

1 **OFFICER ARMAND SCHATTLE,**
2 having been first duly sworn, testified as follows:

3 **DIRECT EXAMINATION**

4 BY MS. MITCHELL:

5 Q. Would you please introduce yourself to us?

6 A. My name is Armand Schattle.

7 Q. Where are you currently employed?

8 A. HPD.

9 Q. How long have you been with HPD?

10 A. About nine years.

11 Q. What's your current assignment?

12 A. Houston mounted patrol.

13 Q. How long have you been with that assignment?

14 A. A little over a year now.

15 Q. What was your assignment back in March of 2012?

16 A. I was on the crime reduction unit.

17 Q. What area of town did you patrol?

18 A. We were citywide gang task force. We went all
19 over.

20 Q. Now, I'd like to take your attention to
21 March 26, 2012. Were you on duty that day?

22 A. Yes, ma'am.

23 Q. Were you with a partner?

24 A. Yes.

25 Q. Who were you with?

1 A. John Wilde.

2 Q. And did anything, I guess, unusual happen?

3 MR. STILL: Your Honor, I'd like to renew
4 my previously made objections to this material under
5 402, 404, and 403.

6 THE COURT: All right. Your objection is
7 overruled, but I have put limitations on that.

8 MR. STILL: Thank you. May I have it
9 running for the duration of the testimony, Your
10 Honor?

11 THE COURT: Yes, sir.

12 MR. STILL: Thank you.

13 Q. (By Ms. Mitchell) Were you flagged down by
14 anybody that day?

15 A. Yes, ma'am, I was.

16 Q. Do you remember the address of that location?

17 A. It was 9870 Westpark. It was at the Hottyz
18 Nightclub.

19 Q. Is that in Harris County, Texas?

20 A. Yes, ma'am.

21 Q. What were you flagged down about?

22 A. We were riding through the parking lot, and a
23 guy jumped out waving at us, yelling that somebody just
24 pulled a gun on him. We asked where he was. He pointed
25 down the driveway. We told him to wait where he was and

1 that we would deal with him there in a little bit and get
2 more information. We went down there to deal with the
3 suspects.

4 Q. Okay. Was the person who flagged you down, did
5 he ever give you a name?

6 A. No, he did not.

7 Q. Did he give you enough descriptions, or was he
8 close enough to the point that you were able to get the
9 suspects?

10 A. Yes. He was maybe a hundred yards from where
11 -- where the suspects were. He pointed at him and he's
12 like, "That's him. He pulled a gun on me."

13 Q. Okay. Did that person who reported that, did
14 he stay on the scene?

15 A. No, he did not.

16 Q. When you went to, I guess, talk to the suspect,
17 what happened?

18 A. I believe the suspect got in his car and
19 started to pull forward.

20 Q. What type of car was it?

21 A. It was a Chrysler 300.

22 Q. And, so, what happened whenever he started to
23 pull forward?

24 A. We got out and had our weapons drawn because,
25 like I said, we were told that he had a gun. I ordered

1 him to stop the car and get out, and he started yelling
2 that he couldn't because his car was messing up or
3 something. And he had it in neutral and was revving the
4 engine. It finally rolled to a stop. We got him out of
5 the car. My partner had his friend on the -- put him out
6 on the ground while I dealt with the suspect. We put them
7 both in custody and put them in the backseat of our car.

8 Q. Who was the friend? What was his name?

9 A. I think it was Joshua -- Joshua Johnson.

10 Q. Did you search for a gun?

11 A. Yes, ma'am, we did.

12 Q. Were you able to locate a gun?

13 A. Yes. A gun was located underneath the car next
14 to the parking space that Mr. Sowell's was parking at -- or
15 parked in.

16 Q. And back to the car. Would you mind reading
17 off the vin number that -- and that's for the gold -- or
18 the Chrysler 300, correct?

19 A. It's going to be 2 Charles 3 Henry Edward 66
20 George 04 Henry 664171.

21 Q. Okay. And that was for the car that
22 Mr. Sowell's was in?

23 A. Yes.

24 Q. That was the Chrysler?

25 A. Yes, ma'am.

1 THE COURT: Again, let me admonish you
2 that, again, this is not the case that the defendant
3 is on trial for, but it's permitted to help -- well,
4 it's permitted for purposes of identification to
5 explain how the defendant was developed as a suspect
6 in this case. All right. And then, even so, you can
7 only consider it for that purpose if you believe it's
8 true. All right. Let's proceed.

9 MS. MITCHELL: Pass the witness, Your
10 Honor.

11 MR. STILL: May I have a moment, Your
12 Honor?

13 THE COURT: Yes, sir.

14 (Brief pause.)

15 MR. STILL: We'll pass the witness, Your
16 Honor.

17 THE COURT: All right. Thank you, sir.
18 You may step down.

19 Call your next witness.

20 MS. MITCHELL: The State calls Victor
21 Nguyen.

22 THE COURT: Come forward, sir.

23 THE BAILIFF: The witness has been
24 previously sworn.

25 THE COURT: All right. You may take the

1 stand.

2 You may proceed when you are ready.

3 **SERGEANT VICTOR NGUYEN,**

4 having been first duly sworn, testified as follows:

5 **DIRECT EXAMINATION**

6 BY MS. MITCHELL:

7 Q. Would you please introduce yourself to us?

8 A. My name is Victor Nguyen. I'm a sergeant with
9 the Houston Police Department.

10 Q. How long have you been with the Houston Police
11 Department?

12 A. I've been with Houston for 19 years.

13 Q. What's your current assignment?

14 A. I'm at the jail division.

15 Q. Which division?

16 A. Central jail division.

17 Q. What was your assignment March -- in March,
18 2012?

19 A. I was assigned to the Westside Division.

20 Q. I'd like to take your attention to March 23,
21 2012. Were you called out to a suspicious vehicle on that
22 day?

23 A. Yes, ma'am.

24 Q. And what was the location of the suspicious
25 vehicle?