

619

THE STATE OF TEXAS
VS.
WILLIAM XAVIER WINFREY
1401 REDFORD ST APT: 312
HOUSTON TX 77034

SPN: 02883194
DOB: B M 03/28/1994
DATE PREPARED: 04/04/2024

D.A. LOG NUMBER: 3035555
CJIS TRACKING NO.: 9271361326A001
AGENCY:HPD
O/R NO: 012755424
ARREST DATE: 04/04/2024 11:48am

NCIC CODE: 0903 20

RELATED CASES:

FELONY CHARGE: **Felony Murder**

CAUSE NO: 1862616
HARRIS COUNTY DISTRICT COURT NO: 180
FIRST SETTING DATE:

COURT ORDERED BAIL: Refer to (15.17)
PRIOR CAUSE NO:
CHARGE SEQ NUM: 1

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, **WILLIAM XAVIER WINFREY**, hereafter styled the Defendant, heretofore on or about **January 27, 2024**, did then and there unlawfully, commit or attempt to commit an act clearly dangerous to human life, namely directing Rashaud Scott to create the appearance of an Aggravated Robbery in a public place, with the intent that it be perceived as an Aggravated Robbery, that caused the death of Rasshaud Scott, hereinafter the Complainant, and the Defendant was then and there in the course of committing a felony, namely Fraud and misuse of visas, permits, and other documents in violation of 18 USC § 1546(a), and the death of the Complainant was caused while the Defendant was in the course of and in the furtherance of the commission or attempted commission of the felony.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Signed and sworn by me on 04/04/2024

Duly attested by me on 4/4/24

Nita M Granados
Nita Granados
AFFIANT

[Signature]
Assistant District Attorney
Harris County District Attorney's Office
TBC No. 2410867

COMPLAINT

Unofficial Copy Office of Marilyn Burgess District Clerk

FILED

Marilyn Burgess
District Clerk

APR 04 2024

Time: 2:05
Harris County, Texas
By ALW
Deputy

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

I, KATIE CLARK, EMPLOYED AS A PEACE OFFICER WITH THE HOUSTON POLICE DEPARTMENT, DO SOLEMNLY SWEAR THAT I HAVE REASON TO BELIEVE AND DO BELIEVE THAT WILLIAM WINFREY, A BLACK MALE WITH A DATE OF BIRTH OF MARCH 28, 1994, DID, IN HARRIS COUNTY, TEXAS, ON OR ABOUT JANUARY 27, 2024, INTENTIONALLY AND KNOWINGLY COMMIT THE FELONY OFFENSE OF MURDER.

MY BELIEF IS BASED UPON THE FOLLOWING FACTS:

I, THE AFFIANT, K. CLARK, AM A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS. I AM EMPLOYED BY THE HOUSTON POLICE DEPARTMENT (HPD) WHERE I HAVE BEEN REPUTABLY EMPLOYED FOR 11 YEARS. I AM CURRENTLY ASSIGNED TO THE HOMICIDE DIVISION WHERE MY RESPONSIBILITIES INCLUDE THE IN-DEPTH FOLLOW-UP INVESTIGATION INTO PART ONE UCR CRIMES, SPECIFICALLY KIDNAPPING, CAPITAL MURDER, AND MURDER. I AM CURRENTLY ASSIGNED THE INVESTIGATION OF A HOMICIDE THAT OCCURRED AT 11095 ELLA BOULEVARD, IN HOUSTON, HARRIS COUNTY, TEXAS ON OR ABOUT 01/27/2024. THE INCIDENT IS DOCUMENTED UNDER HPD INCIDENT NUMBER 127554-24.

ON THIS DATE, DETECTIVE B. STEPHENS AND DETECTIVE M. CASTILLO OF THE HOUSTON POLICE DEPARTMENT'S HOMICIDE DIVISION, MURDER SQUAD # 8, BOTH OF WHOM I KNOW TO BE CERTIFIED PEACE OFFICERS IN THE STATE OF TEXAS, RESPONDED TO THE HOMICIDE SCENE AND CONDUCTED THEIR PRELIMINARY INVESTIGATION. THE INVESTIGATION WAS LATER ASSIGNED TO DETECTIVE M. NICOTRA AND AFFIANT, DETECTIVE K. CLARK OF MURDER SQUAD #3. I REVIEWED THE ORIGINAL OFFENSE REPORTS AND SPOKE TO DETECTIVE B. STEPHENS WHICH AND WHO, RESPECTIVELY REVEALED THE FOLLOWING TO ME UPON CASE ASSIGNMENT (SUMMARIZED BY YOUR AFFIANT):

ON JANUARY 27, 2024, AT APPROXIMATELY 2:17 A.M., DETECTIVE B. STEPHENS AND DETECTIVE M. CASTILLO RESPONDED TO A SHOOTING/JUST OCCURRED AT THE CHEVRON GAS STATION LOCATED AT 11095 ELLA BOULEVARD, HOUSTON, HARRIS COUNTY, TEXAS. DETECTIVES MET WITH THE RESPONDING HPD OFFICERS WHO ADVISED THAT UPON THEIR ARRIVAL, THEY OBSERVED A BLACK MALE (WHOSE IDENTITY WAS UNKNOWN AT THE TIME) UNRESPONSIVE, WITH AN APPARENT GUNSHOT WOUND TO THE HEAD. RESPONDING OFFICERS ADVISED THAT THEY OBSERVED WHAT APPEARED TO BE A TAN PISTOL NEXT TO THE BODY OF THE BLACK MALE WHICH WAS TAKEN INTO THEIR CUSTODY AND SECURED IN A PATROL VEHICLE. DETECTIVE B. STEPHENS REPORTED THAT THE UNIDENTIFIED BLACK MALE WAS FULLY CLOTHED AND WAS WEARING CONCEALMENT TYPE CLOTHING SUCH AS GLOVES AND A FACE COVERING.

DET. STEPHENS STATED THAT ROUGHLY 30 FEET NORTHWEST OF THE UNIDENTIFIED BLACK MALE, DETECTIVE B. STEPHENS OBSERVED THREE 9MM CARTRIDGE CASINGS WITHIN THE CONCRETE PARKING LOT. STEPHENS STATED THAT A SILVER NISSAN ALTIMA BEARING TEXAS LICENSE PLATE SFH3956 WAS LOCATED NEAR GAS PUMP #8. STEPHENS STATED THAT A FEMALE AND MALE WHO SAID THEY HAD BEEN ROBBED WERE LOCATED WITH THIS VEHICLE.

DETECTIVE B. STEPHENS AND DETECTIVE M. CASTILLO MET WITH HPD OFFICER J. DE LEON, A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS AND A CREDIBLE AND RELIABLE PERSON. OFFICER J. DE LEON TOLD DETECTIVES THAT HE WAS DISPATCHED TO 11095 ELLA BOULEVARD (CHEVRON GAS STATION) ON SATURDAY, JANUARY 27, 2024, AT OR AROUND 12:37 A.M. OFFICER J. DE LEON STATED THAT UPON HIS ARRIVAL, HE OBSERVED THE AFOREMENTIONED UNRESPONSIVE BLACK MALE, WHO WAS LATER IDENTIFIED AS RASSHAUD SCOTT, WITH AN APPARENT GUNSHOT WOUND TO THE HEAD, LYING ON THE SOUTH SIDE OF THE PARKING LOT WITH WHAT APPEARED TO BE A TAN PISTOL NEXT TO HIS BODY. OFFICER J. DE LEON LOCATED THE THREE AFOREMENTIONED 9MM CARTRIDGE CASINGS ROUGHLY 30 FEET NORTHWEST OF RASSHAUD SCOTT. THE HOUSTON FIRE DEPARTMENT #74 TRANSPORTED RASSHAUD SCOTT TO HCA NORTHWEST HOSPITAL, WHERE HE WAS DECLARED DECEASED AT APPROXIMATELY 1:30 A.M. BY DR. MATTINGLY.

(I NOTED THAT THE FIRST 9-1-1 CALL REGARDING THIS INCIDENT WAS RECEIVED AT 12:35 A.M. ON SATURDAY, JANUARY 27, 2024, LEADING ME TO BELIEVE THAT THE SHOOTING IMMEDIATELY PRECEDED THIS CALL AND OCCURRED BETWEEN 12:30 A.M. – 12:34 A.M.)

OFFICER J. DE LEON INFORMED DETECTIVES THAT HE SPOKE TO TWO INDIVIDUALS, RANSLEY FERNANDES AND GLEENA RODRIGUEZ, WHO SAID THEY WERE ROBBED AT GUNPOINT. DE LEON STATED THAT ACCORDING TO RANSLEY FERNANDES AND GLEENA RODRIGUEZ, THEY ARRIVED AT 11095 ELLA BOULEVARD IN FERNANDES' SILVER NISSAN ALTIMA BEARING TEXAS LICENSE PLATE SFH3956, TO BUY ICE CREAM AND PUMP GAS AT OR AROUND 12:30 A.M. RANSLEY FERNANDES TOLD OFFICER J. DE LEON THAT WHILE HE WAS PUMPING GAS, AN UNKNOWN MALE APPROACHED HIM AND STRUCK HIM OVER THE HEAD WITH A PISTOL, THEN DEMANDED THAT HE GIVE UP HIS WALLET, A DEMAND TO WHICH FERNANDES STATED HE COMPLIED. RANSLEY FERNANDES SAID HE FELL TO THE GROUND, AND THE MALE PROCEEDED TO REACH INTO HIS SILVER NISSAN, AND THEN DEMANDED GLEENA RODRIGUEZ'S PROPERTY, SPECIFICALLY HER PURSE. RANSLEY FERNANDES STATED THE UNKNOWN MALE STRUCK

HIM IN THE HEAD A SECOND TIME WITH A PISTOL BEFORE FLEEING. RANSLEY FERNANDES AND GLEENA RODRIGUEZ BOTH TOLD OFFICERS THAT THEY HEARD MULTIPLE GUNSHOTS; MOMENTS LATER, AN INDIVIDUAL WHO THEY DESCRIBED AS A HEAVY-SET HISPANIC MALE RAN UP TO THEM AND TOLD THEM TO GO GET THEIR PROPERTY FROM THE MALE ON THE GROUND. DE LEON STATED THAT FERNANDES AND RODRIGUEZ STATED THAT THE HISPANIC MALE DIRECTED RANSLEY FERNANDES TO CALL THE POLICE AND TO NOT TELL ANYONE THAT HE (THE HISPANIC MALE) WAS THERE. RANSLEY FERNANDES AND GLEENA RODRIGUEZ STATED THE HEAVY-SET HISPANIC MALE GOT INTO A RED CADILLAC SEDAN AND FLED FROM THE LOCATION.

OFFICER J. DE LEON TOLD DETECTIVES THAT THE AGGRAVATED ROBBERY COMPLAINANT, RANSLEY FERNANDES, ADMITTED THAT HE WALKED UP TO THE UNRESPONSIVE BLACK MALE ON THE GROUND, WHO AFFIANT KNOWS THROUGH THIS INVESTIGATION TO BE RASSHAUD SCOTT, AND HE TOOK BACK CUSTODY OF HIS WALLET AND HIS WIFE'S PURSE. RANSLEY FERNANDES AND GLEENA RODRIGUEZ BOTH CONFIRMED THAT THE MALE LYING ON THE GROUND WAS IN FACT THE SAME MALE WHO APPROACHED AND ASSAULTED/ROBBED THEM. RANSLEY FERNANDES TOLD OFFICER J. DE LEON THAT HE WISHED TO PURSUE CHARGES.

OFFICER J. DE LEON REPORTED THAT HE WENT INSIDE THE BUSINESS WHERE THE SHOOTING TOOK PLACE AND MET WITH A CLERK WHO IDENTIFIED HIMSELF AS SELZER FERNANDES. OFFICER J. DE LEON SAID THE CLERK, SELZER FERNANDES, ADVISED THAT AT THE TIME OF THE INCIDENT, HE (SELZER FERNANDES) WAS IN THE BATHROOM MOPPING WHEN HE HEARD MULTIPLE GUNSHOTS. NEXT, OFFICER J. DE LEON INQUIRED ABOUT THE SURVEILLANCE CAMERAS AFFIXED TO THE INTERIOR/EXTERIOR OF THE BUSINESS. DE LEON STATED THAT AT APPROXIMATELY 12:43 A.M., SELZER FERNANDES WALKED OFFICER J. DE LEON TO THE WORKSPACE AREA WHERE THE DVR IS LOCATED AND STATED, "THE CAMERAS ARE NOT WORKING." SELZER FERNANDES THEN INQUIRED ABOUT WHAT HAPPENED AND ASKED IF SOMEONE WAS KILLED. DE LEON STATED THAT SELZER FERNANDES MADE A COMMENT THAT THE MALE WHO WAS ROBBED WAS JUST PUMPING GAS. OFFICER J. DE LEON TOLD SELZER FERNANDES TO TRY TO GET THE CAMERAS UP AND WORKING AND WALKED BACK OUTSIDE.

DE LEON STATED THAT A FEW MINUTES LATER, OFFICER J. DE LEON RE-ENTERED THE BUSINESS AND LEARNED THAT THE CAMERAS WERE NOW ON AND WORKING. SELZER FERNANDES ASSISTED OFFICERS WITH REVIEWING FOOTAGE FROM THE EXTERIOR CAMERA, A COPY

OF WHICH AFFIANT HAS OBSERVED AND OBSERVED THE FOLLOWING (AS SUMMARIZED BY YOUR AFFIANT):

BEFORE THE SHOOTING OCCURRED, A 2011 RED CADILLAC SEDAN BEARING TEXAS LICENSE PLATE TJM2554 WAS PARKED IN THE PARKING LOT OF THE BUSINESS, FACING NORTHWEST TOWARDS THE ENTRANCE/EXIT DOORS OF THE BUSINESS. AT APPROXIMATELY 12:27 A.M. ON THE SAM DATE (1/27/24), A SILVER NISSAN ALTIMA PULLS INTO THE PARKING LOT AND PARKS AT PUMP #8; A MINUTE OR SO LATER, THE MALE, IDENTIFIED AS RANSLEY FERNANDES, WALKS INTO THE CONVENIENCE STORE WHERE HE MADE A PURCHASE AND PAID. AFFIANT KNOWS THROUGH THIS INVESTIGATION THAT THIS VIDEO IS CONSISTENT WITH THAT OF RANSLEY FERNANDES' STATEMENT TO POLICE. THE MALE, RANSLEY FERNANDES, THEN WALKED BACK OUT TO HIS VEHICLE AND PROCEEDED TO PUMP GAS. AT APPROXIMATELY 12:30 A.M., AN UNKNOWN MALE WEARING ALL DARK CLOTHING RUNS TOWARDS THE SILVER NISSAN. THIS UNKNOWN MALE, WHO WAS WEARING ALL DARK CLOTHING, WAS LATER IDENTIFIED AS RASSHAUD SCOTT. THE MALE STRIKES RANSLEY FERNANDES OVER THE HEAD MULTIPLE TIMES AND IS SEEN REACHING INTO THE VEHICLE. AT THIS TIME, A HISPANIC MALE, LATER IDENTIFIED AS JESUS VARGAS, EXITS THE DRIVER'S SEAT OF HIS RED CADILLAC SEDAN, ARMED WITH A GUN. AT APPROXIMATELY 12:31 A.M., JESUS VARGAS IS SEEN SHOOTING MULTIPLE TIMES AT RASSHAUD SCOTT, WHO COLLAPSES TO THE GROUND IN THE AREA WHERE HE WAS EVENTUALLY DISCOVERED BY RESPONDING OFFICERS. I OBSERVED JESUS VARGAS WALK UP TO RANSLEY FERNANDES AND SPEAK TO HIM BRIEFLY, AFTER WHICH, HE ENTERS INTO HIS VEHICLE AND LEAVES FROM THE LOCATION.

DETECTIVE B. STEPHENS AND DETECTIVE M. CASTILLO STATED THAT THEY ENTERED THE LICENSE PLATE BELONGING TO THE RED CADILLAC SEDAN, TJM2554, INTO TCIC/NCIC AND DISCOVERED THAT THE VEHICLE IS REGISTERED TO JOSE VARGAS. AFFIANT WAS ABLE TO LEARN FROM PUBLIC RECORDS SEARCHES THAT JOSE VARGAS HAS A SON IN HIS TWENTIES, IDENTIFIED AS JESUS VARGAS, WHOSE DRIVER'S LICENSE PHOTO FITS THE DESCRIPTORS OF THE SHOOTER IN THIS CASE AND IS CONSISTENT WITH THE APPEARANCE OF THE MALE AS SEEN ON SURVEILLANCE VIDEO.

AFFIANT OBSERVED IN THE ORIGINAL REPORT THAT UPON COMPLETION OF THE OFFICER/DETECTIVES PRELIMINARY SCENE INVESTIGATION, RANSLEY FERNANDES, AND HIS WIFE, GLEENA RODRIGUEZ, WERE BOTH TRANSPORTED TO HCA NORTHWEST HOSPITAL TO BE CHECKED FOR ANY INJURIES. AFFIANT ALSO LEARNED IN THIS REPORT THAT RASNLEY FERNANDES WAS PROVIDED A BLUE FORM AND INCIDENT NUMBER, AT

WHICH TIME FERNANDES ASKED HOW HE SHOULD PROCEED WITH VICTIMS' ASSISTANCE.

I LEARNED FROM THIS REPORT THAT THE HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCE INVESTIGATOR DECHANT RESPONDED TO HCA NORTHWEST HOSPITAL TO CONDUCT THEIR PRELIMINARY INVESTIGATION. HCIFS BODY CAR ATTENDANT HARRYMAN TRANSPORTED THE DECEDENT TO 1861 OLD SPANISH TRAIL, HOUSTON, TEXAS, WHERE AN AUTOPSY WAS TO BE PERFORMED. THE HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES WAS NOTIFIED OF THE INCIDENT AND ASSIGNED MEDICOLEGAL NUMBER 24-0372 TO THE BODY OF RASSHAUD SCOTT. AFFIANT CONTACTED THE HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES AND LEARNED THAT FORENSIC PATHOLOGIST L. JIN, A CREDIBLE AND RELIABLE PERSON, PERFORMED AN AUTOPSY ON THE BODY OF RASSHAUD SCOTT ON SATURDAY, JANUARY 27, 2024. PER DR. L. JIN, THE MANNER OF DEATH FOR SCOTT WAS A HOMICIDE, AND THE CAUSE OF DEATH WAS A GUNSHOT WOUND TO THE HEAD.

ON SATURDAY, JANUARY 27, 2024, I RECEIVED ONE (1) CELLULAR DEVICE, NAMELY A BLUE APPLE IPHONE PRO MAX, IMEI 356370160436553 FROM DETECTIVE M. CASTILLO. DETECTIVE M. CASTILLO TOLD ME THAT THE DEVICE WAS FOUND ON THE DECEDENT'S PERSON AT HCA NORTHWEST HOSPITAL. I TRANSPORTED THE PHONE TO THE HOUSTON POLICE DEPARTMENT HOMICIDE DIVISION DIGITAL FORENSICS UNIT, LOCATED ON THE SECOND FLOOR OF 1200 TRAVIS.

DETECTIVE M. NICOTRA AND I TRAVELED OUT TO JOSE VARGAS' RESIDENCE (REGISTERED OWNER OF RED CADILLAC SEDAN) AND MET WITH JOSE VARGAS HIMSELF. I ASKED JOSE VARGAS IF HE OWNED A RED CADILLAC SEDAN, AND HE CONFIRMED THAT HE DID. I PROVIDED A STILL PHOTOGRAPH OF THE VEHICLE FROM THE SURVEILLANCE FOOTAGE OBTAINED AT 11095 ELLA BLVD; JOSE VARGAS IDENTIFIED THE VEHICLE IN SAID PHOTOGRAPH AS HIS VEHICLE AND STATED THAT HIS SON, JESUS, DRIVES THE CAR. WE INQUIRED ABOUT JESUS VARGAS AND HIS WHEREABOUTS AND ADVISED WE WOULD LIKE TO TALK TO HIM ABOUT THE INCIDENT THAT OCCURRED EARLIER THAT MORNING. JOSE VARGAS ASSISTED US WITH GETTING JESUS VARGAS ON THE PHONE, WHO AGREED TO MEET WITH US DOWNTOWN AT OUR HEADQUARTERS. FINALLY, WE ASKED THAT HE PLEASE BRING THE FIREARM (SECURED) USED IN THE SHOOTING AS IT HOLDS EVIDENTIARY VALUE.

JESUS VARGAS ARRIVED AT 1200 TRAVIS, 6TH FLOOR, HPD HEADQUARTERS-HOMICIDE DIVISION, IN ORDER TO PARTICIPATE IN A NON-CUSTODIAL INTERVIEW. PRIOR TO THE INTERVIEW, JESUS VARGAS RELINQUISHED ONE (1) GLOCK 43X, SERIAL NUMBER BZTH726 OVER TO US. JESUS VARGAS, WHO WAS VISIBLY UPSET, TOLD DETECTIVE NICOTRA AND AFFIANT THE

FOLLOWING (AS SUMMARIZED BY YOUR AFFIANT):

ON THE DATE OF THE INCIDENT, HE WAS SITTING IN THE PARKING LOT OF THE CHEVRON GAS STATION SMOKING A CIGARETTE, WITH HIS WINDOW ROLLED DOWN. WHILE SITTING IN HIS VEHICLE, HE COULD HEAR SOME TYPE OF ALTERCATION/ASSAULT OCCURRING NEAR A SILVER VEHICLE. JESUS VARGAS WENT ON TO SAY THAT A MALE WEARING ALL DARK CLOTHING AND ARMED WITH A GUN, WAS HITTING AN INDIAN MALE, AND WAS DEMANDING THAT HE GIVE UP HIS PROPERTY. JESUS VARGAS STATED NOT ONLY DID HE FEEL IN FEAR FOR HIS LIFE, BUT HE ALSO FEARED FOR THE OTHER INDIVIDUAL'S LIFE TOO. JESUS VARGAS SAID THAT DUE TO HIS FEAR, HE DISCHARGED HIS WEAPON MULTIPLE TIMES, STRIKING THE ARMED MALE ONCE. AFTER THE SHOOTING HAPPENED, JESUS VARGAS SAID HE COULD SEE THE GUN NEXT TO THE MALE'S BODY AND OBSERVED THE MALE TO STILL BE BREATHING. JESUS VARGAS STATED HE WALKED UP TO THE INDIAN MALE WHO WAS JUST ROBBED TO MAKE SURE HE WAS OKAY AND ADVISED THAT THEY CALL 9-1-1 FOR HELP. FURTHERMORE, JESUS VARGAS SAID HE TOLD THE MALE TO MAKE IT CLEAR THAT HE WAS NEVER THERE AS HE WAS WORRIED SINCE HE IS CURRENTLY ON PROBATION.

ON TUESDAY, JANUARY 30, 2024, SERGEANT K. DAIGNAULT OF THE HPD HOMICIDE DIVISION DIGITAL FORENSIC UNIT, WHO I KNOW TO BE A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS, ADVISED ME THAT THE CELLPHONE EXTRACTION WAS COMPLETE FOR RASSHAUD SCOTT'S DEVICE. UPON REVIEWING THE COMPLETE EXTRACTION, I FIRST CONFIRMED THAT THE OWNER OF THE DEVICE WAS IN FACT "RASSHAUD SCOTT." I OBSERVED IN THIS EXTRACTION THAT ON THE LATE NIGHT OF FRIDAY, JANUARY 26, 2024, INTO THE EARLY MORNING HOURS OF SATURDAY, JANUARY 27, 2024 MULTIPLE INCOMING/OUTGOING TEXT MESSAGES WERE SENT UTILIZING AN APPLICATION BY THE NAME OF "TELEGRAM." I OBSERVED THAT THE FIRST MESSAGE THAT APPEARED ON THIS THREAD WAS FROM A USERNAME OF "CUHZ52" WITH THE PHONE NUMBER 346-255-2734. AFFIANT OBSERVED THAT THIS FIRST MESSAGE WAS REGARDING THE PHYSICAL ADDRESS OF 11095 ELLA BLVD, HOUSTON, TEXAS (THE LOCATION OF THE INCIDENT). PER THE DOWNLOAD, THIS MESSAGE WAS SENT TO SCOTT'S PHONE ON FRIDAY, JANUARY 26, 2024, AT APPROXIMATELY 11:47 P.M. AFFIANT KNOWS THROUGH THIS INVESTIGATION THAT THIS ADDRESS IS WHERE THE ROBBERY/SHOOTING OCCURRED APPROXIMATELY 45 MINUTES AFTER THE TIME THAT THIS MESSAGE WAS SENT/RECEIVED. BELOW THE INCIDENT ADDRESS WITHIN THE TEXT, I OBSERVED TWO PHOTOGRAPHS, DEPICTING THE FOLLOWING (AS DESCRIBED BY YOUR AFFIANT):

THE FIRST PHOTOGRAPH OBSERVED WAS TAKEN OF A SILVER

NISSAN ALTIMA PARKED NEAR A PUMP AT A GAS STATION. I OBSERVED THAT THIS MESSAGE WAS SENT FROM "CUHZ52" TO SCOTT'S PHONE ON JANUARY 26, 2024, AT APPROXIMATELY 11:48 P.M.

THE SECOND PHOTOGRAPH WAS WHAT APPEARED TO BE A SELF-TAKEN PHOTOGRAPH OR "SELFIE" THAT WAS SENT TO SCOTT'S PHONE ON THE SAME DATE/TIME AS MENTIONED ABOVE; THE "SELFIE" DEPICTED AN INDIAN MALE WEARING A DARK COLORED JACKET, SITTING IN FRONT OF CIGARETTES AND OTHER MISCELLANEOUS ITEMS WHICH LED ME TO BELIEVE THAT THE PHOTOGRAPH WAS TAKEN BY A CLERK AT WHAT APPEARED TO BE A GAS STATION.

THE TWO AFOREMENTIONED PHOTOGRAPHS CAPTURED MY ATTENTION BECAUSE THE SILVER NISSAN ALTIMA DEPICTED IN THE FIRST OF THE PHOTOS DESCRIBED ABOVE IS CONSISTENT IN APPEARANCE WITH THE VEHICLE THAT WAS OCCUPIED BY THE AGGRAVATED ROBBERY COMPLAINANT, RANSLEY FERNANDES, AND HIS WIFE, GLEENA RODRIGUEZ, AT THE TIME OF INCIDENT. SECONDLY, THE SUBJECT OF THE "SELFIE" PHOTOGRAPH IS SIMILAR IN PHYSICAL APPEARANCE TO THAT OF THE AGGRAVATED ROBBERY COMPLAINANT, RANSLEY FERNANDES.

UPON REVIEWING BODY CAMERA FOOTAGE FROM PRIMARY HPD OFFICER J. DE LEON, I OBSERVED THAT THE MALE HE INTERVIEWED, IDENTIFIED AS RANSLEY FERNANDES, IS IN FACT THE SAME MALE AS SEEN IN THE "SELFIE" PHOTOGRAPH SENT VIA "TELEGRAM" MESSAGE TO SCOTT'S PHONE BEFORE THE ROBBERY/SHOOTING. FURTHERMORE, I CONFIRMED THAT THE SILVER NISSAN ALTIMA IN THE DESCRIBED PHOTOGRAPH IS THE SAME VEHICLE WHICH RANSLEY FERNANDES WAS DRIVING ON SATURDAY, JANUARY 27, 2024, DURING THE TIME OF THE ROBBERY/SHOOTING.

DETECTIVE M. NICOTRA AND I CONTACTED THE AGGRAVATED ROBBERY COMPLAINANT IN THIS CASE, RANSLEY FERNANDES VIA TELEPHONE. AS WE DID NOT MAKE THE ORIGINAL SCENE, WE INQUIRED ABOUT WHAT HAPPENED ON SATURDAY, JANUARY 27, 2024, AND THE EVENTS THAT LED UP TO THE DEADLY SHOOTING. RANSLEY FERNANDES SAID HE WAS LEAVING A FRIEND'S HOUSE, WHEN HE DECIDED TO STOP AT THE CHEVRON TO PURCHASE ICE CREAM AND PUMP GAS. RANSLEY FERNANDES CONFIRMED THAT HE WAS WITH HIS WIFE, GLEENA, AND HE WAS DRIVING HIS SILVER NISSAN ALTIMA. RANSLEY FERNANDES STATED THAT AT AROUND 12:30 A.M., A MALE RAN UP TO HIM AND STRUCK HIM OVER THE HEAD, CAUSING PAIN, AND DEMANDED THAT HE GIVE UP HIS WALLET. ADDITIONALLY, RANSLEY FERNANDES SAID THE MALE THEN DEMANDED HIS WIFE'S PURSE. RASNLEY FERNANDES STATED THE MALE STRUCK HIM HARD ENOUGH THAT IT CAUSED HIM TO FALL TO THE GROUND. FERNDANES STATED THAT THE MALE STRUCK HIM A SECOND TIME.

RANSLEY FERNANDES SAID AS THE MALE RAN OFF, HE HEARD MULTIPLE GUN SHOTS, AND OBSERVED THE MALE WHO HAD JUST ROBBED HIM WAS LYING ON THE GROUND. RANSLEY FERNANDES STATED A HEAVY-SET HISPANIC MALE RAN UP TO HIM AND TOLD HIM TO CALL THE POLICE AND GET HIS PROPERTY. RANSLEY FERNANDES SAID THE HEAVY-SET HISPANIC MALE, WHO I KNOW THROUGH THIS INVESTIGATION TO BE JESUS VARGAS, GOT INTO A RED CADILLAC SEDAN AND LEFT FROM THE LOCATION.

WE THEN TOLD RANSLEY FERNANDES THAT WE WERE WORRIED FOR HIS SAFETY, AS HE MAY HAVE BEEN FOLLOWED AND IT APPEARED AS IF HE MAY HAVE BEEN A TARGET IN THE INCIDENT BECAUSE A "SELFIE" PHOTOGRAPH OF HIM AS WELL AS A PHOTOGRAPH OF HIS VEHICLE WERE FOUND IN THE DECEDENT'S PHONE. I TOOK A SCREEN SHOT OF THE "SELFIE" OBTAINED FROM THE COMPLAINANT'S PHONE AND SENT IT TO RANSLEY FERNANDES. RANSLEY FERNANDES CONFIRMED THAT THE MALE CAPTURED IN THE "SELFIE" PHOTOGRAPH IS IN FACT HIM, AND HE REMEMBERS TAKING THAT PHOTOGRAPH SOMETIME IN DECEMBER (2023). RANSLEY FERNANDES STATED HE DOES NOT REMEMBER IF HE SENT THE PHOTOGRAPH TO ANY SPECIFIC PERSON OR IF HE POSTED IT TO SOCIAL MEDIA.

DETECTIVE M. NICOTRA AND I CONTACTED SADE BEVERLY, WHO WE IDENTIFIED AS THE WIFE OF THE DECEDENT RASSHAUD SCOTT, AND WHO WE FOUND TO BE CREDIBLE AND RELIABLE FOR THE PURPOSES OF THIS INVESTIGATION. SADE BEVERLY ADVISED US OF THE FOLLOWING (AS SUMMARIZED BY YOUR AFFIANT):

BEVERLY TOLD US THAT THE ROBBERY THAT OCCURRED AT 11095 ELLA BLVD WAS A SET UP, AND THIS IS NOT THE FIRST TIME THAT SCOTT HAD PARTICIPATED IN A FAKE ROBBERY. SADE BEVERLY STATED THAT SHE HAS KNOWLEDGE OF A RING OF INDIAN MALES INVOLVED IN "FAKE ROBBERIES" DURING WHICH A GROUP OF BLACK MALES, INCLUDING SCOTT, ASSIST BY PRETENDING TO ROB THESE FAKE VICTIMS. SADE BEVERLY STATED THAT SCOTT HAD PREVIOUSLY TOLD HER THAT THESE FAKE ROBBERIES ARE ALWAYS WORKED OUT PRIOR TO THE ROBBERY. BEVERLY STATED THAT THE "VICTIMS" AND THE "ROBBERS" AGREE ON WHERE THE INCIDENT IS GOING TO OCCUR, AND THAT THEY MAKE SURE TO MAKE THE ROBBERY LOOK LEGITIMATE. BEVERLY STATED THAT SCOTT HAD PREVIOUSLY EXPLAINED TO HER THAT THE LOCATIONS CHOSEN HAVE CLEAR SURVEILLANCE FOOTAGE, AND THAT THE "VICTIMS" MAKE A POLICE REPORT FOLLOWING THE CRIME. BEVERLY STATED THAT SCOTT HAD EXPLAINED THAT UPON COMPLETING A POLICE REPORT, THE COMPLAINANTS IN THESE SET-UPS REQUEST AN INCIDENT NUMBER WHICH THEY USE LATER TO MAKE INSURANCE CLAIMS AND SPLIT THE PROFITS. SADE BEVERLY STATED THAT NOT

ONLY ARE THEY "ROBBING" INDIVIDUALS BUT ALSO GAS STATIONS, WHERE THE CLERK IS IN ON THE SCHEME; THE MALES WILL GO IN AND STEAL CASH FROM THE REGISTER, LOTTERY TICKETS, AND CIGARETTES AND SPLIT/ATTEMPT TO CASH THE LOTTERY TICKETS AT A LATER DATE.

WE THEN INQUIRED ABOUT WHO RASSHAUD SCOTT WAS COMMITTING THESE "SET UPS" WITH, AND BEVERLY ADVISED THAT SAID INFORMATION CAN ALL BE FOUND IN HIS PHONE. SADE BEVERLY STATED THAT A MALE WHO SHE KNOWS BY NAME AND SIGHT AS "CUHZ" IS INVOLVED AND HELPS FACILITATE THE PREVIOUSLY DESCRIBED SCHEME, ALONG WITH A SECOND MALE WHO SHE KNOWS BY NAME AND SIGHT AS "DRE." SADE BEVERLY STATED "DRE" CAME TO HER APARTMENT AFTER THE ROBBERY SET-UP RESULTED IN THE DEATH OF SCOTT, AND HE TOLD HER THAT THIS WASN'T SUPPOSED TO HAPPEN, AND HE SAW CRIME SCENE TAPE/POLICE UNITS AT THE LOCATION. SADE BEVERLY CONFIRMED THAT "DRE" WAS DRIVING RASSHAUD SCOTT ON THE NIGHT HE WAS KILLED, AND THAT "DRE" DROVE RASSHAUD SCOTT TO 11095 ELLA BLVD.

AFTER LEARNING THIS INFORMATION, I REVIEWED SCOTT'S DEVICE AGAIN. I OBSERVED THAT THE PHOTOS OF RANSLEY'S VEHICLE AND THE "SELFIE" PHOTOGRAPH WERE SENT TO HIM FROM A CONTACT NAMED "CUHZ52." I ALSO OBSERVED THE FOLLOWING MESSAGE FROM "CUHZ52" TO RASSHAUD SCOTT'S DEVICE WHICH READS AS FOLLOWS:

-FRIDAY JANUARY 26, 2024, AT APPROXIMATELY 8:50 P.M. - "IT'S THE USUAL GAS PUMP SHIT JUST DON'T HIT HIS WIFE. JUST POINT AT HER AND TAKE HIS GUN. I MEAN HER PURSE. JUST POINT THE TOOL AT HER AND TAKE HER PURSE. DON'T HIT HER THOUGH. 11.50 SHARP"

THE ABOVE MESSAGE STRONGLY CORROBORATES THE IDEA THAT THE ROBBERY WAS IN FACT, A SET UP, AND THE INDIVIDUALS INVOLVED HAD PRIOR KNOWLEDGE. I KNOW THROUGH TRAINING AND EXPERIENCE THAT "TOOL" IS A COMMON SLANG TERM FOR A FIREARM.

I CONTINUED READING THROUGH THE TEXT MESSAGES AND OBSERVED MULTIPLE MESSAGE FROM "CUHZ52" AT APPROXIMATELY 11:48 P.M. ON FRIDAY, JANUARY 26, 2024 (APPROXIMATELY 45 MINUTES BEFORE THE "ROBBERY"/SHOOTING) THE FIRST OF WHICH READ "PUMP 8," AND THE SECOND READ "MAKE SURE YOU TAKE EVERYBODY SHIT BRO." I ALSO OBSERVED THAT THESE TWO MESSAGES OCCURRED SHORTLY AFTER A TELEGRAM VOICE CALL OCCURRED BETWEEN SCOTT AND "CUHZ52".

ADDITIONALLY, I OBSERVED A TEXT EXCHANGE BETWEEN RASSHAUD

SCOTT AND "CUHZ52" WHICH CONTAIN PRECISE DIRECTIVES FROM "CUHZ52", SUCH AS "JUST HIM AND HIS WIFE," "DO IT RIGHT," "WHEN YOU DONE RUN MAKE ALL THE SHIT TO LOOK REAL" AND "MAKE SURE YOU HANDLE THAT ON TIME AND GET OUT OF THERE SAFE. HE ALREADY GONE HAVE THE BREAD FOR MONDAY."

AFFIANT OBSERVED THAT THE EXCHANGE OF MESSAGES BETWEEN SCOTT AND "CUHZ52" CONTINUED WITH INFORMATION/DIRECTION FROM "CUHZ52" INCLUDING INSTRUCTIONS THAT "THEY GONE BE THERE AT 12:30." I ALSO OBSERVED GENERAL INSTRUCTIONS REFERRING TO A LARGER SCHEME OF FAKE ROBBERIES, INCLUDING MESSAGES THAT STATED "NEVER WEAR THE SAME SHIT ON EACH PLAY," AND "DO YOUR BEST SHIT CAUSE WE GOT BIGGER MONEY COMING BACK."

ON SATURDAY, JANUARY 27, 2024, AT APPROXIMATELY 12:27 A.M., I OBSERVED THAT RASSHAUD SCOTT REPLIED TO "CUHZ52" WITH THE MESSAGE "I'M HERE, I'M WAITING FOR 12:30 THAT'S GREEN LIGHT I'M HOPPING OUT." FINALLY, "CUHZ52" REPLIED "OF COURSE WHEN U SEE HIM THERE AT THE PUMP GET DOWN."

UPON CONDUCTING RESEARCH ON PHONE NUMBER 346-255-2734, THE PHONE NUMBER ASSOCIATED WITH TELEGRAM USERNAME "CUHZ52" I FOUND A POLICE REPORT FILED ON SEPTEMBER 8, 2023, BY WILLIAM WINFREY, DATE OF BIRTH 3/28/1994, TX 35890895, DOCUMENTED UNDER HPD INCIDENT #1290052-23. I OBSERVED THAT IN THIS REPORT, WILLIAM WINFREY PROVIDED POLICE WITH THE AFOREMENTIONED PHONE NUMBER AND CLAIMED IT AS HIS OWN NUMBER.

I COMPLETED A PERSON CHECK ON WILLIAM WINFREY UTILIZING TCIC/NCIC, A CREDIBLE AND RELIABLE LAW ENFORCEMENT DATABASE AND FOUND HIS MOST RECENT TEXAS DRIVERS LICENSE AND IDENTIFICATION PICTURE. THE PHOTOGRAPH IS NOT DISTORTED, NOR DOES IT CONTAIN ANY PERSONAL IDENTIFIERS.

DETECTIVE M. NICOTRA AND I MET WITH SADE BEVERLY, WHO TOLD US IN OUR INITIAL INTERVIEW THAT RASSHAUD SCOTT WAS SETTING UP FAKE ROBBERIES/SCAMS WITH A MALE WHO SHE KNOWS BY NAME AND SIGHT AS "CUHZ." SADE BEVERLY CONFIRMED THAT THE MALE IN THE PHOTOGRAPH, WILLIAM WINFREY, IS IN FACT THE MALE WHO SHE KNOWS AS "CUHZ."

WITH KNOWLEDGE THAT RASSHAUD SCOTT WAS INVOLVED IN "FAKE ROBBERIES," I CONTINUED TO REVIEW TEXT MESSAGES FROM THE DOWNLOAD OF HIS DEVICE.

I OBSERVED A MESSAGE FROM WILLIAM WINFREY AKA "CUHZ52", TO

SCOTT READING "4400 LOCKWOOD DRIVE, HOUSTON, TEXAS, 77026". THIS MESSAGE WAS SENT BY "CUHZ52"/RECEIVED BY SCOTT AT APPROXIMATELY 12:42 A.M. ON JANUARY 26, 2024. I OBSERVED THAT DIRECTLY UNDER THAT MESSAGE WERE INSTRUCTIONS VERY SIMILAR TO THOSE RELAYED BY WINFREY BEFORE THE HOMICIDE/ROBBERY SET UP I AM INVESTIGATING AT 11095 ELLA BLVD.

AFFIANT OBSERVED THAT WITHIN THE MESSAGES FROM THE EARLY MORNING OF JANUARY 26, 2024, THERE IS DISCUSSION ABOUT THE CASHIER AND HOW HE WILL BE OUTSIDE DOING SOMETHING OR ACTING BUSY. I OBSERVED THAT "CUHZ52" WAS PROVIDING DIRECTION TO SCOTT ON HOW TO COMMIT THE ROBBERY. AFFIANT OBSERVED THAT THIS DIRECTION STATED TO "POINT THE GUN AT THE CASHIER AND DRAG HIM TO THE REGISTER." I OBSERVED THAT AFTER A FEW MINUTES OF MESSAGES BEING EXCHANGED, "CUHZ52" SENT A MESSAGE TO SCOTT STATING "HE SAID WHEN THE PARKING LOT LOOKS A LIL CLEAR HE GONE COME FROM BEHIND THE REGISTER."

I OPENED HPD'S RMS AND QUERIED THE ADDRESS OF 4400 LOCKWOOD UNDER THE LOCATION SEARCH. PURSUANT TO THIS SEARCH, I FOUND AN AGGRAVATED ROBBERY REPORT DOCUMENTED UNDER UNIQUE HPD INCIDENT NUMBER #122370-24. I REVIEWED THE SUPPLEMENTAL REPORTS AND LEARNED THAT HPD OFFICER M. CATER, WHO I KNOW TO BE A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS, RESPONDED TO 4400 LOCKWOOD, A LOCATION IDENTIFIED AS SWIFT GAS STATION, AT APPROXIMATELY 1:38 A.M. ON JANUARY 26, 2024, AND MET WITH THE COMPLAINANT/REPORTEE, MATHEW FERNANDES. I OBSERVED IN THIS REPORT THAT MATHEW FERNANDES TOLD OFFICERS THAT, ON THE AFOREMENTIONED DATE AT THE AFOREMENTIONED LOCATION, HE WAS REFILLING THE BEER COOLER WHEN A SUSPECT, DESCRIBED AS A THIN BLACK MALE, ENTERED THE STORE, AND POINTED/STRUCK HIM WITH A GUN, DEMANDING MONEY. I OBSERVED IN THIS REPORT THAT MATHEW FERNANDES SAID THE SUSPECT STOLE CASH, CIGARETTES, AND SCRATCH OFF LOTTERY TICKETS, AND THAT MATHEW FERNANDES SAID HE FELT PAIN AND WANTED TO PURSUE CHARGES. I ALSO OBSERVED IN THIS REPORT THAT OFFICER M. CATER NOTED THAT HE WAS ABLE TO REVIEW SURVEILLANCE FOOTAGE AND OBSERVED THE SUSPECT ENTER THE BUSINESS AT 1:33 A.M. ON JANUARY 26TH WITH WHAT CATER BELIEVED TO BE A TAN PISTOL. I KNOW THROUGH THIS INVESTIGATION THAT THIS TAN PISTOL MATCHES THE DESCRIPTION OF THE PNEUMATIC PISTOL THAT SCOTT HAD ON HIS PERSON AT THE TIME OF HIS DEATH. THE REPORT STATED THAT THE SUSPECT IS SEEN ON VIDEO STRIKING THE CASHIER, MATHEW FERNANDES, OVER THE HEAD AND SHOULDER. THE REPORT STATED THAT CATER OBSERVED ON VIDEO THAT THE SUSPECT MADE THEIR WAY BEHIND THE REGISTER. OFFICER M. CATER NOTED THAT THE SUSPECT TOOK CASH, CIGARETTES, AND LOTTERY TICKETS FROM THE

SWIFT STORE. THE REPORT INDICATED THAT THE SUSPECT IS SEEN LEAVING FROM THE STORE AT APPROXIMATELY 1:35 A.M. AND RETURNING TO THE INSIDE OF THE STORE AT 1:37 A.M., WHERE HE IS SEEN HANGING OUT NEAR THE BEVERAGE COOLER. PER THE REPORT, THE MALE IS THEN OBSERVED VIA SURVEILLANCE VIDEO LEAVING THE STORE A SECOND TIME. I KNOW THROUGH THIS INVESTIGATION AND MY TRAINING AND EXPERIENCE THAT THIS WOULD BE UNCOMMON BEHAVIOR DURING A LEGITIMATE ROBBERY.

ACCORDING TO OFFICER M. CATER'S REPORT, THE SUSPECT WAS WEARING A BLUE ADIDAS JACKET WITH BLACK PANTS, BLACK AIR FORCE ONES, BLACK GLOVES AND ARMED WITH A TAN COLORED GUN. THE SUSPECT DESCRIPTION, CLOTHING DESCRIPTION, AND WEAPON DESCRIPTION IN THIS INCIDENT (4400 LOCKWOOD ON JANUARY 26, 2024) IS CONSISTENT WITH THOSE THAT EXISTED AT 11095 ELLA BOULEVARD (SCENE OF ROBBERY/SHOOTING ON JANUARY 27, 2024). I BELIEVE BASED ON MY TRAINING AND EXPERIENCE THAT THE ACTIONS AS SEEN ON SURVEILLANCE FOOTAGE FROM 4400 LOCKWOOD ARE CONSISTENT WITH THAT OF THE TEXT MESSAGES FOUND ON RASSHAUD SCOTT'S PHONE. BASED ON THE ABOVE INFORMATION, IT IS MY BELIEF THAT THE "ROBBERY" AT 4400 LOCKWOOD WAS ALSO STAGED AND THAT SCOTT WAS THE MALE WHO COMMITTED THIS FAKE ROBBERY AS WELL.

ON SATURDAY, FEBRUARY 3, 2024, I SPOKE TO DETECTIVE M. ALTHAUS, WHO IS CURRENTLY ASSIGNED TO NORTH ROBBERY DIVISION AND WHO I KNOW TO BE A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS. I LEARNED DETECTIVE M. ALTHAUS WAS THE DETECTIVE ASSIGNED TO INVESTIGATE THE AGGRAVATED ROBBERY THAT OCCURRED ON JANUARY 26, 2024, AT 4400 LOCKWOOD. I LATER RELINQUISHED ONE THUMB DRIVE CONTAINING THE FULL EXTRACTION OF RASSHAUD SCOTT'S DEVICE IN ORDER FOR DETECTIVE M. ALTHAUS TO REVIEW AND PURSUE HIS CASE.

DETECTIVE ALTHAUS TOLD ME THAT ON FEBRUARY 8, 2024, DETECTIVE M. ALTHAUS CONDUCTED A NON-CUSTODIAL INTERVIEW WITH THE COMPLAINANT, MATHEW FERNANDES, AT HPD'S NORTH ROBBERY LOCATED AT 9455 W. MONTGOMERY ROAD, HOUSTON, TEXAS. ALTHAUS STATED THAT DURING THE INTERVIEW, MATHEW FERNANDES CONFIRMED THAT THE ROBBERY WAS IN FACT A SET-UP, AND THE PURPOSE OF THE SCHEME IS TO OBTAIN A U-VISA. ALTHAUS STATED THAT MATHEW FERNANDES SAID THAT HE MET AN ASIAN MALE BY THE NAME OF "ABI" WHO IS IN CHARGE OF SETTING UP THE FAKE ROBBERIES AND COORDINATED WITH OTHER MEN INVOLVED. ALTHAUS STATED THAT MATHEW FERNANDES PROVIDED A PHONE NUMBER OF 832-805-6421 FOR "ABI." I PERFORMED RESEARCH ON PHONE NUMBER 832-805-6421 AND FOUND THAT THE NUMBER WAS ASSOCIATED WITH ABHILASH NAIK, ASIAN MALE, DATE OF BIRTH 7/16/1993. ON FEBRUARY 15, 2024, DETECTIVE

ALTHAUS STATED TO ME THAT ALTHAUS SHOWED MATHEW FERNANDES A DRIVER'S LICENSE PHOTO OF ABHILASH NAIK, DOB 7/16/1993, AND THAT MATHEW FERNANDES CONFIRMED THAT THIS IS THE SAME MALE THAT HE KNOWS BY THE NAME AND SIGHT AS "ABI." MATHEW FERNANDES CONFIRMED THAT THIS IS THE SAME "ABI" WHO USES THE NUMBER 832-805-6421.

LASTLY, I IMPORTED THE PHONE NUMBER OF 832-805-6421 INTO CLEAR, A DATABASE THAT IS USED TO ASSIST LAW ENFORCEMENT IN LOCATING AND IDENTIFYING INDIVIDUALS, AND ALSO A CREDIBLE AND RELIABLE SOURCE. WHILE UTILIZING CLEAR, I CONFIRMED THAT THE AFOREMENTIONED PHONE NUMBER IS IN FACT ASSOCIATED WITH ABHILASH NAIK, ALSO KNOWN AS "ABI."

I OBSERVED ON SCOTT'S PHONE THAT WINFREY AND SCOTT DISCUSSED A "JOB" ON JANUARY 26TH, 2024, THE SAME NIGHT AS THE ABOVE ROBBERY. ON THIS DATE, I OBSERVED THE FOLLOWING EXCHANGE BETWEEN WINFREY AND SCOTT;

Incoming message from Cuhz52: 4400 Lockwood Dr, Houston, TX 77026 United States - message sent at 12:42 A.M.

Incoming message from Cuhz52: Don't forget nothing this time Loc - message sent at 12:43 A.M.

Outgoing: Ight ima be there by 1:10 - message sent at 12:43 A.M.

Incoming message from Cuhz52: overstood - message sent at 12:49 A.M.

Outgoing: Lmk when the green light text him rn - (right now) message sent at 1:04 A.M.

--Outgoing call made to Cuhz52 at 1:07 A.M. - Duration of phone call is 30 seconds

Incoming message from Cuhz52: The cashier will be outside doing something. Tell your guy to go point gun at him n drag him to the register tell your guy to tell him to open the register grab the money n cigarettes n run ok - message sent at 1:08 A.M.

Outgoing- got th te too i'm alr in motion - message sent at 1:11 A.M.

Outgoing- He far - message sent at 1:11 A.M.

Outgoing: And ain't got shit on for a mission - message sent at 1:11 A.M.

Outgoing: I'm walking up - message sent at 1:11 A.M.

Incoming message from Cuhz52: overstood - message sent at 1:12 A.M.

Outgoing: Nobody outside -message sent at 1:12 A.M.

Outgoing: Lmk when he say he outside - message sent at 1:13 A.M.

Incoming message from Cuhz52: outside but inside the store - message sent at 1:14 A.M.

Outgoing: I'm going in - message sent at 1:14 A.M.

Incoming message from Cuhz52: By ice machine - message sent at 1:14 A.M.

Outgoing: Somebody in front - message sent at 1:15 A.M.

Outgoing: Just watching the store - message sent at 1:15 A.M.
Incoming message from Cuhz52: Ok he just told me that - message sent at 1:15 A.M.
Outgoing: Ion want them to be the saviors -message sent at 1:15 A.M
Incoming message from Cuhz52: Factz - message sent at 1:15 A.M.
Incoming message from Cuhz52: When that truck leaves handle your business - message sent at 1:17 A.M.
Outgoing: It don't look like it's leaving - message sent at 1:17 A.M.
Outgoing: More mfs done pulled up - message sent at 1:17 A.M.
Incoming message from Cuhz52: Damnnn - message sent at 1:18 A.M.
Outgoing: On hood bro - message sent at 1:18 A.M.
Outgoing: What's dummer than being posted up with a mask on - message sent at 1:19 A.M.

BASED ON THE CONTENT OF THIS CONVERSATION, I BELIEVE THAT SCOTT AND WINFREY BOTH ACKNOWLEDGED THAT CONDUCTING A STAGED ROBBERY IS DANGEROUS, AND THAT THE PRESENCE OF BYSTANDERS INCREASES THE DANGER TO THEMSELVES AND OTHERS.

USING THE DATES OF CASHAPP TRANSACTIONS BETWEEN RASSHAUD SCOTT AND WILLIAM WINFREY, WHICH AFFIANT HAD OBTAINED THROUGH LEGAL PROCESS, AS A REFERENCE, I SEARCHED HPD INCIDENT REPORTS FOR ROBBERIES THAT FOLLOWED THE SAME PATTERN IDENTIFIED IN THE SCHEME. I THEN SEARCHED IF THE VICTIMS OF THESE ROBBERIES HAD APPLIED FOR, OR HAD BEEN GRANTED U-VISAS DUE TO THEIR STATUS AS VICTIMS IN THESE CRIMES. I DISCOVERED TWO (2) DOCUMENTED CASES WHERE THE STAGED ROBBERY AND VICTIMS MATCHED THE SAME METHODS THAT I HAD IDENTIFIED AS BEING USED BY THIS GROUP.

I FOUND A SIMILAR ROBBERY DOCUMENTED IN HPD INCIDENT 627617-23, WHICH REPORTED AN AGGRAVATED ROBBERY, WHICH OCCURRED ON MAY 5, 2023 AT 1503 GEARS RD, HOUSTON, TX IN HARRIS COUNTY. IN THIS REPORT, OFFICERS PEREZ-MAZA AND BELEETZUY, BOTH OF WHOM I KNOW THROUGH TRAINING AND EXPERIENCE TO BE A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS, IDENTIFIED THE COMPLAINANTS AS AN ASIAN MALE, ROYDON RODRIGUES, AND AN ASIAN FEMALE, CARMIN FERNANDES. PER PEREZ-MAZA'S REPORT, I LEARNED THE FOLLOWING (AS SUMMARIZED BY YOUR AFFIANT):

THESE COMPLAINANTS STATED THEY WERE AT A GAS PUMP WHEN A THIN MALE SUSPECT IN A MASK RAN UP TO THEM AND PUNCHED RODRIGUES IN THE FACE. THE SUSPECT THEN POINTED A GUN AT BOTH COMPLAINANTS, AND THEN TOOK A WALLET FROM RODRIGUES. RODRIGUES STATED THAT THIS WALLET CONTAINED ONLY CASH, BUT NO CREDIT CARDS, IDS, OR OTHER ITEMS.

I KNOW THROUGH TRAINING AND EXPERIENCE THAT IT IS UNCOMMON FOR PEOPLE TO NOT CARRY MORE PERSONAL ITEMS OR CREDIT CARDS INSIDE OF THEIR WALLETS OR PURSES, AND BELIEVE THIS IS CONSISTENT WITH THE COMPLAINANTS HAVING PRIOR KNOWLEDGE THAT THE ITEMS WOULD BE TAKEN.

I ALSO OBSERVED THAT THE COMPLAINANTS WERE NOT ABLE TO MAKE ANY IDENTIFICATION OR PROVIDE MORE DETAILS. I OBSERVED THAT THE GAS STATION ATTENDANT DID NOT PROVIDE SECURITY CAMERA RECORDINGS ON THE NIGHT OF THE ROBBERY. I WAS ABLE TO LOCATE THAT BOTH COMPLAINANTS IN THIS CASE SUBMITTED U-VISA APPLICATIONS, AND THAT CARMIN FERNANDES WAS GRANTED U NONCITIZEN STATUS AS A RESULT OF THIS APPLICATION. I OBSERVED THAT RODRIGUES' APPLICATION WAS DENIED. USING THE DATE OF THIS OFFENSE, I CHECKED THE CASHAPP RECORDS OF WINFREY AND SCOTT FOR TRANSACTIONS. I OBSERVED THAT ON MAY 4, 2023, WILLIAM WINFREY RECEIVED \$700.00 FROM ABHILASH NAIK, WHO I KNOW THROUGH THIS INVESTIGATION AS STATED ABOVE. I ALSO OBSERVED THAT WINFREY THEN SENT \$300.00 TO RASSHAUD SCOTT VIA CASHAPP.

AFTER READING THE REPORT, REVIEWING THE CASHAPP TRANSACTION RECORDS, AND REVIEWING THE U-VISA APPLICATION DATA I DETERMINED THAT THERE IS A HIGH LIKELIHOOD THAT THIS INCIDENT WAS STAGED TO RECEIVE A U-VISA APPROVAL BASED ON THE SIMILARITIES IN THE SUSPECT DESCRIPTION, PAYMENTS MADE, COMPLAINANTS IN THE OFFENSE, AND MANNER OF THE OFFENSE. DURING THE COURSE OF THIS INVESTIGATION, I HAVE OBSERVED THAT WITH SOME OF THE STAGED ROBBERIES, PAYMENT WAS RENDERED PRIOR TO THE PURPORTED ROBBERY, SIMILAR TO HOW IT WAS ON THIS INCIDENT.

I ALSO LOCATED HPD INCIDENT 291293-23, WHICH WAS A REPORTED AGGRAVATED ROBBERY THAT OCCURRED ON FEBRUARY 27, 2023 AT 6601 GESSNER RD, HOUSTON, TX IN HARRIS COUNTY. IN THE REPORT, I OBSERVED THAT OFFICER C. SANTANA, WHO I KNOW TO BE A CERTIFIED PEACE OFFICER IN THE STATE OF TEXAS, STATED THAT SANTANA IDENTIFIED THE COMPLAINANTS AS AN ASIAN MALE **RIYAZ VADSARIYA**, AN ASIAN MALE **AKBAR JIWANI**, AND AN ASIAN MALE **NASEERUDDIN JIWANI**. IN THIS REPORT, THE COMPLAINANTS STATED THAT ALL THREE WERE TOGETHER AT THEIR VEHICLE WHILE JIKIANI PUMPED GAS. THEY STATED THAT A BLACK MALE APPROACHED THEM, PUNCHED JIKIANI, AND POINTED THE GUN AT ALL THREE WHILE DEMANDING ONLY CASH. ALL THREE COMPLAINANTS STATED THEY PROVIDED CASH, BUT NO CARDS, WATCHES, JEWELRY, OR OTHER ITEMS. I OBSERVED THAT THIS REPORT DOCUMENTS THAT SURVEILLANCE CAMERA RECORDINGS FROM THE LOCATION SHOWED THE SUSPECT SITTING NEARBY AND WAITING PRIOR TO THE ROBBERY, AND THAT THE ROBBERY OCCURRED AT A GAS PUMP

WITH NO CAMERAS POINTED AT IT. I ALSO OBERVED THAT THERE WAS A CAMERA FACING THE GAS PUMP FROM WITHIN THE OFFICE, BUT THAT OFFICERS WERE TOLD THIS WAS NOT A FUNCTIONAL CAMERA.

I ALSO LOCATED THREE U-VISA APPLICATIONS, ONE FROM EACH COMPLAINANT IN THIS INCIDENT, AND OBSERVED THAT ALL THREE WERE GRANTED. I KNOW THROUGH THIS INVESTIGATION THAT THIS WAS THE APPROXIMATE TIME FRAME THAT SCOTT BEGAN TO CONDUCT FAKE ROBBERIES WITH WINFREY. BASED ON THE U-VISA APPLICATIONS, THE SIMILARITIES WITH OTHER KNOWN FAKE ROBBERIES, AND THE TIME FRAME OF SCOTT BEGINNING TO WORK WITH WINFREY, I BELIEVE THAT THIS ROBBERY WAS ANOTHER FAKE ROBBERY CARRIED OUT BY WINFREY AND SCOTT.

BASED ON THE FOREGOING, AFFIANT BELIEVES THAT ON JANUARY 27, 2024, RASSHAUD SCOTT PARTICIPATED IN THE STAGED AGGRAVATED ROBBERY OF RANSLEY FERNANDES AND GLEENA RODRIGUEZ WITH THE ASSISTANCE OF AND AT THE DIRECTION OF WILLIAM WINFREY. FURTHER, AFFIANT BELIEVES FROM THE FACTS REVEALED IN HER INVESTIGATION THAT THE PURPOSE OF THE STAGED AGGRAVATED ROBBERY WAS TO ALLOW THE APPARENT VICTIMS OF SAID AGGRAVATED ROBBERY TO UTILIZE THEIR STATUSES AS VICTIMS OF A VIOLENT CRIMES IN ORDER TO APPLY FOR/OBTAIN A U-VISA. AFFIANT KNOWS THROUGH PRIOR EXPERIENCE AND THIS INVESTIGATION THAT A U-VISA IS A TERM USED TO REFER TO A UNONIMMIGRANT STATUS, WHICH IS A NONIMMIGRANT STATUS GRANTED TO VICTIMS OF CERTAIN TYPES OF VIOLENT OFFENSES, INCLUDING AGGRAVATE ROBBERY. AFFIANT KNOWS THAT IT IS A FEDERAL FELONY TO ATTEMPT TO OBTAIN NONIMMIGRANT STATUS THROUGH FRAUD. SPECIFICALLY, SECTION 1546(A) OF TITLE 18 OF THE UNITED STATES CODE PROVIDES THAT A PERSON COMMITS THE OFFENSE OF FALSE STATEMENT ON AN IMMIGRATION DOCUMENT IF (AS SUMMARIZED BY YOUR AFFIANT):

THE PERSON MAKES A FALSE STATEMENT AND ACTED WITH KNOWLEDGE THAT THE STATEMENT WAS UNTRUE; THE STATEMENT WAS MATERIAL TO THE ACTIVITIES OR DECISIONS OF THE AN IMMIGRATION AGENCY (IT HAD A NATURAL TENDENCY TO INFLUENCE, OR WAS CAPABLE OF INFLUENCING, THE AGENCY'S DECISIONS OR ACTIVITIES); THE STATEMENT WAS MADE UNDER OATH/PENALTY OF PERJURY; AND THE STATEMENT WAS MADE ON AN APPLICATION, AFFIDAVIT, OR OTHER DOCUMENT REQUIRED BY IMMIGRATION LAWS OR REGULATIONS.

I HAVE REVIEWED THIS STATUTE AND FOUND THAT THIS IS A FEDERAL FELONY PUNISHABLE BY CONFINEMENT IN THE FEDERAL PENITENIARY FOR UP TO 10 YEARS ON THE FIRST OFFENSE AND 15 YEARS ON THE SECOND.

BASED ON THE FOREGOING, AFFIANT BELIEVES THAT WILLIAM WINFREY DIRECTLY PARTICIPATED IN THE COMMISSION OF THE FELONY DESCRIBED ABOVE, AND THAT WILLIAM WINFREY DIRECTLY ENCOURAGED, AIDED, AND/OR ASSISTED IN THE COMMISSION OF AN ACT CLEARLY DANGEROUS TO HUMAN LIFE, NAMELY, AN ORCHESTRATED ACT SPECIFICALLY DESIGNED TO CONVEY TO ANY OUTSIDE OBSERVER THE COMMISSION OF A VIOLENT OFFENSE, NAMELY AN AGGRAVATED ROBBERY.

ON MARCH 27, 2024, HARRIS COUNTY DISTRICT COURT JUDGE MATTHEW PENEGUY ISSUED A WARRANT FOR THE ARREST OF WILLIAM WINFREY, DATE OF BIRTH MARCH 28, 1994. ON WEDNESDAY, APRIL 3, 2024, WILLIAM WINFREY WAS ARRESTED BY HPD OFFICER J. GOFF, A PERSON I FIND TO BE CREDIBLE AND RELIABLE. WINFREY WAS BROUGHT DOWNTOWN TO 1200 TRAVIS (HPD HEADQUARTERS) WHERE HE WAS TO BE QUESTIONED BY DETECTIVES ABOUT HIS INVOLVEMENT IN THE ABOVE-MENTIONED CRIMES. AFFIANT, ALONG WITH DETECTIVE M. NICOTRA CONDUCTED THE INTERVIEW WITH WINFREY. DURING THE INTERVIEW, WILLIAM WINFREY CONFIRMED HIS FULL NAME AND DATE OF BIRTH, 3/28/1994. AFTER BEING ADVISED OF THE INTERVIEWING LAW ENFORCEMENT PERSONNEL, THE NATURE OF THE INTERVIEW, AND BEING ADVISED OF THE TEXAS STATUTORY WARNING PURSUANT TO THE TEXAS CODE OF CRIMINAL PROCEDURE 38.22, WILLIAM WINFREY PROVIDED A STATEMENT. DURING HIS MIRANDIZED AND VOLUNTARY INTERVIEW, WINFREY ADVISED US OF THE FOLLOWING (AS SUMMARIZED BY YOUR AFFIANT):

WILLIAM WINFREY STATED THAT HE WAS FRIENDS WITH THE NOW DECEASED, RASSHAUD SCOTT, ALSO KNOWN AS "BLACK" FOR THE LAST COUPLE OF YEARS. WILLIAM WINFREY STATED THAT HE AND RASSHAUD SCOTT BEGAN WORKING TOGETHER, MORE SPECIFICALLY ENGAGING IN "STAGED ROBBERIES" FOR THE LAST YEAR OR SO IN ORDER TO MAKE SOME MONEY. WILLIAM WINFREY WENT ON TO SAY THAT HE ALONG WITH RASSHAUD SCOTT WERE WORKING UNDER A MALE WHO HE KNEW BY NAME AND SIGHT AS "ABI" WHO WOULD ASSIST IN FACILITATING THESE STAGED OR FAKE ROBBERIES. THE PURPOSE OF THE SCHEME WAS FOR THE COMPLAINANTS IN THE AGGRAVATED ROBBERIES TO BE A VICTIM OF AN AGGRAVATED CRIME, SUCH AS AN AGGRAVATED ROBBERY OR AGGRAVATED ASSAULT, IN ORDER TO OBTAIN A U-VISA. WILLIAM WINFREY STATED THAT THE VICTIMS OF THESE STAGED ROBBERIES/ASSAULTS, WERE FRIENDS OF "ABI" AND WERE IN ON THE ACT, WHICH HE ADMITTED THAT HE ALONG WITH OTHER PARTIES WERE AWARE WAS IN FACT, DANGEROUS. WILLIAM WINFREY CONFIRMED THAT "ABI" WOULD PAY HIM THROUGH CASH APP AND OTHER METHODS OF PAYMENT, BEFORE AND SOMETIMES AFTER A "JOB" WAS COMPLETE. WILLIAM WINFREY SAID THAT HE WOULD THEN IN TURN, PAY RASSHAUD SCOTT.

WILLIAM WINFREY SAID THAT "ABI" WOULD GIVE HIM DIRECTION ON WHAT TO DO (HIT THE COMPLAINANT WITH THE GUN, POINT THE GUN AT THE COMPLAINANT, TAKE THEIR WALLET, AND MAKE IT LOOK GOOD FOR THE CAMERA ETC.) AND SEND A PHOTOGRAPH OF THE PERSON HE WAS TO "ROB." WILLIAM WINFREY CONFIRMED THAT ON THE NIGHT OF RASSHAUD SCOTT'S DEMISE, THEY MET UP AN HOUR OR SO BEFORE THEIR "JOB", AT WHICH TIME HE (WINFREY) GAVE HIM (SCOTT) THE TAN GLOCK AIRSOFT GUN WHICH WAS TO BE USED DURING THE STAGED ROBBERY. WILLIAM WINFREY SAID THAT HE SENT MESSAGES TO RASSHAUD SCOTT'S PHONE AND CONFIRMED HIS CELLPHONE NUMBER, WHICH IS CONSISTENT WITH THAT OF THE PHONE NUMBER/MESSAGES FOUND ON THE DECEDENT'S DEVICE AS MENTIONED EARLIER IN THIS AFFIDAVIT. WILLIAM WINFREY SAID THAT AFTER THE STAGED ROBBERY OCCURRED, HE FOUND OUT FROM "ABI" THAT RASSHAUD SCOTT WAS SHOT AND ULTIMATELY KILLED.

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