

IN THE 167 DISTRICT COURT
TRAVIS COUNTY, TEXAS

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§

COUNTY OF TRAVIS
STATE OF TEXAS

ARREST WARRANT

The State of Texas any peace officer of the State of Texas,

WHEREAS, the affiant whose name appears on the affidavit attached hereto is a peace officer under the laws of Texas and did heretofore this day subscribe and swear to said affidavit before me (which said affidavit is here and now made a part hereof for all purposes), and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he expresses herein and established the existence of proper grounds for issuance of this warrant;

NOW THEREFORE, I command you to arrest and bring before me the said:

MICHAEL PATRICK WAGNER, white male, date of birth 04/23/1977 ³²⁹⁹³⁰² Filed in The District Court of Travis County, Texas

described and accused in said affidavit of an offense of the Texas Penal Code: AUG 13 2015

Section 28.02 - ARSON, a Second-Degree Felony offense.

At 8:20 A.M.
Valva L. Price, District Clerk

HEREIN FAIL NOT, but have you then and there this warrant execute, with your return thereon, showing how you have executed the same.

Issued at 5:03 o'clock, P.m., on this the 12 day of Aug, 2015, to certify which witness my hand.

\$250,000 Bond Amount

[Signature]
JUDGE PRESIDING
167 DISTRICT COURT

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Peace Officer's Return

Came at hand the 13th day of August AD, 2015, at 8 o'clock A M. and executed on the 13th day of Aug. AD, 2015 at 8 o'clock A M., by arresting the within named Michael P. Wagner in Travis County, Texas, and taking his bond, placing him in jail at Travis County, TX.

I actually and necessarily traveled ___ miles in the service of this writ, in addition to any other mileage that I may have traveled in the service of other process in this cause in the same trip.

FEES-MILAGE.....\$ _____
Making arrest.....\$ _____
Taking bond.....\$ _____
Commitment.....\$ _____
Release.....\$ _____
Total.....\$ _____

By [Signature]
Peace Officer



Agent REYES told the Affiant the same unidentified male returned to the Texas State Capitol Complex at approximately 2:03 PM and approached a vehicle parked along the south drive (inside of the State Capitol Complex). Agent REYES told the Affiant the unidentified male was seen pouring an unidentified liquid onto a 2014 Toyota Corolla (TX LP DPD7213) which belonged to a Texas State Capitol employee. Agent REYES told Affiant the unidentified male was seen kneeling at the front of the Toyota Corolla in a suspicious manner before standing up and walking away expeditiously. Agent REYES told Affiant the Toyota Corolla immediately began smoking as the unidentified male walked away. Agent REYES told Affiant the Toyota Corolla was soon engulfed in flames to the point Fire Department intervention was required. Agent REYES told Affiant the unidentified male was last seen walking south on Congress Ave.

Agent REYES told Affiant that security video from the Texas State Capitol caught the unidentified male's actions. The Affiant reviewed said surveillance video and found it to be consistent to Agent REYES' descriptions.

The Affiant utilized Texas Department of Public Safety personnel to canvas Congress Ave south from the Texas State Capitol for the purpose of locating surveillance video footage that would assist with the identification of the unidentified male.

On 8/11/15 the Affiant viewed video surveillance footage obtained from 1005 Congress Ave. Said surveillance footage showed the unidentified male parking in front of 1005 Congress Ave on 8/7/15. In said video, the Affiant was driving a silver 2013 Chevrolet Cruze with Iowa License Plates CPX089. The unidentified male exited the vehicle and walked north across 11th St. The Affiant noted, during the unidentified male's absence from the vehicle, said vehicle was cited for a parking violation. The Affiant obtained a copy of said parking violation and noted the time stamp to be on 8/7/15 at 9:21 AM. The Affiant verified this video coincided with the surveillance video obtained of the unidentified male's arrival to the Texas State Capitol on 8/7/15 at approximately 9:08 AM and his ultimate departure from the Texas State Capitol at approximately 9:23 AM on the same day.

The Affiant also viewed video surveillance footage obtained at 900 Congress Ave. Said surveillance footage showed the unidentified male walking south on Congress Ave shortly after setting fire to the Toyota Corolla on 8/7/15 (approximately 2:06 PM). The Affiant could see that the unidentified male was wearing the exact same clothing he was seen wearing during the mornings events and when seen utilizing the Chevrolet Cruze bearing Iowa LP CPX089. The Affiant could see the unidentified male carrying a portable torch as he left the scene of the car fire. The Affiant could see said portable torch was of the size and shape as that used by plumbers for soldering and sweating pipes. The Affiant verified the video coincided with the surveillance video obtained of the unidentified male's departure from the Texas State Capitol (8/7/15 2:06 PM). The Affiant also verified the Texas State Capitol's surveillance video also showed the unidentified male holding a portable torch as he fled the area of the burning Toyota Corolla.

The Affiant conducted a registration check of the Chevrolet Cruze bearing Iowa license plate CPX089. Said registration check indicated said vehicle was registered to Michael Patrick WAGNER W/M DOB: 4/23/77 at an address in Olin Iowa.

The Texas Department of Public Safety Crime Laboratory compared the latent fingerprint which was developed from the Texas Constitution booklet on 8/7/15 to the fingerprints on file for WAGNER and found them to be an identical match.



WHEREFORE, Affiant requests that an arrest warrant be issued for the above-accused individual in accordance with the law.

[Handwritten Signature]

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME on the 12th day of August, 2015.

[Handwritten Signature]

PEACE OFFICER OF THE STATE OF TEXAS AND PURSUANT TO §602.002 TEXAS GOVERNMENT CODE.

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 12 day of Aug, 2015, the undersigned Magistrate hereby acknowledges that he/she has examined the foregoing affidavit and has determined that probable cause exists for the issuance of an arrest warrant for the individual (s) accused therein.

[Handwritten Signature]

MAGISTRATE, IN AND FOR TRAVIS COUNTY, TEXAS

