

### Reports for File Number: RA-2009-00236

Report By: JOSE DIAZ, SGT 8673, HOUSTON

Ranger No: CA08673090729104046A

Company: A

Status: ACTIVE

Program: CRIMINAL

Lead Ranger: True

Description: OBSTRUCTION OR RETALIATION, HARRIS county, KATY, victim KILEY, SEAN (W / M)

#### 1. 7/29/2009 Approved by KEVIN PULLEN, LIEUTENANT, 6728 - 9/30/2009

On 07-22-2009, [redacted] illegally entered the residence of Katy Police Department (KPD) Officer Sean KILEY in retaliation for being arrested by Officer KILEY. Lucille KILEY, Officer KILEY'S wife, reported [redacted] accosted her inside of her home. On 05-17-2009, [redacted] was arrested by the KPD for disorderly conduct. [redacted] filed an internal affairs (IA) complaint with the KPD alleging police abuse. The KPD investigated the allegations and deemed them unfounded. On 07-23-2009, Texas Ranger Sergeant Noe DIAZ was contacted by the KPD concerning [redacted] assault of Officer KILEY'S wife. Ranger DIAZ interviewed and took a statement from Lucille KILEY concerning [redacted] S retaliatory actions. After conferring with the Harris County District Attorney's Office, Ranger DIAZ filed Obstruction/Retaliation charges on [redacted] [redacted] was arrested and placed into the Harris County Jail.

lie lie lie

lie

falsely

lie lie

Some exonerated meaning happened but deemed "justified"

This must be the most embarrassing thing that ever happened to the City of Katy.

Biggest concentration of perjuries per number of sentences I have ever seen.

Something must be wrong with these people...

We audio recorded the entire encounter this is a huge bunch of perjuries!

TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS RANGER DIVISION

## REPORT OF INVESTIGATION

THIS REPORT IS THE PROPERTY OF TEXAS DPS-TEXAS RANGER DIVISION. NEITHER IT NOR ITS CONTENTS MAY BE DISSEMINATED OUTSIDE THE AGENCY TO WHICH LOANED

1. OBSTRUCTION OR RETALIATION PC-36.06 (c)-F3
2. HARRIS COUNTY, KATY, TX, US
3. SEAN MATTHEW KILEY, W/M, 2/6/1970, 39 yoa
4. 7/22/2009 (Wednesday)

Report By: JOSE DIAZ, SGT 8673, HOUSTON	Status: ACTIVE
Division: RA-2009-00236	Type: CRIMINAL
Ranger: CA08673090729104046A	

SYNOPSIS:**1. 7/29/2009 Approved by KEVIN PULLEN, LIEUTENANT, 6728 - 9/30/2009**

On 07-22-2009, [REDACTED] DIA (illegally) entered the residence of Katy Police Department (KPD) Officer Sean KILEY in retaliation for being arrested by Officer KILEY. Lucille KILEY, Officer KILEY'S wife, reported [REDACTED] accosted her inside of her home. On 05-17-2009, [REDACTED] was arrested by the KPD for disorderly conduct. [REDACTED] filed an internal affairs (IA) complaint with the KPD alleging police abuse. The KPD investigated the allegations and deemed them unfounded. On 07-23-2009, Texas Ranger Sergeant Noe DIAZ was contacted by the KPD concerning [REDACTED] S assault of Officer KILEY S wife. Ranger DIAZ interviewed and took a statement from Lucille KILEY concerning [REDACTED] S retaliatory actions. After conferring with the Harris County District Attorney S Office, Ranger DIAZ filed Obstruction/Retaliation charges on [REDACTED] was arrested and placed into the Harris County Jail.

DETAILS:

1.1 On 07-23-2009, Texas Ranger Sergeant Noe DIAZ was contacted by Katy Police Department (KPD) Captain Gay DICKERSON concerning an incident involving KPD Officer Sean Matthew KILEY - W/M, DOB: 02-06-1970, and his wife, Lucille KILEY - H/F, DOB: 06-16-1968. Captain DICKERSON stated [REDACTED] a complainant in an internal affairs (IA) investigation, had somehow located Officer KILEY'S residence. [REDACTED] showed up at the KILEY residence unannounced and represented himself as a doctor to a juvenile who answered the door. [REDACTED] walked into the home uninvited when the juvenile walked away to get his Aunt Lucille. As Lucille walked up to the front door, she was met [REDACTED] inside of her home. [REDACTED] aggressively approached Lucille, got right up to her face, and brushed up against her. Lucille became frightened, immediately stepped back, and told [REDACTED] to get out of her residence.

1.2 Captain DICKERSON stated Officer KILEY responded to a disturbance call at the Katy Mills Mall movie theater located at 5000 Katy Mills Circle, Suite 131, Katy, Fort Bend County, Texas, on 05-17-2009 at approximately 7:00 PM. Officer KILEY came into contact with [REDACTED] and [REDACTED], during his preliminary investigation. Officer KILEY, in the



1.10 Officer KILEY's statement continued as follows: "I was able to get a hold of another officer and pointed the black Lexus out to him. Officers pulled up to the guy ( [redacted] ) and I drove home to check on my family. I had no other contact with him ( [redacted] ) other than the time I arrested him and his wife at the Katy Mills Mall for disorderly conduct. I remembered [redacted] was very belligerent and threatening during the arrest, so I knew that he had frightened my wife just by the way he had behaved during my last contact with him." *lie omg!!!*

1.11 On 07-24-2009, Ranger DIAZ contacted Lucille via telephone concerning the incident with [redacted]. Lucille stated she had been away from her residence since the incident because she was afraid [redacted] would harm her and her children. *omg!!!*

1.12 Lucille provided Ranger DIAZ with the following statement: "I don't know where to begin. The guy really freaked me out. When I saw him inside my house, I didn't know what was going to happen. He was just there all of a sudden. He was talking so fast and had a heavy accent, and I couldn't understand what he was saying. I just remember telling him to get out of my house several times. I was worried about the kids. The dogs were barking, and this stranger was inside my home. I just kind of got tunnel vision and focused on his face, because he was right in my face when he brushed up against me. I couldn't even understand what he was asking. I do remember him asking if my name was Lucy Gomez. I said, 'No. My name is Lucy Kiley.' I was just so scared." *lie*

1.13 Lucille's statement continued as follows: "I remember he said that Sean was a convicted felon and he was not who he said he was. He asked if we were married, because the records showed that we were divorced. I said, 'Who are you?' He said, 'You know who I am,' in a rude and sarcastic manner. He said he was going to be the one who was going to sue Sean and that he was conducting an investigation on Sean. He kept asking if we were married and if Sean lived with me. I told him to get out of my house, and he walked toward my front door mumbling something, which really freaked me out. He walked out mumbling stuff about an investigation he was doing on Sean and that the investigation was ongoing." *lie*

1.14 Lucille's statement continued as follows: "I thought to myself, 'Don't panic.' So I just asked the guy to step out of my home. I just really don't remember all that was said because it all happened so fast. Once I realized that this was the guy that was upset with Sean, I calmed down to avoid upsetting the guy. The guy walked away claiming that he was looking for someone and he believed that I was Lucy Gomez. The guy and a lady walked away and got into a [redacted]. I called Sean and told him the guy had left." *lie*

1.15 On 07-24-2009, Ranger DIAZ contacted Captain DICKERSON at the KPD and went over Lucille's allegations. Lucille reviewed a photo array (Exhibit 1.4) containing [redacted] and five other males of similar characteristics, and she positively identified [redacted] as the person who had entered her home and accosted her. Lucille stated she felt [redacted]'s threatening actions, both verbally and physically, were an assault on her husband and her family. *lie*

1.16 On 07-24-2009, Ranger DIAZ met and conferred with Harris County Assistant District Attorneys Mark BROWN and Jon STEPHENSON concerning the investigation involving Officer KILEY. Ranger DIAZ then filed Obstruction/Retaliation charges on [redacted]. An arrest warrant was issued by the Honorable Jill WALLACE at approximately 6:00 PM. *OMG!!! The used so many people...*

1.17 On 07-27-2009, [redacted] was arrested on Warrant 122556901010 (Exhibit 1.5) at his residence and transported to the Harris County Jail without incident.

*falsely*

**PHYSICAL DESCRIPTION:**

1.1

[REDACTED]

**OFFENSES:**

- 1.1 1. OBSTRUCTION OR RETALIATION PC-36.06 (c)-F3  
 2. HARRIS COUNTY, KATY, TX, US  
 3. LUCILLE KILEY, H/F, 6/16/1968, 41 yoa  
 4. 7/22/2009

**CHARGES FILED:**

- 1.1 OBSTRUCTION OR RETALIATION PC-36.06 (c)-F3  
 Offense 1.1 Physical Desc. 1.1  
 Person Chg. [REDACTED]  
 Chg. Date: 7/24/2009 Chg. Method: WARRANT ISSUED  
 Arrest Date: 7/24/2009 Warrant #: 122556901010  
 Issued By: Judge Jill WALLACE Location: Houston, Harris County, Texas  
 Court: Harris County 179th District Court  
 Disp. Date: Years Sent.: 0 Life: False  
 Disp. Type: Months Sent.: 0 Death: False  
 Judge: Days Sent.: 0 Fine: 0  
 Location: Restitution: 0  
 Other:
- 1.2 OBSTRUCTION OR RETALIATION PC-36.06 (c)-F3  
 Offense 1.2 Physical Desc. 1.1  
 Person Chg. [REDACTED]  
 Chg. Date: 7/24/2009 Chg. Method: WARRANT ISSUED  
 Arrest Date: 7/24/2009 Warrant #: 122556901010  
 Issued By: Judge Jill WALLACE Location: Houston, Harris County, Texas  
 Court: Harris County 179th District Court  
 Disp. Date: Years Sent.: 0 Life: False  
 Disp. Type: Months Sent.: 0 Death: False  
 Judge: Days Sent.: 0 Fine: 0  
 Location: Restitution: 0  
 Other:

**INVESTIGATORS:**

- 1.1 Noe DIAZ, Sergeant, Texas Rangers, Company "A"

12230 West Road  
Houston, TX 77065  
(281) 517-1400

*City of Katy is in this too.  
knowingly or just used like the  
others?*

1.2 Gay DICKERSON, Captain, Katy Police Department  
5456 Franz Road  
Katy, TX 77449  
(281) 391-4848

*Jill or Jim?*

1.3 Jill WALLACE, Judge, Harris County Criminal Law Hearing Office  
1201 Franklin  
Houston, TX 77002  
(713) 755-5000

*How Jim Wallace?  
is there a Jill Wallace? I think  
this is Judge Jim Wallace my friend*

1.4 Mark BROWN, Assistant District Attorney, Harris County District Attorney's Office  
1201 Franklin, Suite 600  
Houston, TX 77002  
(713) 755-5800

*From the Rep. Party... No?  
the Judge I used to go to lunch with  
@ the Hunan & Gallerias, No?*

1.5 Jon STEPHENSON, Assistant District Attorney, Harris County District Attorney's Office  
1201 Franklin, Suite 600  
Houston, TX 77002  
(713) 755-0601

*What happened to Officer Will Ranson  
and unknown officer & Kiley at  
Shell Gas Station at approx  
8:50 PM on May 22, 2009?*

**WITNESSES:**

1.1 Roberto Gustavo ESPINOSA - H/M - 2/19/1975  
Home: 23743 Welch  
Katy, TX 77493, US

Work: Katy Police Department  
5456 Franz Road  
Katy, TX 77494, US

**CUSTODY OF EVIDENCE:**

1.1 Evidence Seized: Katy Police Report  
Date/Time Seized: 7/24/2009 9:00:00 AM  
Address Seized: 5456 Franz Road, Katy, Texas 77494  
Location Seized: Katy Police Department  
Seized By: Captain Gay DICKERSON Katy Police Department  
Recovery Value: 0  
Note: Copy  
Transfer To: Texas Ranger Noe DIAZ  
Transfer Date: 7/24/2009

1.2 Evidence Seized: Internal Affairs Complaint  
Date/Time Seized: 7/24/2009 9:30:00 AM  
Address Seized: 5456 Franz Road, Katy, Texas 77494  
Location Seized: Katy Police Department  
Seized By: Captian Gay DICKERSON Katy Police Department  
Recovery Value: 0

**Note:** Copy

**Transfer To:**

Texas Ranger Noe DIAZ

**Transfer Date:**

7/24/2009

**1.3 Evidence Seized:** Internal Affairs letter to Complainant  
**Date/Time Seized:** 7/24/2009 9:30:00 AM  
**Address Seized:** 5456 Franz Road, Katy, Texas 77494  
**Location Seized:** Katy Police Department  
**Seized By:** Captain Gay DICKERSON Katy Police Department  
**Recovery Value:** 0  
**Note:** Copy.  
**Transfer To:** Texas Ranger Noe DIAZ  
**Transfer Date:** 7/24/2009

**1.4 Evidence Seized:** Photo array  
**Date/Time Seized:** 7/24/2009 2:30:00 PM  
**Address Seized:** 5456 Franz Road, Katy, Texas 77494  
**Location Seized:** Katy Police Department  
**Seized By:** Captain Gay DICKERSON Katy Police Department  
**Recovery Value:** 0  
**Note:** Copy.  
**Transfer To:** Texas Ranger Noe DIAZ  
**Transfer Date:** 7/24/2009

**1.5 Evidence Seized:** Arrest Warrant  
**Date/Time Seized:** 7/24/2009 5:45:00 PM  
**Address Seized:** 1201 Franklin, Houston, Texas 77002  
**Location Seized:** Harris County Criminal Court  
**Seized By:** Sergeant Noe DIAZ Texas Rangers, Company "A"  
**Recovery Value:** 0  
**Note:** Warrant #122556901010.  
**Transfer To:** **Transfer Date:**

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD. • BOX 4087 • AUSTIN, TX 78773-0001

512/424-2000

[www.txdps.state.tx.us](http://www.txdps.state.tx.us)



STEVEN C. McCRAW  
DIRECTOR  
LAMAR BECKWORTH  
BRAD RABLE  
DEPUTY DIRECTORS



COMMISSION  
ALLAN B. POLUNSKY, CHAIR  
C. TOM CLOWE, JR.  
ADA BROWN  
JOHN STEEN  
CARIN MARCY BARTH

October 19, 2009

*Via First Class Mail*

██████████  
P.O. Box 820251  
Houston, TX 77282-0251

RE: PIA Request for Ranger Reports (ORA # 09-1951)

Dear Mr. ██████████

Your above-referenced request was received by the Department of Public Safety on September 30, 2009. Enclosed please find the information the Department located in response to your request. These documents are provided to you at no cost. If you have any questions regarding this request, please contact me at (512) 424-2890.

Sincerely,

Office of General Counsel  
Texas Department of Public Safety