

IN THE DISTRICT COURT OF MCCURTAIN COUNTY
STATE OF OKLAHOMA

27-12-235

STATE OF OKLAHOMA)
Plaintiff,)
)
vs.)
)
HAMILTON, WILLIAM WEBSTER)
Defendant.)

Case No. 11110015

PROBABLE CAUSE AFFIDAVIT FOR ARREST WARRANT

Comes now the undersigned Affiant, and states upon Oath or Affirmation that the following information and facts are correct to the best of the Affiant's knowledge and belief. The undersigned believes that probable cause exists for the detention of the below named ARRESTEE for the below listed crimes committed on the below listed date, in McCurtain County, Oklahoma.

Subject Name HAMILTON, WILLIAM WEBSTER
DOB 03/07/1974

Sex Male
Hair) **Race** White
Ethnicity) **Eye**)
HGT 0 Ft. 0 In.) **Build**)
) **WGT** 0 lbs.

Address 3483 HWY 371 W
City Nashville
State Arkansas 71852

COURT CLERK'S OFFICE
County of McCurtain, State of Oklahoma
FILED

JUN 1 2012

By VICKI JUSTUS, Court Clerk
DEPUTY

Date Of Arrest) **Time Of Arrest**
Arrest Location
Arrest City
Offense Location
Offense City

- Offense(s) Committed / Anticipated Charge(s)**
- 21 O.S. § 1715 • Brings stolen property into State.
 - 21 O.S. § 1713 • Knowingly receives any property that was stolen, embezzled, obtained by false pretense or robbery, or conceals, withholds such property.
 - 21 O.S. § 1685 • Overdrives, overload, tortures, kills, or cruelly beat or injure, maim or mutilate any animal.
 - 21 O.S. § 1283(A) • Any convicted felon carries or possesses any firearm.

Facts & Circumstance that support probable cause to arrest the above named person are

On 11/03/2011, five horses and a horse trailer containing rodeo equipment were reported stolen from Southern Arkansas University (SAU) in Magnolia, Arkansas. On different dates in November of 2011, the horse trailer, the majority of the rodeo equipment, and four of the five horses were found in McCurtain County, Oklahoma. The horses were found in poor condition and were taken to a veterinarian for treatment. One of the five horses was found dead and cut into pieces. During the investigation, I obtained information that a man named WILLIAM "BILLY" HAMILTON may be involved with the theft.

On 05/16/2012, I spoke with BILLY HAMILTON at the Polk County (Arkansas) Jail where he was being held on unrelated charges. He was advised of his Miranda Rights and he stated that he would speak with me. While speaking with BILLY he stated that he had stolen the horses, rodeo equipment, and the horse trailer from SAU, giving details to his involvement. BILLY stated that he did this because WENDI COX, a woman he was romantically involved with had told him to because she claimed her daughter had been raped by rodeo students from SAU. BILLY stated that he then brought the horses back to WENDI'S house where she was waiting for him. BILLY said that he hid the horses in WENDI'S barn that she had given him access to. BILLY stated that the next morning, he and WENDI took the stolen horse trailer to WENDI'S aunt's house in Tom to hide it. BILLY said that they went back to WENDI'S house and that he was instructed by WENDI to move the horses. BILLY said that he, JACI JACKSON, GEORGE BERISH III, and a man JACI referred to a "DUSTIN" moved the horses to an area behind WENDI'S house, across the road, and into a pine thicket, where BILLY said he released the horses. BILLY said that WENDI picked them up.

On 05/24/2012, I spoke with GEORGE BERISH III at the Little River County (Arkansas) Sheriff's

Department. I asked GEORGE to tell me about his involvement with the horses, horse trailer, and rodeo equipment that were stolen from SAU. GEORGE stated that BILLY came by his house and picked him up and told him that they were going to go steal the horses from SAU. GEORGE stated that they had previously spoken about this. GEORGE stated that he told BILLY that he didn't want to participate in the theft and that BILLY pulled a .22 magnum handgun out that was near him and sat it on the console. GEORGE stated that he was afraid if he didn't assist BILLY that BILLY would hurt him. GEORGE said that he and BILLY then went to the stables at SAU in WENDI'S truck and stole a horse trailer, five horses, and some rodeo equipment and then left.

The next day, GEORGE said that he was called by BILLY and told to come to WENDI'S and that when he got there, the trailer they had taken the night before was gone and that the horses were in the barn. GEORGE stated that deputies arrived at WENDI'S house and that BILLY held him down, holding the .22 magnum in his hand. BILLY is a convicted felon. GEORGE stated that he was in fear for his life. GEORGE stated that sometime after the deputies left, a bay horse with a blaze face had gotten loose and that BILLY walked out to where it was located and that he told him and WENDI to turn their heads that he was going to put the horse out of it's misery. GEORGE said that he heard a gunshot and that when he looked again the horse was on the ground. GEORGE said that a few days later, he, BILLY, JACI, and an UNKOWN male moved the horses out from behind WENDI'S house, where they were and rode them across the road into a heavily wooded area and that BILLY took the horses and led them into the woods and came back out alone. GEORGE said that BILLY told JACI to call her mother. GEORGE said that a short while later, WENDI arrived and picked them up. GEORGE stated that he was in fear for his life during his participation of these events.

AFCF: No / Yes Times (1) (2) or _____

Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.

Officer's Name KENT, WHIT Badge No. 4516

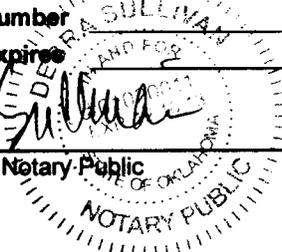
Sgt. Kent Whit
(Signature of Affiant)

Subscribed and sworn before me this 4/11/12

My commission number _____

My commission expires _____

John Sullivan
Notary Public



Yes No Sheriff's Affidavit Required

Bond Posted Appear in Court

BOND POSTED

A probable cause determination is not necessary, the arrestee bonded out of jail on the _____ at _____

APPEAR IN COURT

The undersigned Judge of this Court having conducted a probable cause determination for the above named person's arrest with warrant by sworn testimony and/or affidavit finds:

This affidavit/testimony contains sufficient facts showing probable cause for the person's arrest existed at the time of the arrest. Arraignment before a court is ordered on _____ at _____

- The Court sets an appearance Bond in the amount of \$ _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- The Court denies Bond at this time.

This affidavit/testimony contains insufficient facts to show probable cause for the person's arrest existed at the time of arrest.

Warrant by sworn testimony and/or affidavit finds:

This affidavit/testimony contains sufficient facts showing probable cause for the person's arrest existed at the time of the arrest. Arraignment before a court is ordered on _____ at _____

- The Court sets an appearance Bond in the amount of \$ _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- Bond in the amount of _____ For the crime of _____
- The Court denies Bond at this time.

This affidavit/testimony contains insufficient facts to show probable cause for the person's arrest existed at the time of arrest. The arrestee is ordered released from custody immediately.
Date _____ Time _____

Based on the preceding findings and order pursuant to Gerstein v. Pugh, 420 U.S. 103 (1975), and County of Riverside v. Phillips, No. 89-1817 (U.S. May 13, 1991) (Lexis 2528):

Jul Dewitt 6/1/2012

Rate My Horse PRO