

16-24980

5/11/2016 4:22 PM

Jamie Smith
JAMIE SMITH
DISTRICT CLERK


DATE OF INDICTMENT
May 11, 2016

(1059) (DA NO: 714061)

CAUSE NO.: _____

THE STATE OF TEXAS

v.

TIMOTHY WAYNE SMITH
(W/M) (DOB: 07-13-1959)


OFFENSE

Tampering With Physical Evidence

Sec. 37.09

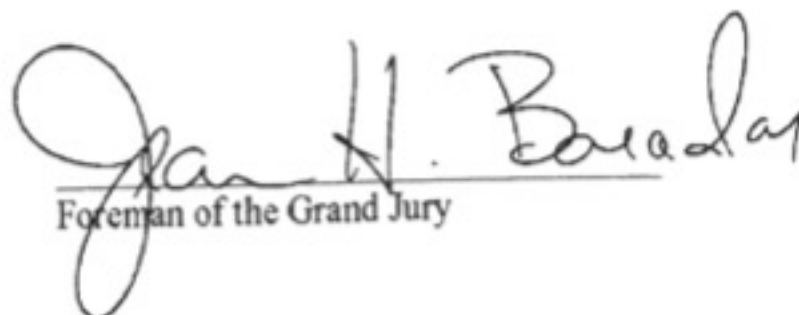
Third Degree Felony

INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURY, for the County of Jefferson, State of Texas, duly selected, empanelled, sworn, charged, and organized as such at the January Term A.D. 2016, of the Criminal District Court for said County, upon their oaths present in and to said Court at said term that **TIMOTHY WAYNE SMITH**, hereinafter styled Defendant, on or about June 5, 2013, and before the presentment of this indictment, in the County and said State aforesaid, did then and there, knowing that an investigation was in progress, make, present, and use, a document, namely: a probable cause affidavit for a search warrant, attached hereto as Exhibit A, with knowledge of its falsity and with intent to affect the course and outcome of the investigation.

Against the Peace and Dignity of the State.


Foreman of the Grand Jury

5/11/2016 4:22 PM

Jamie Smith
JAMIE SMITH
DISTRICT CLERK


DATE OF INDICTMENT
May 11, 2016

(1060) (DA NO: 714063)

CAUSE NO.: _____

THE STATE OF TEXAS

v.

TIMOTHY WAYNE SMITH
(W/M) (DOB: 07-13-1959)


OFFENSE

Tampering With Governmental Record
Sec. 37.10
State Jail Felony

INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

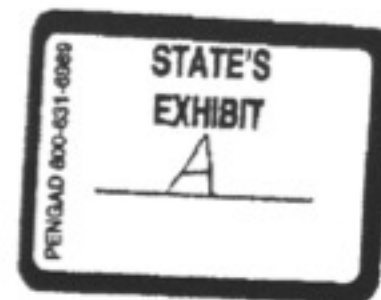
THE GRAND JURY, for the County of Jefferson, State of Texas, duly selected, empanelled, sworn, charged, and organized as such at the January Term A.D. 2016, of the Criminal District Court for said County, upon their oaths present in and to said Court at said term that **TIMOTHY WAYNE SMITH**, hereinafter styled Defendant, on or about June 5, 2013, and before the presentment of this indictment, in the County and said State aforesaid, did then and there, intentionally and knowingly make, present, and use a governmental record, namely: a probable cause affidavit for a search warrant, attached hereto as Exhibit A, with knowledge of its falsity, and the actions of the Defendant were done with the intent to defraud and harm another, namely: Judge Bob Wortham.

Against the Peace and Dignity of the State.


Foreman of the Grand Jury

STATE OF TEXAS

COUNTY OF JEFFERSON



EVIDENTARY SEARCH WARRANT

Before me the undersigned authority on this day did personally appear, JOHN CHAD KOLANDER, who upon his oath deposes and states:

Affiant JOHN CHAD KOLANDER is a certified peace officer with the State of Texas and has been an officer for the past 22 years. Affiant is currently employed with the Jefferson County Sheriff's department and is currently assigned to the Criminal Investigation division.

On or the 28th day of May, 2013, Jefferson County Sheriff Sgt. S. Broussard, Bailiff for the 252nd, arrested a man named, STEPHEN HARTMAN, for the offense of disrupting a meeting and interference with the duties of a public servant. This offense occurred in the 252nd courtroom, in Beaumont, Jefferson County, Texas. District Judge Layne Walker was presiding in a criminal case.

In a search subsequent to the arrest, Sgt. Broussard discovered in the pocket of HARTMAN a black fountain pen. This pen appeared to be a normal fountain pen but upon closer inspection Sgt. Broussard noticed that this pen was flashing a continuous blue light. Broussard then notices that this pen is actually a digital audio and video recorder. It also appears that this pen was activated and could have captured the events leading up to this arrest.

It is Affiant's belief that recorded on this pen camera could be actual footage of what occurred prior to HARTMAN'S arrest. Affiant requests that this warrant be issued so that investigators can download and record these audio and visual images if they are available. Affiant further believes that these recordings will depict the defendant's conduct to support the offense of disrupting a meeting.

Affiant