



HEREIN FAIL NOT, but return this Warrant, showing how you have executed the same.

ISSUED AND SIGNED at 3:19 P.M., on this the 7<sup>th</sup> day of January, 2020 to certify which witness my hand this day.



\_\_\_\_\_  
District Judge David Junkin 453rd \_\_\_\_\_  
Hays COUNTY, TEXAS

**RETURN**

This Warrant **CAME TO HAND** on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.M. and was **EXECUTED** in \_\_\_\_\_ County, Texas on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.M. by taking \_\_\_\_\_ into custody and transporting the person to \_\_\_\_\_ as commanded.

The distance traveled by me in the execution of this process was \_\_\_\_ miles and my fees are \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Officer's Name and Title

\_\_\_\_\_  
Officer's Signature

## PENAL CODE

## TITLE 7. OFFENSES AGAINST PROPERTY

## CHAPTER 31. THEFT

Sec. 31.01. DEFINITIONS. In this chapter:

(1) "Deception" means:

(A) creating or confirming by words or conduct a false impression of law or fact that is likely to affect the judgment of another in the transaction, and that the actor does not believe to be true;

(B) failing to correct a false impression of law or fact that is likely to affect the judgment of another in the transaction, that the actor previously created or confirmed by words or conduct, and that the actor does not now believe to be true;

(C) preventing another from acquiring information likely to affect his judgment in the transaction;

(D) selling or otherwise transferring or encumbering property without disclosing a lien, security interest, adverse claim, or other legal impediment to the enjoyment of the property, whether the lien, security interest, claim, or impediment is or is not valid, or is or is not a matter of official record; or

(E) promising performance that is likely to affect the judgment of another in the transaction and that the actor does not intend to perform or knows will not be performed, except that failure to perform the promise in issue without other evidence of intent or knowledge is not sufficient proof that the actor did not intend to perform or knew the promise would not be performed.

(2) "Deprive" means:

(A) to withhold property from the owner permanently or for so extended a period of time that a major portion of the value or enjoyment of the property is lost to the owner;

(B) to restore property only upon payment of reward or other compensation; or

(C) to dispose of property in a manner that makes recovery of the property by the owner unlikely.

(3) "Effective consent" includes consent by a person legally

22.04(c).

(11) "Retail merchandise" means one or more items of tangible personal property displayed, held, stored, or offered for sale in a retail establishment.

(12) "Retail theft detector" means an electrical, mechanical, electronic, or magnetic device used to prevent or detect shoplifting and includes any article or component part essential to the proper operation of the device.

(13) "Shielding or deactivation instrument" means any item or tool designed, made, or adapted for the purpose of preventing the detection of stolen merchandise by a retail theft detector. The term includes a metal-lined or foil-lined shopping bag and any item used to remove a security tag affixed to retail merchandise.

(14) "Fire exit alarm" has the meaning assigned by Section 793.001, Health and Safety Code.

Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974.  
Amended by Acts 1975, 64th Leg., p. 914, ch. 342, Sec. 9, eff. Sept. 1, 1975; Acts 1985, 69th Leg., ch. 901, Sec. 2, eff. Sept. 1, 1985; Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994; Acts 1997, 75th Leg., ch. 165, Sec. 30.237, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 432, Sec. 1, eff. Sept. 1, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 323 (H.B. 2482), Sec. 1, eff. September 1, 2011.

Sec. 31.02. CONSOLIDATION OF THEFT OFFENSES. Theft as defined in Section 31.03 constitutes a single offense superseding the separate offenses previously known as theft, theft by false pretext, conversion by a bailee, theft from the person, shoplifting, acquisition of property by threat, swindling, swindling by worthless check, embezzlement, extortion, receiving or concealing embezzled property, and receiving or concealing stolen property.

Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974.  
Amended by Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994.

Sec. 31.03. THEFT. (a) A person commits an offense if he unlawfully appropriates property with intent to deprive the owner of

number" means driver's license number, military identification number, identification certificate, or other official number capable of identifying an individual;

(5) stolen property does not lose its character as stolen when recovered by any law enforcement agency;

(6) an actor engaged in the business of obtaining abandoned or wrecked motor vehicles or parts of an abandoned or wrecked motor vehicle for resale, disposal, scrap, repair, rebuilding, demolition, or other form of salvage is presumed to know on receipt by the actor of stolen property that the property has been previously stolen from another if the actor knowingly or recklessly:

(A) fails to maintain an accurate and legible inventory of each motor vehicle component part purchased by or delivered to the actor, including the date of purchase or delivery, the name, age, address, sex, and driver's license number of the seller or person making the delivery, the license plate number of the motor vehicle in which the part was delivered, a complete description of the part, and the vehicle identification number of the motor vehicle from which the part was removed, or in lieu of maintaining an inventory, fails to record the name and certificate of inventory number of the person who dismantled the motor vehicle from which the part was obtained;

(B) fails on receipt of a motor vehicle to obtain a certificate of authority, sales receipt, or transfer document as required by Chapter 683, Transportation Code, or a certificate of title showing that the motor vehicle is not subject to a lien or that all recorded liens on the motor vehicle have been released; or

(C) fails on receipt of a motor vehicle to immediately remove an unexpired license plate from the motor vehicle, to keep the plate in a secure and locked place, or to maintain an inventory, on forms provided by the Texas Department of Motor Vehicles, of license plates kept under this paragraph, including for each plate or set of plates the license plate number and the make, motor number, and vehicle identification number of the motor vehicle from which the plate was removed;

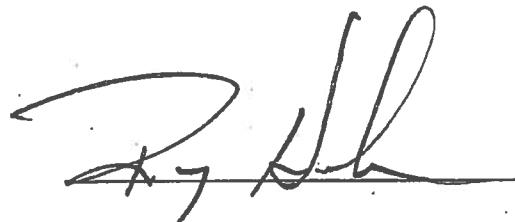
(7) an actor who purchases or receives a used or secondhand motor vehicle is presumed to know on receipt by the actor of the motor vehicle that the motor vehicle has been previously stolen from another if the actor knowingly or recklessly:

AFFIDAVIT FOR PROBABLE  
CAUSE  
STATE OF TEXAS  
HAYS COUNTY

I, Ray Helm a Texas Peace Officer for the Hays County Constable Pct 3, have good reason to believe before the making of this statement, that:

On or about June 1 through June 14, 2019 Gary Lynn Griffin 6/21/1956 of 127 Dark Forrest Drive Kyle Texas, a Texas Peace Officer at the time of the offence is suspected of Theft by a Public Servant by taking an employee record, without permission from the Hays County Constable Office Precinct 3 on August 5<sup>th</sup> 2019 I was notified by email from Ari Axelrod that demanded that we turn the records over to him of an email that we had a quota in our office, Ari stated he knows the records exist and meets the time frame of the other employee files that were distributed to Ari Axelrod by Gary Griffin. Gary Griffin ~~distributed~~ <sup>Dist. by Dist. at</sup> disturbed the copy he stole from this office committing Theft by a Public Servant a Class B Misdemeanor,

31.03 A(1)-C(7-1) R R  
(a)(b)-(1), (F)-(1)

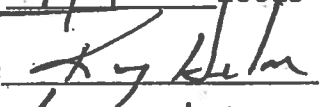
  
\_\_\_\_\_

Affiant

Sworn to and subscribed before me on

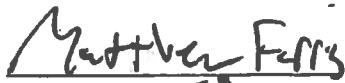
1/7 <sup>2020</sup>  
~~2019~~

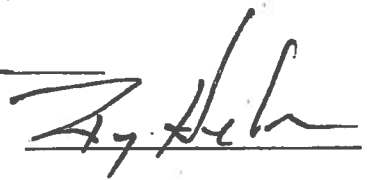
Signature

  
\_\_\_\_\_

Title

Constable  
\_\_\_\_\_

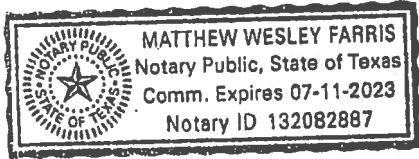
  
\_\_\_\_\_   
Magistrate

  
\_\_\_\_\_   
Peace Officer, State of Texas

Hays County Texas

ORDER

On this 7 day of February, 2020AD, I hereby acknowledge I have examined the forgoing affidavit and the facts on record in the case & I have made the determination that Probable Cause exists for the issuance of an arrest warrant for the individual accused herein.



Matthew Farris

Magistrate  
Notary  
Hays County, Texas