

THE STATE OF TEXAS

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DOCKET #

COUNTY OF MCLENNAN

COURT: MCLENNAN COUNTY
JUSTICE COURT, PRECINCT 1,
PLACE 1

COMPLAINT

{Articles 15.04 & 15.05, Texas Code of Criminal Procedure}

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS AND ACCUSATIONS:

My name is John Moran [REDACTED] and I am commissioned as a peace officer by the Lorena Police Department. I hereby state upon my oath that I have reason to believe and do believe that heretofore, and before the making and filing of this Complaint, that

Billy Joe Shaver; W/M; D.O.B. 8/16/1939; TX DL [REDACTED]

on or about the 31st day of March, 2007, in McLennan County, Texas, did then and there intentionally, knowingly, or recklessly cause bodily injury to Billy Bryant Coker by using a deadly weapon during the commission of an assault, in accordance with Texas Penal Code Section 22.02(a)(2), against the laws of the State of Texas.

My probable cause for said belief and accusation is as follows:

On or about 2030 hours on March 31, 2007, Lorena Police Officer Jeff Fadal was dispatched to a shooting at Papa Joe's Bar, located at 1505 North I - 35, Lorena, TX. Officer Fadal arrived at the scene and spoke to the victim, Billy (Bill) Bryant Coker, W/M, D.O.B. 7/25/1956, who stated to Fadal that he had been shot by Billy Joe Shaver. Officer Fadal noted what appeared to be an apparent gunshot wound on Coker's face.

Officer Chris Hudson then arrived at the scene and spoke to Lou Ewing. Ewing informed Hudson that she was seated inside the business, observed Billy Joe Shaver and Bill Coker exit the rear exit of the bar, and immediately heard what she believed to be a gunshot. Ewing then immediately went to the location where both Shaver and Coker were standing, and heard Shaver tell Coker to "tell me (Shaver) you are sorry" and that "nobody tells me to shut up".

On April 2, 2007, Lou Ewing provided a written statement to the Lorena Police Department that after the shooting took place, Billy Joe Shaver and Wanda Shaver "left quickly". Furthermore, Lou Ewing identified Billy Joe Shaver in a photo line – up as the person who shot Bill Coker.

Your affiant, John Moran, spoke to Gloria Tambling, owner of Papa Joe's Saloon on March 31, 2007, who said that Billy Joe Shaver was involved in the shooting incident. Tambling further stated that Shaver frequented her establishment, and in fact had performed at Papa Joe's several times.


Sergeant Jason Naylor spoke with Gloria Tambling on April 2, 2007, and Tambling informed Sgt. Naylor that she "introduced Billy Joe Shaver to people that did not know him" as they came into the establishment on the evening of March 31, 2007. Tambling also informed your affiant on March 31, 2007, that she had personally introduced Shaver to Coker on the night of the shooting.

Your affiant, John Moran, and Texas Ranger Stephen Foster spoke to Michael Strickland on April 2, 2007, who stated that he witnessed Billy Ray Shaver shoot Bill Coker. Strickland said that Coker exited the building first, with Shaver following close behind. Strickland further said that as Shaver emerged from the building, he possessed a pistol in his hand. According to Strickland, Shaver asked Coker "where do you want it?" Shaver then raised his arm level with Coker's face, and fired the pistol. Strickland knew Shaver prior to this incident. Strickland also identified Shaver in a photo line – up as the person who shot Billy Coker.

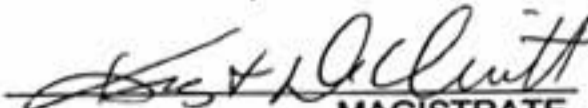
Your affiant, John Moran, personally spoke to Bill Coker on April 1 and April 2, 2007. Coker stated that during the evening he had casually conversed with Shaver for about an hour to an hour and a half, and they had mutually determined that Shaver's wife, Wanda Shaver, was the widow of Coker's deceased cousin.

Coker stated to your affiant that Shaver then asked him to walk out to the back porch with him, and once on the back porch Shaver asked him "where do you want it?" Coker then said that Shaver leveled a handgun at his face and fired the weapon, with the bullet striking him in the left cheek. Coker further stated that the attack was unprovoked,

Against the peace and dignity of the State of Texas.


Complainant

SWORN TO AND SUBSCRIBED BEFORE ME BY SAID
AFFIANT/COMPLAINANT ON THIS THE 2nd DAY OF April,
2007.


MAGISTRATE,
MCLENNAN COUNTY, TEXAS

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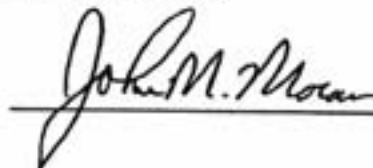
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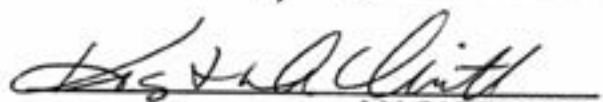
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