

THE STATE OF TEXAS  
COUNTY OF PARKER

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§

DOCKET #  
COURT:

### PROBABLE CAUSE AFFIDAVIT

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF THE STATE OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS AND ACCUSATIONS:

My name is Trooper II Daniel K. Walker and I am commissioned as a peace officer by the Texas Department of Public Safety. I hereby state upon my oath that I have reason to believe and do believe that heretofore, and before the making and filing of this Complaint, that

Full Name: Henderson, Daniel Paul

Date of Birth: 9/19/1967

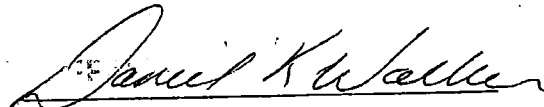
DL State and Number: TX [REDACTED]

on or about the 1st day of December, 2012, in Parker County, Texas, did then and there commit the offense of DWI 1st, a Class B Misdemeanor, in that Henderson, Daniel Paul did then and there,  
Operate a motor vehicle in a Public Place while Intoxicated

against the laws of the State of Texas.

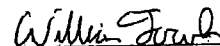
My probable cause for said belief and accusation is as follows:

On December 1st 2012 at 1:49 am I Trooper Daniel K. Walker observed a Black BMW passenger car driving in the right lane of IH 30. I observed the vehicle swerving within its lane. The black BMW appeared to change lanes when unsafe and into the center lane and nearly struck another vehicle. The BMW then came back into the right lane. The BMW then went into the center lane again and failed to signal intent and then back into the right lane. I then activated my emergency lights and conducted a traffic stop on TX registration [REDACTED] a 2004 BMW passenger car. I made contact with the driver and could smell a odor of an alcoholic beverage coming from inside the vehicle. The driver was identified by TX D [REDACTED] W/M Henderson, Daniel Paul DOB 9/19/1967. Henderson had red glassy blood shot eyes and had slurred speech. Henderson stated he was texting while driving. I asked Henderson if he had anything to drink and he stated no. I had Henderson exit his vehicle. While talking with Henderson I could smell a alcoholic beverage coming from his breath as he spoke. Henderson admitted he did have a couple drinks. I asked Henderson to perform Standardized Field Sobriety which he stated he would. Henderson showed distinct nystagmus in both eyes (6 of 6 clues) and performed poorly on all task given. Henderson was arrested for DWI. Henderson was read his Miranda rights which he stated he understood. Henderson was read his statutory warning requesting a specimen of his breath or blood. Henderson stated he would provide a breath sample and then stated he was also on medication's mixed with alcohol he had drank. I then asked if he would provided a blood specimen since medication's could effect a breath specimen. Henderson refused to provide a blood specimen. Henderson's vehicle was inventoried and released to Longhorn Wrecker. Henderson was transported to the Parker County Jail in Weatherford TX and booked for DWI 1st a Class B Misdemeanor and then released to the Jail Staff.



Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY SAID AFFIANT ON THIS THE 1 DAY OF Dec  
2012



Notary Public, Parker County, Texas

Peace Officer William Fowler #13468