

THE STATE OF TEXAS

COUNTY OF DALLAS

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AFFIDAVIT FOR ARREST WARRANT OR CAPIAS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on their oath stated:

My name is David L. Armstrong, and I am a peace officer employed by the Texas Department of Public Safety, Dallas County, Texas as a Texas Ranger. I am the Affiant of this Affidavit for Arrest.

On September 06, 2018 at about 09:59 P.M, Amber Renee Guyger committed the offense of Manslaughter, a violation of the T.P.C 19.04 a Felony of the 2nd degree against Complainant Botham Shem Jean, when the suspect, Guyger, shot and killed the Complainant during an encounter. The offense occurred at 1210 S Lamar apartment # 1478 in Dallas, Dallas County, Texas.

The facts of the case are as follows:

Complainant Jean is the resident tenant of apartment #1478. Guyger, who is a Dallas Police Officer, lives in the same apartment complex, directly beneath the Complainant, in apartment #1378. Apartment #1378 and apartment #1478 and their respective interior floorplan are in most ways identical or extremely similar to the exterior surroundings, structure, and description of each other. Complainant Jean was home alone when Guyger, who had just ended her shift, but was still in her Dallas Police uniform, arrived at the apartment complex and parked her vehicle on the fourth floor of the parking garage, which should correspond to the floor the resident lives on. Guyger entered the building and walked down the fourth floor hallway to what she thought was her apartment. She inserted a unique door key, with an electronic chip, into the door key hole. The door, which was slightly ajar prior to Guyger's arrival, fully opened under the force of the key insertion. Upon the door being opened, Guyger observed that the apartment interior was nearly completely dark. Additionally, the door being opened alerted Complainant Jean to Guyger's presence. Believing she had encountered a burglar, which was described as a large silhouette, across the room in her apartment; Guyger drew her firearm, gave verbal commands that were ignored by Complainant Jean. As a result, Guyger fired her handgun two times striking the Complainant one time in the torso. Guyger then entered the apartment, immediately called 911, requesting Police and EMS, and provided first aid to Complainant Jean. Due to the interior darkness of the apartment, Guyger turned on the interior lights while on the phone with 911. Upon being asked where she was located by emergency dispatchers, Guyger returned to the front door to observe the address and discovered she was at the wrong apartment (#1478). Guyger called 911 from her cell phone requesting an ambulance and police to the offense location. Complainant Jean was transported to Baylor Hospital where he died as a result of his injury. Guyger remained at the scene and informed the responding officers and the 911 operator that she thought she was at her apartment when she shot the Complainant. Guyger believed she was in her apartment and confronted by a burglar when she fired her handgun, striking and killing him.