

COUNTY COURT, DOUGLAS COUNTY, COLORADO

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

I, Shannon Jones, Police Officer for the City of Lone Tree Police Department, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:

Perrish Eugene Cox
DOB: 01/10/87
10051 Park Meadows Dr. #311
Lone Tree, CO. 80124
Black, Male, 6'0, 165, Blk, Bro

did commit the crimes of:

- | | | |
|--------------------------|-------------------------------|-----------|
| 1. SEXUAL ASSAULT | 18-3-402(h) | F3 |
| 2. SEXUAL ASSAULT | 18-3-402(1)(b) and (h) | F4 |

On September 6th, 2010, within the City of Lone Tree, County of Douglas, State of Colorado, and as grounds therefore, state as follows:

That this affiant, Detective Shannon Jones, is a Peace Officer with the City of Lone Tree Police Department, and that the following information was obtained by the affiant personally, and from the official records of this agency, as well as from witnesses.

On October 28, 2010, at approximately 1300 hours, I was notified by records technician Shahna Kundred that she had a female call in and request to speak with a female officer about a sexual assault. The caller was on her way to the police department and I advised that I could meet with her. A few minutes later the caller arrived and introduced herself as [REDACTED].

I escorted [REDACTED] to the victim's interview room located in the Lone Tree Police Department. The interview was recorded. I introduced myself to [REDACTED] and told her that I had been informed that she had been sexually assaulted. [REDACTED] said yes, that is why she was here. I told her that before she got into too much detail I wanted to get an idea of where the alleged assault may have occurred. Due to the sensitive nature of these cases I wanted to limit the number of people [REDACTED] had to tell about her assault. [REDACTED] advised that the assault happened at the Crest Apartments on September 5, 2010. [REDACTED] provided an address of 10047 Park Meadows Dr. She did not know the exact apartment number but she said it was on the third floor and she could show me which apartment in person. I confirmed this apartment complex is in the City of Lone Tree, Douglas County, Colorado and the address is the main address to the Crest Apartments.

I told [REDACTED] to start from the day of the incident and tell me briefly what happened then we would get into further detail and go on from there. [REDACTED] advised the following: On September 5, 2010, she was at her friend Sandra's house in Denver getting ready to go out for the evening. Her friend Carthy Che was with her. At Sandra's house [REDACTED] made herself a single shot vodka/orange soda drink about 1 1/2 hours prior to going to the club. At around 2300-2330 hours the girls all drove in separate cars to Club Beta in Denver for a "white party". She explained that everyone was supposed to dress in white for the Labor Day party. [REDACTED] and her girlfriends hung out for awhile. At the club she had a single shot vodka/cranberry mixed drink. At about 0030 hours Demaryius Thomas (12/25/87) and his friends showed up and Thomas invited her and her friends into his VIP room to hang out with them. They went into the room and hung out. She was offered a glass of champagne and she drank half of a glass. A little while later someone was handing out lemon drop shots and she drank one last drink. [REDACTED] said she drinks socially, and normally four drinks does not get her buzzed, but this time she started to feel a little buzzed. She said she has only passed out one time and that was on her 21st birthday. [REDACTED] said they stayed until the club closed at 0130 hours. (Now on September 6, 2010). Since she did not drive to the club, she left the club with her friend Che, Thomas and Perrish Cox (01/10/87). She said Cox and her friend Che are dating so she went with them.

Cox was driving and he took them back to his apartment. [REDACTED] said that things felt a little blurry during the car ride to his apartment; she doesn't remember going up the stairs, and she can't remember other bits and pieces. She felt drunk at that time. At around 0230 hours, she went to sit on the air mattress in the living room. Che and Cox went into his bedroom and Thomas came and sat next to her on the air mattress. She said Thomas began kissing her and laid her down and then got on top of her and continued kissing her. She remembers him putting his hand up her dress and trying to move her panties to the side. He began rubbing her vaginal area, between the lips on her clitoris area. She blacked out or passed out and does not recall anything from then on.

[REDACTED] woke up the next morning and said she was lying on the air mattress at Cox's apartment and Thomas was not there. There was another male in the living room walking around her and he stepped on the mattress waking her up. He was looking for a backpack. [REDACTED] said she had not met him prior to then. [REDACTED] later learned that he was Cox's roommate Cassius Vaughn (11/03/87). When she woke up she was still wearing her dress and her panties, but her vaginal area was uncomfortable. She felt right away that something was wrong. She went to the bathroom and she noticed that that her vaginal area was wet and had an odor, and she felt like she had sex but she did not recall anything. That morning she sent Thomas a text message asking him "did anything happen with us last night, did we do anything", and he replied via text message "No, you passed out and I went home."

██████████ said she stayed with Che, Cox and Vaughn that day at Cox's apartment because she did not have her car at the apartment. She said that she felt weird, a little disoriented and had a headache. She was concerned that she did not have any memory of the night before, but she didn't have proof that someone had had sex with her. ██████████ felt strongly that she was drugged with a date rape drug. ██████████ talked with Che, who was at the apartment with her, and Che mentioned that she blacked out too, but didn't suspect that she was sexually assaulted because she was on her period and she still had a tampon in from the night before. Che said she didn't feel well and had a bad headache the next day and felt hung over. They went to Gunther Toody's for breakfast and then watched movies and hung out for most of the day. She recalled Vaughn and Cox mention several times that she and Che needed to take a shower and she said they were weird about it, like they were trying to make them get rid of any evidence. She just thought it was strange because of how many times they brought it up. They were also very intent on cleaning the apartment. She did not want to shower at someone else's house, so she kept telling them no. Later in the evening, possibly around midnight, Cox drove her and Che back to their cars and she went home.

The next day, Tuesday September 7, 2010, at about noon, ██████████ got a suspicious text from Thomas asking her "what do u kno about that night." She felt he was hiding something and still felt that she was sexually assaulted, but she still only had a suspicion. She still didn't feel right and started calling around to doctors to see where she could get a drug test. She called her OBGYN, St. Joe's Hospital, Planned Parenthood and a DNA testing place and they all told her that they could not test for drugs, and that she needed to go to the hospital. That's when she called her girlfriend ██████████ and had her take her to the hospital for tests. ██████████ thought maybe she was overreacting, she didn't have proof, and Thomas said nothing happened between them so she didn't call the police.

██████████ told ██████████ what her suspicions were and ██████████ drove her to ██████████. While at the ER, ██████████ explained that she thought she was sexually assaulted and that she was drugged. The nurse advised her that they could not do a chemical test because it had been more than 24 hours and it would not be in her system anymore. They asked her if she would like to have a sexual assault examination and she said she asked how much it was going to cost, but when they told her she would have to pay \$500 she declined because she could not afford the test on top of the \$300 ER visit plus other fees. The nurse told ██████████ that the only way she wouldn't have to pay for the test was to make a police report. ██████████ said at the time she didn't know what to do. She only had a suspicion that she was raped, and she absolutely did not want to falsely accuse someone of raping her. ██████████ said she didn't want to believe that people she had considered friends would take advantage of her and she kept thinking that maybe she was overreacting.

██████████ said that she does not have insurance right now. She is a waitress and could not afford to pay for the whole medical exam at that time. ██████████ further advised that she kept the clothing she was wearing the night of the assault, she put it in a plastic bag and took it with her to the hospital prepared to give it to the police for evidence. She said she thinks she still has it at home, and she did not wash it. She would look for it and let me know if she found it.

██████████ said she was discouraged about the hospital visit and didn't know what to do. She didn't want to file a police report at that time because she was still not sure that something happened against her will and she just wanted to try to put it behind her. ██████████ said she didn't want to go to police until she had proof. She knows that these allegations are serious and due to his social status she really wanted to be sure before making a report. ██████████ said there were two other guys in the apartment who could have raped her; she just knows that Thomas was the one who was kissing her and had his hand on her vaginal area when she passed out.

██████████ said that Thomas and the other two males in the apartment are Denver Broncos football players.

██████████ did not have contact with Thomas for awhile. She went to California around September 12 or 13, 2010, and she got a text from him saying "see u don't respond nomore guess ill leave u alone." She was out of town so she didn't recall if she responded then. She said it was later in October 2010 that she sent him a text after one of his games to say good job. He didn't respond for about a week and then they texted again for about a week before Che asked her go out with them to a haunted house. ██████████ said she agreed to go out with the group because she felt they were friends and she wanted to believe that Thomas was telling the truth and she did not know for sure that anything happened. On October 22, 2010, at about 2000-2100 hours ██████████ and Che went to Cox's house. They hung out for about 15-30 minutes until Thomas showed up. They left for the haunted house and everything seemed fine. ██████████ said Che, Cox, and Thomas were drinking and smoking and she was not feeling well so she told them she was not going to drink that night. She made a comment that she was not going to be drinking for a long time. She overheard Thomas say to Cox, "Did you hear that? She's not going to be drinking for awhile; ha I wonder what that means?" ██████████ said she was a little upset because he was making fun of her. ██████████ said that she didn't want to drink for awhile because she hasn't been feeling well, she may be a little depressed because she recently had a friend pass away and the stress of the possible assault. Right after the haunted house they went back to Cox's house and hung out for about 15 minutes before she and Thomas got in a little argument and Thomas left. ██████████ said she overheard Thomas talking about her to Cox behind her back and she didn't like it. When she confronted Cox he said Thomas made some comment that "she looks like she's put on weight, she must be pregnant." When she confronted Thomas he got upset too and left the apartment. When Thomas made that comment she became worried and suspicious about why he would make that comment for no reason.

On October 24, 2010 she went to the store and got a home pregnancy test. The first test was inconclusive and the second one was positive. On Monday October 25, 2010 she bought two more home pregnancy tests and they were both positive. [REDACTED] said she texted Thomas that night and asked him if there was anything he needed to tell her about the night of the "white party", and he said no, nothing happened. He denied touching her. Thomas says that they were kissing in the car on the way to Cox's house, that she passed out and he went home. They sent several text messages back and forth that night and in all of the messages he was adamant that he never touched her and that he did not have sex with her.

On October 28, 2010 [REDACTED] went to a clinic called [REDACTED] for an ultrasound and a checkup. She met with [REDACTED] and they performed an ultrasound which confirmed that she was approximately 10 ½ weeks pregnant. The clinic staff told her that her date of conception was around September 3-4, 2010, plus or minus a few days. (The date of the "white party" was September 5, 2010.) [REDACTED] advised she had not had sexual intercourse since July 4, 2010. [REDACTED] said the next time she had consensual sexual intercourse was around September 22, 2010, so she knows there could not be another source for the pregnancy. [REDACTED] said at this time she had the proof that she was raped and that is why she came straight to the police department to file a police report. [REDACTED] said she wants to file charges and have the case investigated.

[REDACTED] said she is currently dating another Denver Bronco football player named Wesley Woodyard and she had sexual intercourse with him two times after the "white party". [REDACTED] said she had sexual intercourse with Woodyard approximately 3 weeks after the assault. She was informed today (October 28, 2010) that she is 10 ½ weeks pregnant and that her date of conception was around September 3-4, 2010. [REDACTED] asked the doctor if there was any possibility that conception date could be wrong and she said no. [REDACTED] also felt that she did not get pregnant by Woodyard because they used a condom. [REDACTED] called Woodyard and asked if the condom may have broken and he said no.

[REDACTED] then said that she was worried about filing a report because she saw how the media tormented the victim in the Kobe Bryant case. She feels that society has the mentality that because of an athlete's social status he wouldn't have to force someone to have sex with him. She said all of the athletes have the money to get big lawyers and they pay their way out of it. She said she doesn't want to be harassed in the media. I told her to take one day at a time and that she was doing the right thing making the report.

I made numerous calls to see about conducting a DNA test on the fetus so early in the pregnancy. On October 29, 2010, I contacted a perinatologist named [REDACTED] and asked her if there is a way to extract DNA from the fetus and she stated yes. [REDACTED]

█████ said she conducts this test regularly for mothers who are at risk for babies with Down syndrome and that the test is usually conducted between 10-13 weeks gestation. The test is called a CVS-coreonic villous sample which is a sample of the placenta. She advised there is very little risk or harm to the mother or fetus. I called ██████ to inform her of ██████ procedure and told her the other options would be to wait until the baby is born or if something happened to the baby and the baby does not make it full term we could test the baby then. ██████ was given her options and she said she really wanted to find out soon who the father of the baby is so she wanted to have the CVS test done as soon as possible. On Monday November 1, 2010, I made an appointment with ██████ for ██████ for November 2, 2010, at 0930. I called CBI and spoke with Agent Katie Lobato to see if they are able to evaluate this type of sample to try to obtain DNA for comparison. Lobato advised she thought she could get a profile from this type of sample and that she would take the sample.

On November 2, 2010, ██████ and I met with ██████. ██████ signed another medical release for these records. ██████ conducted another ultrasound and found that the fetus appeared normal. ██████ calculated the gestational age to be around 11 weeks, which puts the time of conception around the first week of September, 2010. The sample was collected by ██████ sealed and placed in a biohazard bag. ██████ handed the sample directly to me.

I left the hospital and went directly to the police department to seal the CVS sample and book it into evidence. I then took the sample directly to CBI and hand delivered it to Agent Katie Lobato for testing.

Agent Kristy Kadash from CBI informed me that they were able extract DNA from the CVS sample, which provided a DNA profile from ██████ and an unknown male source.

On November 8, 2010, I requested the assistance from Detective Dea Aragon with the Douglas County Sheriff's Office to assist in pretext phone calls to Thomas, Cox and Vaughn. Det. Aragon and I met at the Lone Tree Police Department at 1800 hours to prepare for the calls. ██████ arrived about 1845 hours. I asked ██████ if she still wanted to proceed with the pretext calls and she said yes. Det. Aragon went over the pretext questions with ██████ and she said she was comfortable and ready to make the calls. ██████ was able to make telephone contact with Demaryius Thomas, Perrish Cox, and Cassius Vaughn. All three males stated they did not have sex with ██████ and that she was too drunk and passed out. During a pretext call to Cox, ██████ asked Cox what happened the night of the "white party" and he said he didn't really know, he said that he didn't think anything happened between her and Thomas, and that when they were at the apartment she was "Out". And he fell asleep. ██████ said to Cox "so you for a fact did not have sex with me?" and Cox replied "HELL NO" He repeated this several times. When she asked him if he would take a

DNA test he said "Hell no, well I guess if it came down to it, then yea, but what the hell?" He said "that would have to be some sick shit to do that to her."

When she asked him directly what he would do if the baby came back to be his and he said he isn't going to answer that. Cox told "I swear to god on my baby daughter that I didn't touch you."

Thomas agreed to meet and provide a DNA sample that night so Det. Aragon and I proceeded to his house. At about 2200 hours Det. Aragon and I made contact with Thomas at his residence in Aurora, Colorado. I told him why we were there and asked if we could talk with him. Thomas agreed and invited us inside to talk. I asked Thomas to tell me what happened the night of the "white party". He said he met up with at the club late in the night. He didn't really hang out with her and didn't see how much she had to drink, but he felt she was drunk. He said he saw her maybe have one drink but didn't really know what she was drinking that night. He said it was around 0130 when he saw her at the club. They hung out for a little while and then they couldn't find when they were trying to leave the club about 0230. He said it took about 30-45 minutes circling the club trying to find her. He, Cox and Che eventually found standing on the sidewalk about two blocks away with a group of friends. got in the car and Cox drove them back to Cox's apartment. Vaughn did not go out with them that night and he was already at the apartment asleep. In the car ride back to Cox's apartment Thomas was sitting in the front seat and was sitting on his lap facing him and they were kissing. He said they did not have sex or do any other touching in the car, just kissing. He also said that no one was drinking anything during the car ride to Cox's. Thomas said Che and appeared pretty drunk and Che was in the bathroom vomiting and was sitting with him on the air mattress in the living room. They were kissing and she fell asleep. They were only back at the apartment for about 30 minutes before fell asleep. He said he got up to check on Che and she was still sick in the bathroom and then he saw Cox carry to his bed. Cox and Thomas then went and laid on the couch. Cox wanted Thomas to do something sexual with but he said he couldn't because she was so drunk. Thomas went and laid on the couch and fell asleep. He woke up a little while later and left because he had treatment at 0600 that morning. Thomas said at the apartment he was kissing and there may have been some touching but it didn't go far; he knows he didn't have sex with her. I asked him if any of the other guys mentioned anything to him about doing anything sexual with after he left and he said the only thing he was told was that Carthy said something the next day about some girl-on-girl action between her and. No one said anything about having sex with and he said he did not know who was responsible for getting pregnant; it just wasn't him. Thomas agreed to submit his DNA and I collected a buccal swab.

On November 8, 2010, I asked Lone Tree Police Department Det. Christine Casey and Det. Mitch Wagner to go to 10051 Park Meadows Dr #311 and speak with Perrish Cox. I later read Det. Wagner and Det. Casey's reports, which state the following: At about 2230 hours they knocked on the door and a male answered the door. Det. Casey asked him if he was Perrish and he said yes. Det. Casey then identified herself and Det. Wagner and asked if they could talk to him inside and he said yes. When Cox opened the door for them to enter they saw a female sitting on the couch. Det. Casey asked Cox if they could speak somewhere privately and he said, "outside". Det. Wagner and Det. Casey followed Cox out into the hallway near the stairs. Det. Casey explained that they received a call from [REDACTED] who had reported a crime and that they were there to talk with him as a witness. Det. Casey asked about the night in question, September 5, 2010. Cox confirmed that he was at a "white party" with [REDACTED] and her friend. Cox said after the party they came back to his house. He said [REDACTED] friend, Carthy "Shay" Che, and one of his teammates, Thomas, were there and everyone spent the night. He then said another one of his other teammates, Vaughn, was living there at the time. Cox said that he was dating [REDACTED] friend Che. Det. Casey asked him to tell her what the sleeping arrangements were that night. Cox said that he and Che were in his bed, [REDACTED] was on an air mattress on the living room floor, Thomas was on the couch and Vaughn was in the guest room. Thomas left about 0600 hours for treatment. Det. Casey then asked about the relationship between Thomas and [REDACTED] and if it was sexual. Cox said he did not think so. Det. Casey then asked Cox if he had ever had any sexual relationship with [REDACTED] and he said no. Det. Casey then asked Cox if he would mind submitting to a DNA test. Cox hesitated so she explained what that meant. Cox then said, "No, I don't want nothing to do with that at all. I heard about it, it's none of my business." Det. Casey then told Cox that they were just trying to eliminate anyone who was in the apartment from being a suspect. Cox said he didn't want anything to do with that and he didn't think anything happened that night at all. Det. Wagner asked Cox what he heard about it. Cox said that [REDACTED] thinks something happened that night and she told Thomas about it but [REDACTED] was messing with Woodyard. Cox said that night they picked [REDACTED] up about two blocks away from the club and she was with some other guys that he had never seen before.

Det. Wagner asked if Thomas ever said anything to him about [REDACTED] and Cox said no. He believed that Thomas would tell him if anything happened. Cox said Thomas told him about a conversation he had with [REDACTED] Thomas told Cox that [REDACTED] had asked him if they had sex. He then asked Cox what went down that night and he said he didn't know. Det. Wagner asked about Che and how well he knew her. Cox said she had been staying with him at the apartment so he knew her really well. He said that about a week ago he stopped talking to her. Det. Wagner asked when the last time he talked with [REDACTED] was. Cox said he talked with her about two hours ago when she called him asking about what happened that night. She told him she was pregnant. Cox said he thought it was a joke until the police showed up. Cox said the next day they all went to get something to eat and [REDACTED] showered

at his house. When asked about Vaughn and [REDACTED] Cox said that Vaughn was asleep when they got home. Det. Casey was able to confirm Cox's identity with his Texas Driver's License. Det. Wagner asked Cox about the air mattress. Cox said it belongs to Thomas. Det. Wagner asked Cox if they could take the mattress and he agreed to give it to Det. Wagner. He then asked Cox if they could take some photographs of the apartment and Cox said yes. Det. Casey took several photographs of the apartment layout. Det. Wagner told Cox that the Lone Tree Police Department would be in touch with him about the case. He informed Cox that they would be seeking a 41.1 warrant for DNA and asked Cox again if he would voluntarily provide a sample. Cox again declined.

On November 11, 2010, I submitted Thomas' DNA to CBI for testing. On November 22, 2010, I received a call from Agent Kristy Kadash from CBI stating Thomas could be excluded as source of the DNA obtained from [REDACTED]

On November 23, 2010, I prepared a 41.1 warrant for both Cox and Vaughn and submitted it to the Douglas County DA's for review.

On November 24, 2010 I met with Judge Susanna Meissner-Cutler and she reviewed and signed the 41.1 orders for both Cox and Vaughn. At 1150 hours, I called Cox and Vaughn leaving a message for both to call me back right away that it was urgent that I speak with them today. At 1200 hours Vaughn called me back and stated he would be available to meet today at 1700 hours. At 1620 hours I left a message for Vaughn stating I would drive to the Chipotle parking lot off Arapahoe Rd and Peoria St., near their practice facility for his convenience and that I would be there before 1700 hours. I told him it would take only a few minutes and he would be done.

At 1700 hours Detective Aragon and Douglas County Sheriff's Crime Scene Investigator Kathy Harding and I met with Vaughn to collect his buccal swabs. A few minutes before five, Vaughn arrived. Detective Aragon asked him where he would prefer to have the sample collected. We were in an empty back parking lot and had the option of sitting in a car, or going into a nearby restaurant. Vaughn chose to have the sample taken right there in the parking lot. Vaughn was polite and cooperative throughout contact. CSI Harding obtained the sample and sealed it and handed it to me to be placed in evidence. The contact with Vaughn lasted less than five minutes. I never received a call back from Cox nor did he show up. We waited until 1720 hours before we cleared the scene. I placed Vaughn's DNA in evidence.

As of November 29, 2010 I had not received a reply from Cox. At 1145 hours I called Cox again stating I have a court order to obtain his DNA and that it is very important that I speak with him that day. I further advised that I did not want to get his work involved in this situation, that I really needed a call back soon.

On November 29, 2010, I did not hear back from Cox so Det. Casey, Det. Aragon, CSI Harding and I proceeded to the Broncos headquarters to see if he was at practice. We contacted Dave Abrams, Vice President of Security and the Director of Player Development Harold Chatman to help facilitate a meeting with Cox in Abrams office. At approximately 1415 hours. I explained to Cox the warrant and CSI Harding collected the buccal swabs and sealed the swabs in an envelope with evidence tape and gave them to Det. Casey. I placed the sample in evidence. Later in the evening I contacted [REDACTED] and informed her that I had heard back from CBI and they stated that Thomas was not the father of her baby. She was very shocked that it was not him, and she was upset that Cox or Vaughn had taken advantage of her. She previously had said she had absolutely no intimate relationship with either of them.

[REDACTED] Agent Kadash also stated she had the results of the DNA swabs that I provided yesterday and that the tests concluded that Cox was the biological father of [REDACTED] baby. She further stated that Vaughn can be excluded as the source of the CVS sample.

On December 2, 2010 I contacted [REDACTED] and advised her that Det. Aragon would meet her [REDACTED]. I told her that I had spoken with CBI last night and they have results. I told her to keep this information confidential. She agreed. I told her the test confirmed that Cox was the father of her baby and that Vaughn could be excluded as the source. [REDACTED] was stunned at the results and could barely talk. She was crying and in shock. She said she really appreciated the information and that she didn't know what to say, she was sure it could only be Thomas, and she didn't know how this could have happened. [REDACTED] seemed very shocked and could barely respond.

[REDACTED]

On December 7, 2010 I prepared an arrest warrant for Cox and sent it to DA McKinzie for review. I was advised that they would like me to attempt additional interviews with Vaughn, Thomas, Cox, and Che prior to submitting the warrant.

On December 8, 2010 at approximately 1143 hours I called Thomas and Vaughn and left a message for them to call me back. I called Club Betta again and left another message for a manager to call me back. At approximately 1158 hours I called Che and left a message for her to call me back.

At approximately 1215 I spoke with Che and asked her to come to the police department to meet with me. She advised she could meet around 1330-1400 hours.

At approximately 1350 hours Che arrived at the police department. Detective Hipp and I met with Che. Our conversation was recorded. Che stated she is a personal friend of [REDACTED]. Che was also in a relationship with Cox at the time of the incident. Che said she met up with [REDACTED] and other friends at Sandra's house on September 5, 2010. Che said they were all going to an all white party at Club Beta. Che said at Sandra's house she and [REDACTED] had one mixed drink. Che said they were at Sandra's house for an hour or so and then went to Club Beta. Che said they arrived at Club Beta at about 2330 hours to midnight. Che said they went to a VIP room that Cox and Thomas were in. Che said she fixed herself a couple drinks and she and [REDACTED] danced. Che said that Cox and Thomas got shots for the four of them and they all drank the shot. She thought Cox handed her the shot but wasn't for sure. They left about the time the club was closing, the lights were coming on. She did not remember leaving the club.

Che said this was the last thing she remembers until she woke up in the middle of the night, throwing up in Cox's bathroom and [REDACTED] and Thomas were outside the bathroom door because she could hear [REDACTED] and Thomas's voices. Che said she remembers Thomas making some comment about being so drunk. Che said she doesn't remember driving to the apartment or how she got to the apartment. Che said this wasn't normal for her to blackout or pass out from drinking. Che said she can control her alcohol and hadn't had that much to drink which were four drinks all night. Che stated she felt she was drugged because she had never had this reaction to alcohol before. Che said she woke up the next morning feeling horribly sick to her stomach, headache and a tender spot on her forehead. Che also said that neither she nor [REDACTED] does drugs and that they did not willingly do any drugs the night of the white party.

Che said the next morning, when she woke up she saw [REDACTED] sleeping on an air mattress in the living room. Che went to the bathroom and then went back to Cox's bed. Vaughn and Cox left to go run or practice and she and [REDACTED] laid in bed and talked. Che said [REDACTED] kept asking her if she had sex with Thomas because she was wet in her vaginal area and couldn't remember anything from the night before. Che said the guys came back and at some point they all went out to Gunter Toody's for breakfast.

Che said both Vaughn and Cox kept telling her and [REDACTED] to take a shower. Che said at first she didn't want to because she didn't have her stuff at the apartment but they repeatedly told them to take a shower. She thought about five times. Che said both her and [REDACTED] took a shower. Che said she has spent other nights with Cox at the apartment and stayed with him the following day and he has never told her to take a shower so she thought this was weird. Che said when she woke up she was wearing the same clothes she had gone to the club in. Che said she knows she didn't

have sex with anyone because she thought her period was going to start and she had a Tampon in. She said the Tampon was still present the following morning.

She said she has not heard anything else from Cox or anyone since that night regarding the incident. She said that she and Cox are no longer dating because she didn't really trust him and that this incident seemed shady and she didn't want to be involved with a guy like that. She said that Cox has a few kids by previous relationships that he lied to her about and she didn't feel that she could trust him. He was always messing around with different girls and she didn't want that kind of relationship so they stopped hanging out. She felt that Thomas had sexually assaulted [REDACTED] and that Cox knew more than what he was telling her. She would try to ask him questions about that night and he was always evasive and she felt he acted like he knew what happened he just didn't want to rat on his friends. (See report for full interview)

At approximately 1530 hours I received a call from Thomas and I told him we were coming to a final conclusion in the case and I wanted to give him the opportunity to make a final statement and give any further information in this case. Thomas said "I don't know, I really don't have anything to add." I told him it was his choice and that I wasn't going to force him, and asked him if he would meet with me yes or no? He replied that we could meet with him and he would answer any questions we had for him but he didn't have anything to add. He said he would meet today and asked that I meet at his house at 1800 hours.

At approximately 1538 I received a call from Thomas asking if I had the results in yet. I advised him I didn't want to talk about the case over the phone but we would discuss it later in person. I told him I would prefer to meet at the police department and that it would only take about 15-30 minutes and he could leave. He agreed and said he would come to the police department at 1700 hours, after practice.

At approximately 1542 I called Cox and Vaughn and left them the same message stating we are coming to a final conclusion in this case and we would like to give them the opportunity to make a final statement and to give us any information in this case. I said I really wanted to talk with them today and to please call me back as soon as possible. I told them that I knew they were in practice that I wanted to see if they could meet at the police department after practice around 1800 hours.

At 1635 I received a call from Cox, I repeated the information I left in the previous voice message and he stated he would be willing to come to the police department to meet with us at 1800 hours. I told him our contact would not take long maybe 15-30 minutes and he could leave. He said ok, and that he would be at the police department at 1800 hours.

At 1706 I received a call from Thomas stating he was leaving practice and that he was on his way to the police department. I gave him directions again and he said he knew

where we were located, that he would be here in a few minutes.

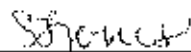
I waited in the lobby of the police department since it was after hours and the main doors were locked. Thomas did not show up. I checked my desk phone and I did not have any messages. At 1745 I called Thomas and left a message to see if he was still coming to meet with me and to see if he may have got lost and needed better directions. I did not receive a call back. I waited at the police department until 1930 hours and did not receive a call from Thomas, Vaughn or Cox and no one showed up to meet.

On December 9, 2010 at approximately 1117 hours I called Vaughn and left a message with him with the same information in the previous voice mail, and asked him to please call me back as soon as possible.

Based on the foregoing facts and circumstances your Affiant believes that she has probable cause to believe that the above offense(s) have been committed and respectfully request that this Honorable Court issue an Arrest Warrant for **Perrish Eugene Cox (01/10/87)**. Perrish Cox is described by his Texas Driver's License as a Black Male, 6'00, black hair, brown eyes.

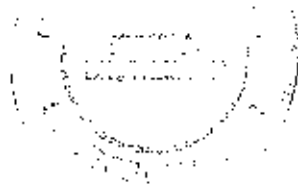
Your affiant further requests the court to seal all reports, warrants, and records pertaining to this case to protect the identity of all parties involved.


I HAVE READ the foregoing statement, and the matters stated therein are true to the best of my knowledge and belief,



Affiant – Shannon Jones

SUBSCRIBED AND SWORN TO before me this 9th day of December, 2010.





Notary Public
My commission expires: 3/6/11

JUDGE