

THE STATE OF TEXAS

IN THE MAGISTRATE COURT

§

CITY OF AUSTIN

COUNTY OF TRAVIS

§

IN TRAVIS COUNTY, TEXAS

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:

I have good reason to believe and do believe that:

Sweeney, Aaron Michael W/M DOB 12/01/1988On or about the 11th day of July, 2017, in the incorporated limits of the City of Austin,
County of Travis, Texas, did then and there commit the offense of:**Assault on public servant(police officer) – felony 3**

2017 JUL 12 AM 1:24

On July 11, 2017 at approximately 4:14 PM, your Affiant was on duty as an Austin Police Officer wearing the uniform of my position with shoulder patches and badge on my chest. I was also driving a clearly marked Austin Police Department patrol unit equipped with emergency lights and the word "Police" on the vehicle.

I Officer Hudson 2269 along with Officer P. Contatore and E. Gonzales responded to Austin Bergstrom International Airport, 3600 Presidential Blvd in regard to Southwest Airline flight 3590 bound from ABIA to Chicago. SWA employee stated the flight was returning to ABIA due to a fight on board the aircraft. Once the flight landed I spoke to SWA flight attendant Natalie Drake. Drake stated that she was at the rear of the plane when she heard a disturbance and then went forward to see that a male with another male in a headlock. She stated the male that was applying the headlock was using his other hand to repeatedly punch with a fist the other males head. Both passengers were escorted off the plane to which time Drake told me which male was in the headlock and which male was hitting. She pointed out passenger Kyle Vogt as the passenger being assaulted and Aaron Michael Sweeney as the one who was doing the hitting.

Vogt stated to me that he did not know Sweeney. Vogt stated that he was sitting next to Sweeney and Sweeney grabbed him in a headlock. Vogt stated he first thought Sweeney was playing around and he told him "to cut it out" meaning to stop. Vogt then stated that Sweeney again put him in a headlock then punched him in the head several times with his fist while in a headlock.

Officer Contatore then got my attention and told me we needed to handcuff Sweeney. When I turned to Sweeney I could see that he was bowing out his chest and had clinched fist and looking toward Vogt. Sweeney was placed into handcuffs for safety before I completed an interview with Vogt.

Vogt was removed from the area and interviewed by Officer E Gonzales.

During the handcuffing of Sweeney I observed him to have signs of intoxication from alcoholic beverage, odor from breath glassy eyes wobbly balance. His unprovoked assault on another person may also be a sign of intoxication.

Sweeney further showed aggression of assault when he jumped up from a wheelchair I had him sitting in and charged a SWA employee while he was handcuffed. His action made me believe he was about to assault this SWA employee even while handcuffed. I had to restrain Sweeney pushing him back into the wheelchair. At this point I believed an arrest for public intoxication was mandated as Sweeney still showed outward aggression that he was wanting to fight. I did not believe he was ready to stop fighting. He was also verbally challenging me to take the hand cuffs off of him. Sweeney said to me "you think you can take me on one on one, I'll fuck you up". Sweeney was told he was under arrest and I and Officer Contatore walked him out of the jet bridge. Once in the gate area and around other people Sweeney began resisting by pushing back with his legs refusing to move forward. I was trying to walk him to the APD patrol unit for transport Central Booking. Sweeney is a strong man and I knew it was unlikely that I and Officer Contatore were going to be able to walk Sweeney out the way he was pushing back on us. Sweeney was then seated in an open gate chair until I could get a wheelchair to place him in. Sgt Norris was also called to meet at the gate due to Sweeney's resistance. Sweeney was strapped into a wheelchair and pushed out of the secured side of the airport. Sweeney continued to resist. As he was being pushed forward in the chair he pushed back using his feet on the floor preventing us from moving him forward. We had to turn the chair and pull him backward so as that he could not push against the floor with his feet.. He was also trying to overturn his chair and we would have to make sure he stayed upright. Once outside at the patrol car Sweeney was told to get into the patrol car. He tried to push on the open door with his feet to resist saying he was not getting into the car. Sweeney was pulled away from the car and until we could hobble Sweeney. During this time Sweeney started trying to get out of the chair and in the process intentionally kicked Sgt Norris in the right thigh. Officer Babyak came to assist and brought a hobble strap Sweeney resisted being hobbled trying to kick his legs around to prevent the hobble strap from being applied. Sweeney was hobbled and placed in the patrol car. Afterward Sgt Norris told me that Sweeney's kick to his thigh did cause him pain. At the jail Sweeney loudly proclaimed in front of TCSO officer that he was going to kill me and repeated my name and badge number several times as if to etch it in his memory.



Filed on

7/13/2017 7:54 AM

Travis County District Clerk

Velva L. Price

Lance Hudson 2269
Affiant

Sworn and subscribed to before me by the said Affiant on this
11th day of July, 2017.

John Angles #3083
Peace Officer in the State of Texas

On this, the 17th day of July, 2017, I hereby acknowledge that I have examined the foregoing affidavit
and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

[Signature]
Magistrate, Magistrate Court, Austin, Travis County, Texas
Judge Link E. Corv
Austin Municipal Court

\$ 20,000.00
Bond

Austin Police Incident #:17-1921177 Officer: L. Hudson 2269 Call Sign: APT 31

Master#

PT17019366

MNI#

2111887

Booking#

1725807

F M

Name	SWEENEY	AARON	MICHAEL	Date	July 11, 2017
Last	First	Middle		Cause No.	010C17/204786
Address	2021 TENNESSEE RD	City/State/Zip	DURHAM, NC 27704	Charge	ASSAULT PUBLIC SERVA
How Long	2yrs.	County	Durhamco - 2yrs	Bond	20,000
Phone	619-549-0735	Type	cell	DOB	12/1/88
Email	aaron.sweeney1988@gmail.com	Phone 2		Sex	M
Mailing Address	SAS	City/State/Zip	SAS	Age	28
Nearest Relative	Christina Thompson	Relationship	sister	Hair	BRO
Address	SAS	City/State/Zip	SAS	Eyes	GRN
Employer	Retired - Disabled Veteran	Position		Height	509
Address		City/State/Zip		Weight	220
Phone		Cellular		DL No.	043605465 / St. NC
Interviewed by	LUA	Recommendation	NO/LUA	Record No.	17X16942284
Attorney of Record	DA Rick Flores	Phone	512-476-4873	Bkg Date	7/11/17
				Other Charges	Resisting

TRAVIS COUNTY PRETRIAL SERVICES

P.O. BOX 1748
AUSTIN, TX 78767
(512) 854-9381

POSTED
106249

THE STATE OF TEXAS
COUNTY OF TRAVIS

PERSONAL BOND

CAUSE NO.

010C17 204786

THAT I, **AARON MICHAEL SWEENEY**

charged with the offense of a (Misdemeanor) (Felony), to wit,

Assault on a Public Servant

am held and firmly bound unto the State of Texas in the penal sum stated below for the payment of which sum well and truly to be made, and in addition all necessary and reasonable fees and expenses that may be incurred by peace officers in re-arresting me in the event the conditions of this bond are violated, I do bind myself, executors and administrators, jointly and severally by these presents.

The condition of the above obligation is that I swear that I will appear before the form 1.250 at the

Blackwell - Thurman Criminal Justice Center, 509 W. 11th Street, Austin, Travis County, Texas, on the 28 day of July

2017 at 10a M, or pay the Court the principal sum of \$ 20,000 plus all necessary and reasonable expenses incurred in any arrest for failure to appear.

I further swear that I will appear before any court or magistrate court before whom this cause may hereinafter be pending at any time and place as may be required.

Now if I shall well and truly make said appearance before the said Court, and there remain from day to day and term to term of said Court, until discharged by due course of law, then and there to answer said accusation against me, and further shall well and truly make my personal appearance in any and all subsequent proceedings that may be had relative to said charge in the course of the criminal action based on said charges, this obligation shall become void; Otherwise to remain in full force and effect.

I further understand that all or part of the information collected in the Pretrial Services Report is available to persons associated with law enforcement, criminal justice, and other agencies including, but not limited to, the Judge or Magistrate hearing the case, the District Attorney's Office, and the defense attorney of record in this case.

Personal Bond Fee \$20 if Bond Amount is < \$13,400

Personal Bond Fee \$40 if Bond Amount is ≥ \$13,400

Personal Bond with Ignition Interlock Fee Equals (3% of bond amount) \$

Signature of Defendant

☒ See attached Conditions Order form filed in The District Court of Travis County, Texas SWORN TO AND SUBSCRIBED BEFORE ME,

this ___ day of ___, 20__.

JUL 17 2017

At 2:30 P.M.

NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY TEXAS

THIS PERSONAL BOND IS APPROVED, effective only after arresting agency has completed its booking process, and the defendant at such time is ordered released on the conditions of this bond.

APPROVED this 17 day of July, 2017

I certify that I am the attorney of record representing this defendant in this matter.

Signature / Print

Rick Flores

SBN

Magistrate/Judge

State of Texas

vs.

Name: Sweeney Aaron

Cause # DIDC-17-20479

(One form per cause#/charge)

PT # 19366

ORDER SETTING CONDITIONS OF PERSONAL BOND OR CASH DEPOSIT BOND RELEASE

As a condition of his/her release on Personal Bond or Cash Deposit Bond in the above styled cause, this Court finds that the interest of justice and the safety of the community require that the defendant shall be subject to and shall comply with the following conditions as ordered by the Court:

Substance Abuse Counseling Conditions

<input type="checkbox"/>	TCCES Misdemeanor Drug Evaluation – Submit to an assessment by TCCES & follow treatment recommendations
<input type="checkbox"/>	TCCES Felony Drug Evaluation – Submit to an assessment by TCCES & follow treatment recommendations
<input type="checkbox"/>	TCCES Alcohol Evaluation – Submit to an assessment by TCCES & follow treatment recommendations
<input type="checkbox"/>	Drug Court Screening– Review information related to participation in a Drug Diversion Court

Violence Counseling Conditions

<input type="checkbox"/>	TCCES Family Violence Evaluation (for Intimate Partner Violence Cases) – Submit to an assessment by TCCES & follow counseling recommendations
<input type="checkbox"/>	TCCES Violence Evaluation (for Non-Intimate Partner Violence Cases) – Submit to an assessment by TCCES & follow counseling recommendations
<input type="checkbox"/>	Anger Management (for Non-Intimate Partner Violence Cases) – Enroll in & complete an 8hr Anger Management program as directed by Pretrial Services

Safety-Related Conditions

<input type="checkbox"/>	No Contact with Complaining Witness – Do not make contact with complaining witness by phone, written, digital communication or in person
<input type="checkbox"/>	200 Yard Stay Away from Complaining Witness – Do not go within 200 yards of the complaining witness
<input type="checkbox"/>	No Contact with Co-Defendants – Do not contact co-defendant(s) by phone, written communication or in person
<input type="checkbox"/>	Stay Away from _____ (insert specific address)

Supervision/Case Management Conditions

<input type="checkbox"/>	Supervision – Report to Pretrial Services as directed & follow rules of program
<input type="checkbox"/>	Mental Health Supervision – Report to Pretrial Services as directed & follow rules of program

Surveillance Conditions

<input type="checkbox"/>	EM – House Arrest (Electronic Monitoring) – Install electronic monitoring device, report to Pretrial Services as directed & follow rules of program
<input type="checkbox"/>	EM – House Arrest – In Jail Install – Install electronic monitoring device, report to Pretrial Services as directed and follow rules of program
<input type="checkbox"/>	GPS (Global Position System) – Pay for services to install and maintain operations of GPS monitoring device, report to Pretrial Services as directed and follow rules of program
<input checked="" type="checkbox"/>	GPS – In Jail Install – Pay for services to install and maintain operations of GPS monitoring device, report to Pretrial Services as directed and follow rules of program
<input type="checkbox"/>	SCRAM (Secure Continuous Remote Alcohol Monitoring) – Pay for services to install and maintain operation of transdermal alcohol monitoring device and follow rules of the program
<input checked="" type="checkbox"/>	SCRAM – In Jail Install – Pay for services to install and maintain operation of transdermal alcohol monitoring device and follow rules of the program
<input type="checkbox"/>	IID (Ignition Interlock Device) – Pay for services to install within 21 days and maintain operation of Ignition Interlock device, report to Pretrial Services as directed and follow rules of the program
<input type="checkbox"/>	PAM (Portable Alcohol Monitoring) Device – Pay for services to obtain Portable Alcohol Monitoring device, provide breath samples as directed, report to Pretrial Services as directed and follow rules of the program

Other Conditions

<input type="checkbox"/>	Random Urinalysis with Supervision – Submit to urinalysis (UA) as directed by Pretrial Services
<input type="checkbox"/>	No Driving without Valid Driver's License – Do not operate a motor vehicle without a valid driver's license
<input type="checkbox"/>	Curfew – You must be home by _____ and you may not leave home before _____.
<input type="checkbox"/>	Phoenix Court Referral – Review information related to participation in a Phoenix Court.

Other Conditions (Write-in legibly — PLEASE PRINT)

<input type="checkbox"/>	Release to Patricia Arcania (mother) of Mother's address William Beaumont Army Medical Center 5005 N. Piedras St El Paso, TX 79920 5217 Chateau Ave. El Paso 79924
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Assign Danielle to SCRAM Ordered, this 14 day of July, 2017

Defendant's Signature

Date

Magistrate/Judge

PT/MNI: 19366SI: MAName/Nombre: aaron Sweeney

You have been ordered by the court to **CALL** the FOLLOWING Pretrial Services Officer on / Usted ha sido ordenado por la corte a **LLAMAR** al oficial siguiente en 717.17 for an appointment / para una cita.

Supervision *SSP			
_____ Christina* (MCB)	(512) 854-4507	_____ Margaret* (MCR)	(512) 854-3070
_____ Tino* (JH)	(512) 854-4021	_____ Viviana* (VL)	(512) 854-3719
_____ Robert* (RLR)	(512) 854-4505	_____ Matilda* (MML)	(512) 854-4519
Family Violence / Supervised Family Violence *SSP			
_____ Elisa* (ED)	(512) 854-4541	_____ Lupe* (GH)	(512) 854-8991
Electronic Monitoring / GPS *SSP			
_____ _____	(512) 854-1617	_____ Kim (KL)	(512) 854-3374
_____ Debbie (DT)	(512) 854-4504	_____ Cara (CLC)	(512) 854-5794
✓ _____ Christian* (CGJ)	(512) 854-5867	_____ Gracie* (GGC)	(512) 854-1662
_____ Jon* (JT)	(512) 854-1663	_____ D'Andra* (DMC)	(512) 854-3379
<i>You will be required to remain in your home unless given permission to leave by the EM Officer.</i>			
Mental Health / Mental Health Electronic Monitoring *SSP			
_____ Leo* (LC)	(512) 854-4506	_____ Martha* (MD)	(512) 854-8995
_____ Jim (JRK)	(512) 854-4501		
<i>EM clients are required to remain in your home unless you have been given permission to leave by the EM Officer.</i>			
Mental Health Jail Diversion *SSP			
_____ Natalie (NJF)	(512) 854-1650	_____ Becca (REC)	(512) 854-1651
Alcohol Monitoring Unit / SCRAM / PAM / IID *SSP			
_____ Amanda* (ALH)	(512) 854-1322	_____ Jamie* (JLC)	(512) 854-1719
_____ Rochon (RHA)	(512) 854-6620	✓ _____ Danielle (DCW)	(512) 854-3111
_____ Albert* (AP)	(512) 854-4218	_____ Vanessa* (VAF)	(512) 854-1483
_____ Jennifer* (JAS)	(512) 854-3162	_____ Seth (SMB)	(512) 854-1664
_____ Tracy (TES)	(512) 854-1665	_____ Michael (MAS)	(512) 854-7837
_____ Angelina (ANR)	(512) 854-1320		

Pretrial Services
Case Management Office
Executive Office Building (EOB)
411 W. 13th St.
Austin, Texas 78701

NOTE: Purses, cell phones, wallets with chains, diaper bags, brief cases, backpacks, packages, boxes, etc. are not allowed in office areas. Do not bring these items to the EOB/Offices. The only items that are allowed in the office area are paperwork or other items required for your office visit. Please secure all other items in your vehicle. If you do not have a vehicle to secure your items there are lockers available in the waiting area to place them. The department is not responsible for items placed in the lockers.