximately 0008 hours on Wednesday August 22, 2007. Upon arrival I observed the southbound lanes of traffic to be closed at Clear Valley.

I met with Deputy D. Hubert, who advised that the driver and passenger of the motorcycle had been transported to Ben Taub Hospital by two different ambulances. Deputy Hubert had identified the driver of the motorcycle as Alex Silva Jr from his Texas drivers license. Deputy Hubert also identified the passenger as Robin Sanchez. Deputy Hubert then pointed to the Buick and advised that the driver and both passengers were in the vehicle. When asked why the Buick was facing the wrong way, Deputy Hubert advised that after the accident the driver pulled the vehicle into the apartment complex and upon his arrival had her return the vehicle to the roadway so he could inspect the damage.

After speaking with Hubert I approached the Buick. The driver was identified as Virginia Norman from her LA drivers license. The passengers identified themselves as Erica Jones and Carlos Amie. Norman advised that she was stopped at the stop sign on Clear Valley and then turned right onto Ella Blvd. While making the turn she felt something hit her vehicle and observed the motorcycle on the ground. Norman then pulled her vehicle into the apartment complex located at 13875 Ella Blvd and waited for the police. Norman advised that she did not see the motorcycle prior to it hitting her vehicle. Norman was also unable to identify the driver or passenger of the motorcycle.

I contacted Deputy Begley, Unit 50T36 and requested that he check on the occupants of the motorcycle at Ben Taub Hospital. After speaking with Deputy Begley, Deputy Meaux, Unit 50T30 arrived on scene. I requested that Deputy Meaux photograph the scene, which he did. This film was sent to the Harris County Sheriff's Office, Identification Division for processing and safe keeping. After speaking to Deputy Meaux, Deputy Hubert approached and advised that all occupants of the Buick had been transported to the Doctors Hospital on Parker Road. Deputy Begley called and advised that the driver and passenger of the motorcycle were in stable

Report Officer	Printed At	
S14123/SMITH, M.A.	10/08/2008 15:20	Page 3 of 4

07-105881

Supplement No ORIG

Narrative

condition. He also advised that he was unable to perform HGN on the driver because of the injuries to his face. Deputy Begley also advised that he could smell an slight odor of an alcoholic beverage on Silva and at this time the emergency room nurse advised that she was unsure if the hospital was drawing blood for medical purposes.

Prior to clearing the scene BB & T wrecker, chip #237 tow the motorcycle to 2915 Farrell road for storage and safe keeping. Trikin out Truks, chip #411 towed the Buick to 11360 Eastex Freeway for storage and safe keeping. For further information about the crash refer to my crash report (CRB-3), under Harris County Sheriff's Office case number - HC070105881.

This concludes the on scene investigation. This investigation will continue by supplements.



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07-105881

Supplement No 0 0 0 1

Reported Date
09/27/2007
Report Type
DWI/DUI
Officer
SMITH, M.A.

Agency HARRIS	COUNT	TY LAW ENFOR	CEMENT	07-10	Control Santon	Supplement No 0001	Reported Date 09/27/2		Reported Time 04:19	
SA0708	No.	Status Incident	Report	Report Type Driving	Under	the Influ			1	
Location 13900	ELLA I	BL				City Harris	County	7701	D'una	Zone N60
Andread All Control		From Date 08/21/2007	From Time 23:40	Officer S14123/SI	MITH, M	.A.		-		
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MATT A. SMITH, DEPUTY ACCIDENT RECONSTRUCTIONIST

HARRIS COUNTY SHERIFF'S OFFICE TRAFFIC ENFORCEMENT SECTION

On Friday September 21, 2007 Lt. Coleman, Unit #50L10 called and advised that the medical records for Alex Silva were obtained by a Grand Jury Subpoena and the records showed that his blood concentration was 0.269 g/dL.

****** END OF SUPPLEMENT ******



1200 Baker Street Houston, TX 77002 www.hcso.hctx.net (713) 221-6000 07-105881

Supplement No 0002

Reported Date
09/27/2007
Report Type
DWI/DUI
Officer
SMITH, M.A.

Agency HARRIS COUNTY LAW ENFORCEMEN	Offense Numl C 07 - 105		09/27/		Reported Time 04:29	
CAD Event No Status SA070815311 Incident Repor	Report Type Driving 1	Under the Inf	luence		*	
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MATT A. SMITH, DEPUTY ACCIDENT RECONSTRUCTIONIST

HARRIS COUNTY SHERIFF'S OFFICE TRAFFIC ENFORCEMENT SECTION

On Tuesday September 25, 2007 I received the medical records for Alex Silva (MR #018460556). The medical records indicate that on 08/22/2007 at 0231 hours Silva had a alcohol concentration of 0.269 g/dL. These medical records are attached and will become a permanent part of this case file.

***** END OF SUPPLEMENT ******



1200 Baker Street Houston, TX 77002 www.hcso.hctx.net (713) 221-6000 07-105881

Supplement No 0003

Reported Date
09/27/2007
Report Type
DWI/DUI
Officer
SMITH, M.A.

Agency HARR]	IS COUN	TY LAW ENFO	RCEMENT	07-10		Supplement No 0003	09/27/2		Reported Time 04:42	
SA070	1No 0815311	Status Incident	Report	Report Type Driving	Under	the Infl	nence	-		
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District S1	N60	From Date 08/21/2007	23:40	Officer S14123/SN	MITH, M	.A.	•	- J		
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MATT A. SMITH, DEPUTY ACCIDENT RECONSTRUCTIONIST

HARRIS COUNTY SHERIFF'S OFFICE TRAFFIC ENFORCEMENT SECTION

On Thursday September 27, 2007 I, reviewed this case file with Assistant District Attorney Davis, who agreed to accept charges of DWI on the defendant, Alex Silva Jr.

A "To-Be" warrant for Alex Silva Jr will be filed under Harris County District Attorney's Log #1325732.

****** END OF SUPPLEMENT ******



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Houston, TX 77002
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(713) 221-6000

07-105881

Supplement No

Reported Date
09/27/2007
Report Type
DWI/DUI
Officer
WILBANKS, B.G.

gency LARRIS COU	NTY LAW ENFOR	CEMENT	07-10		Supplement No 0004	09/27/		Reported Time 06:21	
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Approving Officer Approval Date 326810 10/09/2007				Approval Tirr			-	Yamaa Yamaa	

B. G. WILBANKS, AI - 1
ACCIDENT RECONSTRUCTIONIST
HCSO / TRAFFIC SECTION / UNIT 50T13

On 08/31/2007 SGT. S PARKER advised me to follow up on this case. I reviewed the CRB report and observed that the investigating officer, DEPUTY M. SMITH, had listed a contributing factor of "45 - Had been Drinking" as may or may have not contributed to the cause of the crash on the driver of Unit 1, ALEX A. SILVA JR.

DEPUTY SMITH who was at the scene of the crash had formulated an opinion that this driver had been drinking by checking this contributing factor but was not able to determine if the driver was impaired. Since the driver was listed as injured and transported to Ben Taub hospital by ambulance I obtained a grand jury subpoena for SILVA's medical records from the D.A.'s Office as part of the follow up investigation. I met with ADA April SILVA at the D.A.'s Office and advised her of this information. I then proceeded to Ben Taub Hospital where I served the grand jury subpoena to LESIA NIXON (Custodian of Records). I was advised that it would be 10 to 14 days before the records were ready.

On 09/19/2007 DEPUTY A. MARINES advised me he was going to Ben Taub Hospital for a follow up on another unrelated case. I requested for MARINES to check and see if the medical records on SILVA were ready to be picked up. MARINES returned later in the afternoon with the medical records. I reviewed the medical records and observed that SILVA'S BAC showed to be .269 at the time the blood was drawn. The records also showed the blood sample was collected on 08/22/2007 at 2:31 a.m. approximately 3 hours after the time of the crash which occurred on 08/21/2007 at approximately 11:40 p.m.

On 09/20/2007 I advised SGT. PARKER and gave him the medical records and the copy of the Grand Jury Subpoena.

End of supplement report.

Report Officer	Printed At	
S14119/WILBANKS, B.G.	10/08/2008 15:20	Page 1 of 1