



WARRANT OF ARREST

DOCKET NO. 220200752A

THE STATE OF TEXAS
VS.

Ismael Rincon

ISSUED February 8, 2022

MAGISTRATE JUDGE
Livingston, Polk County, Texas

CASE# 22-02-00752

D.O.B.: [REDACTED]

HGT: 5'6" WGT: 190

HAIR: BLK EYES: BRN

SS#: [REDACTED]

DL#: [REDACTED]

A.K.A.:

THE STATE OF TEXAS

TO ANY PEACE OFFICER OF THE STATE OF TEXAS, GREETING:

You are hereby commanded to arrest **Ismael Rincon** if to be found in your County, and bring before me, a Magistrate Judge in and for the City of Livingston, Polk county, Texas. INSTANTER, then and there to answer the State of Texas for an offense against the laws of said State, to-wit:

Engaging in Organized Criminal Activity
CJIS #73990715 (F2)

of which offense **Ismael Rincon** accused by the written complaint, under oath, of Leon Middleton filed before me.

HEREIN FAIL NOT, but of this writ make due return, showing how you have executed same.

WITNESS OF OFFICIAL SIGNATURE, this 8th day of February, 2022.

Recommended Bond

\$ 100,000

Handwritten signature of John Wells in black ink.

Honorable Judge John Wells
Livingston, Polk County, Texas

OFFICER'S RETURN

Came to hand.....day of....., A.D., 20...., at o'clock ...M, and executed on theday of, A.D., 20...., at o'clock ...M, by arresting the within namedat.....in..... County, Texas, and placing in the County jail of County, Texas.

Executed by.....Peace Officer
..... County, Texas



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

No: 220200752

COMPLAINT

BEFORE ME, personally appear the undersigned affiant, who, after being by me duly sworn, deposes and says that **Ismael Rincon**, who is hereinafter styled Defendant, on or about the 4th day of February A.D., 2022, and before the making and filing of this complaint, in the City of Livingston, County of Polk and State of Texas did then and there, with the intent to establish, maintain, or participate in a combination or in the profits of a combination, the combination consisting of the defendant and **Brandon Michael White**, **Melanie McCrory** and one unidentified individual, who collaborated in carrying on the hereinafter described criminal activity, conspire to commit the offense of obstruction and retaliation by agreeing with each other that they would engage in conduct that constituted the offense, and the defendant and **Brandon Michael White**, **Melanie McCrory** and one other unidentified individual performed an overt act in pursuance of the agreement, namely stalking a uniformed police officer in his marked patrol unit while driving a vehicle with dark tinted windows, wearing a ballistic proof vest with ammunition.

AS PROBABLE CAUSE, Affiant states further upon his oath that:

I have good reason to believe and do believe based upon the following information:


Affiant will show that he is a duly licensed peace officer in and for the State of Texas and is currently serving as Detective in and for the City of Livingston Police Department. Affiant would show that on February 4th, 2022, his agency investigated the offense of Engaging in Organized Criminal Activity which occurred at 308 West Church Street, Livingston, Polk County, Texas. Affiant would show that Officer Chris Simmons while on routine patrol and performing his law enforcement duties, observed a small 4 door blue car stalking him as he drove his marked patrol unit. Affiant would show Officer Simmons stopped at a local convenience store and the vehicle stopped adjacent to his patrol unit in the parking lot. Affiant would show Officer Simmons was concerned for his safety due to the recent killings and ambush of police officers while on duty. Affiant would show no one ever exited the vehicle while it waited on Officer Simmons to exit the business. Affiant would show Officer Simmons exited the business, entered his patrol unit and the vehicle continued to stalk Officer Simmons as he exited the parking lot. Affiant would show the suspect's vehicle later turned off and a short time later, it was circling the police department while Officers Simmons and Reyes were in the parking lot discussing the vehicle. Affiant would show Officer Reyes, exited the police department parking lot in his marked patrol unit and observed a Hispanic male exit the blue vehicle, put on a ballistic body armor vest and then entered the driver's side of the vehicle. Affiant would show Officer Reyes notified Officer Simmons of what he had witnessed and now the actions of the people in the vehicle were suspicious due to the overt action and Officers felt as if they were about to commit a criminal act and cause them bodily injury and/or death.

Affiant would show Officer Simmons was able to obtain the license plate of the vehicle bearing Texas MRB1920. Affiant would show the vehicle registration was out of Laredo, Texas. Affiant would show this raised more suspicion for the safety of Officers Simmons and Reyes due to their suspicious actions and stalking. Affiant would show Officer Simmons made contact with the vehicle and the occupants after they pulled into the bank parking lot adjacent to the police department. Affiant would show the driver of the vehicle pretended that he did not speak or understand the English language and was video recording all the actions of Officer Simmons. Affiant would show the driver and all the occupants in the vehicle ignored Officer Simmons request for their identification as a result of their suspicious behavior. Affiant would show the front seat white male passenger was video recording with his cell phone and being verbally rude to Officer Simmons while conducting his investigation. Affiant would show the white male sitting in the back seat behind the driver was positively identified and known as Brandon Michael White based on past law enforcement encounters for calls relating to his cell phone recordings and harassment of law enforcement. Affiant would show the Hispanic male driver was wearing a tan colored ballistic body armor vest with loaded ammunition. Affiant would show Officer Reyes arrived on scene for Officer safety and to assist in translating but it was later determined the Hispanic male knew and could speak the English language after being verbally abusive to Officer Simmons. Affiant would show through further investigation, the driver of the vehicle was later positively identified as Ismael Rincon by his Texas driver license number and photograph. Affiant would show Rincon's driver license photograph was compared to Officers body cam videos from the traffic stop and matched the physical description and characteristics of Ismael Rincon. Affiant would further show Rincon has been stopped by the Texas Department of Public Safety in this same vehicle on at least four different traffic stops and issued citations.

AGAINST THE PEACE AND DIGNITY OF THE STATE.


AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME BY Leon Middleton, a credible person, this 8th day of February, 2022.


THE HONORABLE JUDGE JOHN WELLS
411TH DISTRICT COURT, LIVINGSTON
POLK COUNTY, TEXAS