

Docket No. 17-6385

**IN THE
UNITED STATES SUPREME COURT**

DAVID ROBERT SANDOVAL – PETITIONER

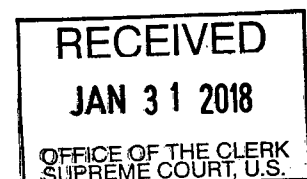
V.

LORIE DAVIS – RESPONDENT

ON PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

PETITION FOR REHEARING FROM DENIAL OF CERTIORARI

David Robert Sandoval
No. 1670848
9601 Spur 591
Amarillo, Texas 79107
Petitioner in Pro Se



Pursuant to Rule 44.2, Petitioner respectfully petition for rehearing of the Court's January 8, 2018, Order denying his petition for writ of certiorari in this case.

GROUND FOR REHEARING

Petitions for rehearing of an order denying certiorari are generally granted in two instances: if a petitioner can demonstrate "intervening circumstances of a substantial or controlling effect"; or if a petitioner presents "other substantial grounds not previously presented." R. 44.2. Petitioner's case is within both categories: the underlying circumstances of Petitioner's case, that is, that extreme improper acts by police and prosecutors to secure a conviction, constitutes "intervening circumstances of a substantial or controlling effect" on the conviction and also rise to the level of "other substantial grounds not previously presented."

A. INTRODUCTION

The undeniable backdrop of Petitioner's case is outrageous police and prosecutorial misconduct that plagued and tainted every aspect of the investigation, prosecution, and Petitioner's legal representation. The police and prosecutor in this case, grossly intimidated witnesses in order to influence their testimony, acts which are inconsistent with the tenets of our modern day free society solely for the purpose of securing a conviction. This petition presents other substantial grounds of Due Process violations not previously presented but which have a controlling effect on the conviction.

As the massive public outcry demonstrates, with the emergence of the

Black Lives Matter movement, for example, police brutality against black, brown and people in general, continues. The underlying circumstances of this case in particular narrate the deep rooted problem with police brutality and prosecutorial misconduct in Dalhart, Texas, a small town with a population of less than 7,000. This Court can and should grant rehearing to address and rectify the extreme and flagrant disregard for civil rights and basic human rights from police and prosecutors here, acts which violated Due Process and tainted any chance of a fair trial and adequate legal representation for Petitioner. Granting rehearing in this case would address an issue of national importance and of constitutional dimension which would benefit all free citizens of the United States.

B. INTIMIDATION OF WITNESSES BY POLICE AND PROSECUTORS

Witness Paula Mares

In this case, the record demonstrates that police and prosecutors actively intimidated Paula Mares by way of extreme coercive tactics in order to influence her testimony. Ms. Mares attests that prior to the time of Petitioner's trial; she was continuously harassed mainly by a Detective Mike Ford. See Affidavit of Paula Mares attached to the federal habeas corpus petition as Exhibit A, and attached hereto as **Exhibit A**, wherein Paula Mares attests to being followed, continuously harassed, intimidated, threatened alone and with her boyfriend, Johnny Martinez. Ms. Mares and Lisa Valles were run off the road, verbally assaulted, threatened

with more abuse of authority including taking her children and being confined to prison herself.

Ms. Mares attests she told the prosecutor and the detectives that she did not want to testify, and “make things up” against Petitioner. *Id.* She was told they could in fact “make matters worse” for her if she did not do so. *Id.* Paula Mares attests that she was told exactly what to say to the jury and ordered not to even look towards her brother during trial but to look towards the jury.

Ms. Mares attests that in order to influence her testimony at trial, police surrounded her house, pointed shotguns at her, her boyfriend and kids, and arrested her. *Id.* Ms. Mares, implicating the police and the prosecutor himself, attests “I was forced to testify for the state. **I was told what to say and how to say it.** I was threatened, harassed, pushed around and out of fear of losing my kids, after being arrested, pulled guns on, run off the road made to testify against my brother.” *Id.* (bold type included).

The intimidation inflicted on Paula Mares in order to convict Petitioner went from physical threats to psychological harmful force obviously sanctioned with explicit approval from all authorities involved including Prosecutor Terry Vogel.

Witness Lisa Valles

Ms. Valles, corroborates Ms. Mares in all significant respects. Ms. Valles attests that Paula Mares was harassed and threatened by authorities such as the

Detectives of Dumas County, and Dalhart and Moore County officials including detectives, and prosecutors Timothy Salley, Mike Ford and Terry Vogel. See Affidavit of Lisa Valles, attached to the federal habeas corpus petition, as Exhibit B, and attached hereto as **Exhibit B**.

Ms. Valles attests that she personally observed that Paula Mares was pregnant at the time but nevertheless, was threatened with losing her kids, prison time, and by comments such as “you best go talk to Mike Ford or you know what will happen to you.” by Terry Vogel. *Id.* Ms. Valles attests she took Ms. Mares to the doctor to specifically address these issues. *Id.*

During one occasion, Ms. Valles attest they were spotted in a restaurant by prosecutor Salley. Ms. Valles attests she observed Mr. Salley make a phone call then shortly thereafter, immediately upon Valles and Mares leaving the restaurant they were pulled over by police with the pretext of driving without a license. Upon showing a valid license to police, they were still retained until another official arrived. At that time Ms. Mares was told that she had better go talk to Terry Vogel if she knew what was best for her. *Id.* (Affidavit of Lisa Valles attached to habeas corpus petition as Exhibit B, and attached hereto as **Exhibit B**).

On another occasion, Valles and Mares were literally pushed off the side of the road by Mike Ford himself and Terry Vogel in a vehicle together. The Officers yelled at Ms. Valles and Mares to roll down the window and again Paula Mares was threatened that she better “do the right thing”. Ms. Valles attests Paula Mares

was extremely scared. *Id.*

Ms. Valles attest that multiple times Paula and she were accosted by Terry Vogel with threats and profanity. He always “yelled, was disrespectful, unprofessional, demeaning and aggressive.” *Id.* Ms. Valles attests that Terry Vogel and police officers surrounded Paula’s house, broke down the door and arrested Paula at her home, forcefully taking her in custody until she testified. Ms. Valles attests she was called to pick up Mares’ daughter and all the while Terry Vogel remained armed, in the house after Paula was already arrested. When Ms. Valles asked him to leave, his answer was “don’t f with me.” Ms. Valles states; “We had no rights in our own house.” *Id.*

Witness Johnny Joseph Martinez

Mr. Martinez, a non-interested and unbiased witness, attest that when Petitioner was arrested and awaiting trial, Paula Mares was pregnant. At the time “she and I were continuously followed and harassed by the sheriff and police who wanted Paula to testify against her brother.” See Affidavit of Johnny Joseph Martinez which was filed as a supplement on December 31, 2013, and is hereto attached as **Exhibit C**. Mr. Martinez attests that the officers were threatening, harassing and intimidating.

Mr. Martinez attests that Ms. Mares “was always crying, sick and stressed out. She wanted us to leave town because she didn’t want to testify. She began having complications with the pregnancy of our baby because she was always

nervous and ill. She didn't know what to do, didn't want to answer the phone or go out." *Id.*

We were followed everywhere from our house to even just the corner store. The phone would ring constantly. At one point Mr. Martinez answered the phone and Terry Vogel answered. Mr. Martinez told Vogel that Ms Mares was pregnant and they were making her sick, Terry Vogel responded she needs to come in regardless. *Id.* At one point, Mr. Martinez attests that he was arrested by Officer Webb who is now Sheriff's Deputy, under the pretext that he was checking for a child restraint in the car. Officer Webb called Terry Vogel and said "I got him, I got him! You owe me!" *Id.*

Once arrested and incarcerated, Martinez attests that "Terry Vogel came into my jail cell and got me out just so that I could call Paula to come down and testify. Paula wouldn't answer me then because she knew. I told them she was scared, she didn't want to talk. He told me he would get me a contact visit with her so she could show up. They were relentless and would not stop no matter what." *Id.*

Finally, Mr. Martinez was present when police without a warrant, broke down the door of their mobile home to arrest Ms. Mares in order to secure her testimony. *Id.* Police placed a gun upon Mr. Martinez' head and forced him to the ground and yelled profanities at Ms. Mares while placing her under arrest. Meanwhile their 2 year old child sitting on the couch watched crying. *Id.* The

reason given by police for this outrageous intrusion and intimidation was that Ms. Mares needed to go to Terry Vogel's office. *Id.*

In this case, the affidavits provided by Petitioner demonstrate that Ms. Paula Mares had no interest in testifying against Petitioner, in her own words, she did not want to "make things up" against Petitioner. Yet, the police and prosecutors did not care that Ms. Mares would be perjuring herself. As early as 1935, this Court has recognized the detrimental effect of intimidating witnesses and presenting perjured testimony upon Due Process:

[Due Process], in safeguarding the liberty of the citizen against deprivation through the action of the state, embodies the fundamental conceptions of justice which lie at the base of our civil and political institutions ... It is a requirement that cannot be deemed to be satisfied by mere notice and hearing if a state has contrived a conviction through the pretense of a trial which in truth is but used as a means of depriving a defendant of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured. Such a contrivance by a state to procure the conviction and imprisonment of a defendant is as inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation.

See Mooney v. Holohan, 294 U.S. 103, 112, 55 S.Ct. 340, at 342, 79 L.Ed. 791 (1935)(underline included). The following term, the Court reaffirmed that the Due Process Clause forbids convictions predicated on deliberate deceptions. See Brown v. Mississippi, 297 U.S. 278, 286, 56 S.Ct. 461, 80 L.Ed. 682 (1936). Six years later, the Court needed only a single paragraph and a citation to Mooney to buttress its conclusion that "allegations that [the petitioner's] imprisonment resulted from perjured testimony, knowingly used by the State authorities to obtain

his conviction, and from the deliberate suppression by those same authorities of evidence favorable to him ... sufficiently charge a deprivation of rights guaranteed by the Federal Constitution." **Pyle v. Kansas**, 317 U.S. 213, 216, 63 S.Ct. 177, 87 L.Ed. 214 (1942). Given these precedents, it is not surprising that, as early as 1951, this Court described Mooney's core premise as "well-settled." **Coggins v. O'Brien**, 188 F.2d 130, 138 (1st Cir.1951).

In this case, the police and prosecutorial intimidation of witnesses directly adversely affected Petitioner's legal representation. A review of Petitioner's habeas corpus petition, shows the fatalistic posture of the defense. No mention at all was made of the State's malfeasance at the hands of the police and prosecutors. Defense counsel stated plainly, "You can't stop them." See Affidavit of Lisa Valles, hereto attached as **Exhibit B**.

The extreme witness intimidation and suborning of perjured testimony in this case, of which directly deteriorated any chance of a fair trial, and effective legal representation destroyed any concept of ordered liberty. The police and prosecutors in this case exhibited aberrant tactics that ruined any semblance of a fair American system of justice. Thus, this Court should grant a rehearing in this case.

C. POLICE SHOOTING OF JOHNNY JOSEPH MARTINEZ AN AFFIANT OF PETITIONER

On October 13, 2015, after the filing of Petitioners federal writ which

included an affidavit from Joseph Martinez, police shot and killed Mr. Martinez. Family members of Mr. Martinez, Paula Mares and a witness in the house at the time of the shooting have spoken candidly to the media about the situation on that evening, alleging plainly that there was no need for the five shots that killed Mr. Martinez.

A body camera on the Officer who killed Mr. Martinez recorded the entire incident and again shows clearly the first name basis interaction between Joseph Martinez and the officers. In the video police are shown breaking down the door to his residence. An officer was already in the home speaking to Mr. Martinez without incident when another police officer broke the door down to enter the home. Joseph Martinez is seen insisting to officers to exit his home, repeatedly telling them to get out, they finally backed out of the home and although behind a screen door and while Mr. Martinez never attacked or assaulted any of the Officers, he was shot five times and killed. See video at <http://www.myhighplains.com/news/officer-involved-shooting/161796474>. The survivors of Mr. Martinez and Paula Mares, who as the sister of Petitioner was forced to lie under oath, continue to claim the killing of Joseph Martinez as senseless and unnecessary. The killing by excessive shots was a result of years of wrongful retaliation from police harassment, torture and intimidation, especially after filing affidavits with the truth about the coercive tactics against the witnesses in this case, they had it out for him.

Particularly disturbing here, is the fact, Dalhart police were aware of Mr. Martinez' cooperation in this case to expose their corrupt and illegal tactics. In the video, Mr. Martinez is heard speaking to the Officer on a first name basis, saying, "Eloy get out of here" before being killed by another Officer. In this small Texas town where police and prosecutors collude to intimidate witnesses, it is very likely that Mr. Martinez was killed because of his involvement in this case. Because the Dalhart police department was likely retaliating against the truth, thereby killing the only disinterested witness in support of Petitioner's federal habeas corpus petition who gave a statement against them, this Court should rehear this case.

CONCLUSION

As demonstrated herein, the police and prosecutorial misconduct in this case was extreme, severe and even criminal; the likes of which is consistent with a modern day terrorist regime. This played front and center in Petitioner's conviction. This Court should grant rehearing and consider the merits of the Petition for Writ of Certiorari in order that by some semblance of true authority, it may correct the grave injustice and the extreme violation of Civil and Constitutional rights at the hands of police and the prosecutor that slated the case for ineffective representation and a conviction. As Ms. Valles attest, defense counsel himself made clear his knowledge of the corruption and his own fatalistic posture on the grave misconduct on behalf of the State: "you can't stop them."

Because it is clear that the egregious criminal acts of police and

prosecutorial misbehavior tainted every aspect of the case, including the ineffective legal representation Petitioner received at trial, this Court should grant rehearing. Doing so, would serve to address and rectify an issue of national importance and of constitutional dimension which would benefit Petitioner and all peoples of the United States.

Respectfully submitted,



David Robert Sandoval
No. 1670848
9601 Spur 591
Amarillo, Texas 79107
Petitioner, Pro Se

RULE 44.2 CERTIFICATION

I certify that the Petition for Rehearing from Denial of Certiorari is presented in good faith and not for delay and is restricted to the grounds specified in Supreme Court Rule 44.2. ✓

Dated: January 25, 2018

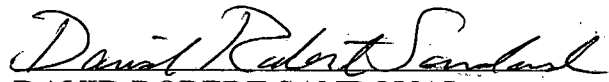

DAVID ROBERT SANDOVAL

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

DAVID ROBERT SANDOVAL,
Petitioner

VS.

NO. _____

BRAD LIVINGSTON, Executive Director,
Texas Department of Criminal Justice
Correctional Institutional Division,
Respondent.

AFFIDAVIT OF PAULA MARES

COUNTY OF MOORE

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared Paula Mares, who, known to me to be Paula Mares, and being by me duly sworn, upon her oath, stated as follows:

My name is Paula Mares. I am over the age of eighteen (18), I am of sound of mind and in all other respects I am qualified to make this affidavit. Under penalty of perjury, I declare that the facts stated herein are of my own personal knowledge and are true and correct.

I was with my brother, David Sandoval, at the time of the arrest for which he was charged and is now in prison for. I never gave permission for the search of the vehicle in which we were in. At the time there were several separate official vehicles at the scene, including a state trooper, a sheriff and an off duty officer. At no time was I informed of any rights before questioning. I was not read or told that I had the right to remain silent, that I had the right to an attorney, that I had the right to an attorney whether I could afford one or not, and I was not told that anything I said could and would be used against me. I was not told or read any rights by anyone prior to or during any questioning. I never felt free to leave.

One of the officer's at the scene had a gun at all times that I could see. Another officer questioned us specifically in these words, "What the fuck are you doing on this property?" He said we were not going anywhere but that he was going to figure out what he was going to do. One of the officers, who I know to be Officer Smith, threatened my brother telling him that he would have the JP coming to pick up his body. I was really scared.

We told the officers why we were stuck on the road, which had no signs of being a private road, and which we did not know even was a driveway to a home. They arrested us immediately when they showed up, questioned us and searched the vehicle. They called a wrecker to pick up the car we were in.

From that time to the time of my brother's trial, I was continuously followed mainly by a Detective Mike Ford. At one time while I was walking with my boyfriend Johnny Martinez, Det. Mike Ford stopped the car next to us and told us to get in, that he was taking us to Dumas in Moore County to talk to Terry Vogel, the prosecutor. He knew we didn't want to go and he said "we can make it worse for you." On another occasion, we were in a restaurant and the same Detective was watching our car. I was with my sister, Lisa Valles, when we were run off the side of the road by a detective following us, he said "you better do what's right, you need to talk to Terry Vogel." I told the prosecutor and the detectives that I didn't want to testify, I didn't want to make things up against my brother. I was told that I would then be charged with my brother's charges. I was told they could take my kids away from me, that they would send me to prison. I was told by Terry Vogel not to stick up for my brother. I was told by Terry Vogel exactly what to say including, to "look at the jury don't look at your brother, don't look at David".

I was eventually arrested so that I would go testify. Several officers came to my house, surrounded the house and pulled shotguns at me, my boyfriend and my kids.

After my brother's conviction and during his appeal Detective Mike Ford came to my house and told me to go to the court house in Moore County because Terry Vogel wanted to talk to me. He wanted to know how my sister Lisa was paying for a lawyer for my brother. Terry Vogel told me he was checking her bank accounts because he could and he knew how much she had. He also asked me where Melissa, my brother's wife was.

I was forced to testify for the state. I was told what to say and how to say it. I was threatened, harassed, pushed around and out of fear of losing my kids, after being arrested, pulled guns on, run off the road made to testify against my brother.

I was never interviewed, or questioned by David's attorney prior to testifying at trial. David's lawyer never asked me about how the D.A. and the police were threatening me. Had he done so I would have told the truth about how I was being forced to testify when I did not want to.

Further Affiant Sayeth Naught.

Paula Mares
PAULA MARES

SUBSCRIBED AND SWORN TO BEFORE ME on this the 14th day of June, 2013, to certify which witness my hand and seal of office.

Joan M. Schubert
Notary Public
State of Texas

My Commission Expires:

06-5-2014

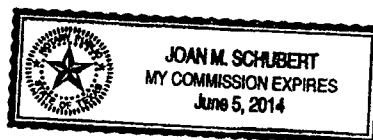


EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

DAVID ROBERT SANDOVAL,
Petitioner

VS.

NO. _____

BRAD LIVINGSTON, Executive Director,
Texas Department of Criminal Justice
Correctional Institutional Division,
Respondent.

AFFIDAVIT OF LISA VALLES

COUNTY OF MOORE

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared Lisa Valles, who, known to me to be Lisa Valles, and being by me duly sworn, upon her oath, stated as follows:

My name is Lisa Valles. I am over the age of eighteen (18), I am of sound of mind and in all other respects I am qualified to make this affidavit. Under penalty of perjury, I declare that the facts stated herein are of my own personal knowledge and are true and correct.

Paula Mares is my sister and David Sandoval is my brother.

My brother was accused of, tried and convicted of a crime in which my sister Paula was made a witness for the State.

Paula was harassed and threatened by authorities such as the Detectives of Dumas County, Cacuts Police Department, and Dalhart and Moore County officials including detectives, district attorneys and prosecutors Timothy Salley, Mike Ford and Terry Vogel.

My sister Paula was pregnant at the time but nevertheless, was threatened with losing her kids, prison time, and by comments such as "you best go talk to Mike Ford or you know what will happen to you." by Terry Vogel.

I took her to the doctor specifically to address these issues.

In 2010, before the actual trial, both she and I were spotted in a restaurant by

district attorney Salley. Mr. Salley made a phone call then shortly thereafter, immediately upon us leaving the restaurant we were pulled over.

I was pulled over with the pretext of driving without a license.

I showed my license to police yet we were still retained until another official arrived.

At that time Paula was told that she had better go talk to Terry Vogel if she knew what was best for her.

On another occasion we were literally pushed off the side of the road by Mike Ford himself, and Terry Vogel in a vehicle together. They yelled at me to roll down the window and again Paula was threatened that she better "do the right thing". Paula was extremely scared.

Paula told me, and I saw, she was overwhelmed and fearful as she was repeatedly stopped and followed, threatened, cussed at, and harassed. I was present many times.

Many times Paula and I were told by Terry Vogel "don't fuck with me" and often he would say "don't f with me". He always yelled, was disrespectful, unprofessional, demeaning and aggressive.

Eventually Terry Vogel himself and police officers surrounded Paula's house, knocked down the door and went to arrest Paula at her home.

I was called to pick up her daughter. Terry Vogel was still in the house after Paula was already arrested. When I told him to leave already, his answer was "don't f with me". We had no rights in our own house.

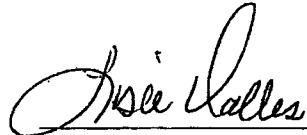
I paid Paula's bail and immediately she was arrested again. I called the Dalhart police department to get her charges and new bail amount. Her new bail amount was then suddenly revoked.

During the trial I was told by the judge, and the attorneys for both sides just to answer the questions asked. I couldn't say any more than what was asked.

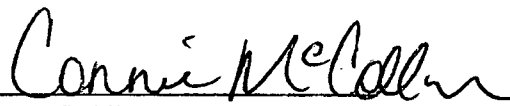
I did inform David's attorney of all the harassment, insults and threats, but he only told me "well you can't stop them".

Had anybody asked me while I was testifying about what I had witnessed I would have testified as I now attest.

Further Affiant Sayeth Naught.


LISA VALLES

SUBSCRIBED AND SWORN TO BEFORE ME on this the 21st day
of June, 2013, to certify which witness my hand and seal of
office.


Notary Public
State of Texas

My Commission Expires:

2/17/2014

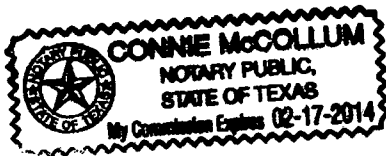


EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

DAVID ROBERT SANDOVAL,
Petitioner

VS.

NO. 2:13-CV-117

WILLIAM STEPHENS Director,
Texas Department of Criminal Justice
Correctional Institutional Division,
Respondent.

AFFIDAVIT OF JOHNNY JOSEPH MARTINEZ

COUNTY OF ~~MOORE~~ *Da llam*

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared Johnny Joseph Martinez, who, known to me to be Johnny Joseph Martinez, and being by me duly sworn, upon his oath, stated as follows:

My name is Johnny Joseph Martinez. I am over the age of eighteen (18), I am of sound of mind and in all other respects I am qualified to make this affidavit. Under penalty of perjury, I declare that the facts stated herein are of my own personal knowledge and are true and correct.

My spouse is Paula Mares, who I have a child with. When her brother David was arrested and awaiting trial, Paula was pregnant. At the time she and I were continuously followed and harassed by the sheriff and police who wanted Paula to testify against her brother. The officers would be threatening and intimidating, telling Paula that she had better go see Terry Vogel, the prosecutor in the case.

Paula was always crying, sick and stressed out. She wanted us to leave town because she didn't want to testify. She began having complications with the pregnancy of our baby because she was always nervous and ill. She didn't know what to do, didn't want to answer the phone or go out. We were followed everywhere from our house to even just the corner store. The phone would ring constantly and she didn't want to answer because she already knew that it was Terry Vogel. At one point I answered and told him just to leave us alone that my wife was pregnant and they were making her sick, Terry Vogel said she needs to come in regardless.

At the time I was out on bond on an unrelated charge, when they threatened to

have my bond revoked. When I was arrested officer Webb who is now Sheriff's Deputy, used the pretext that he was checking for a child restraint in our car, called Terry Vogel and said "I got him, I got him! You owe me!"

Once arrested and incarcerated, Terry Vogel came into my jail cell and got me out just so that I could call Paula to come down and testify. Paula wouldn't answer me then because she knew. I told them she was scared, she didn't want to talk. He told me he would get me a contact visit with her so she could show up. They were relentless and would not stop no matter what.

When the police and sheriff showed up to our house and arrested Paula, they broke the frame on the door of our mobile home to get in. There were at least two sheriffs trucks and Mike Ford's white car outside. They had me lay on the floor while they pointed a gun to my head, our 2 year old was crying on the sofa and Paula was being yelled and cussed at while she was being arrested. She wasn't read her rights or warned or told anything but she needed to go to Vogel's office. No one was, they just busted down the door and barged in.

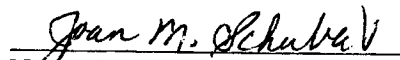
After they made her testify and her brother was convicted, everything stopped. They stopped calling. They no longer followed us, stopped us or paid attention to us. Paula did not testify willingly. They told her what to say and wouldn't leave us alone until she did.

I was never questioned by the defense attorney for David Sandoval. I would have been willing to talk to him and testify had defense counsel called me to the stand, but I was not called to testify.

Further Affiant Sayeth Naught.


JOHNNY JOSEPH MARTINEZ

SUBSCRIBED AND SWORN TO BEFORE ME on this the 25th day
of November, 2013, to certify which witness my hand and seal of
office.


Notary Public
State of Texas

My Commission Expires:

6-5-2014
Affidavit of Johnny Joseph Martinez

