

Appendix A - ASCC Jose Portalatin

AFFIDAVIT OF JOSE PORTALATIN

STATE OF TEXAS *Parker*
COUNTY OF ~~TARRANT~~

JJ
BEFORE ME, the undersigned authority, on this day personally appeared Jose Portalatin, who, being by me duly sworn, deposed as follows:

1. My name is Jose Portalatin. I am over the age of eighteen (18) years, of sound mind, and competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct. I am the Petitioner/Applicant in the proceedings before the Supreme Court of Texas (SCOTX) and the Court of Criminal Appeals of Texas (CCA), seeking extraordinary relief through a Petition for Writ of Mandamus and an Application for Writ of Habeas Corpus, respectively, to address the unlawful Capias Warrant issued on October 3, 2024, by Tarrant County Criminal District Court 2; the baseless vexatious litigant designation entered on September 29, 2025; the orchestrated denial of due process by judicial actors including Hon. Kenneth Newell and Hon. David Evans; the failure of the Second Court of Appeals to intervene; and the criminal conspiracy involving Serve Bank to facilitate an illegal foreclosure of my homestead.
2. This affidavit is submitted in support of the aforementioned filings in SCOTX and CCA, incorporating by reference the exhibits and arguments therein, including the Bill of Review challenging the void 2021 divorce decree (Cause No. 231-635708-18) predicated on Marilyn Cavalie's perjury regarding my preexisting Nevada marriage, as evidenced by certified marriage records and text messages from February 6, 2018, wherein she admitted knowledge of said marriage.
3. Regarding the revocation of my community supervision (probation) and the issuance of the Capias Warrant: On or about October 3, 2024, Tarrant County Criminal District Court 2 issued a Capias Warrant for my arrest based on an alleged violation of my community supervision terms, specifically prohibiting contact with Marilyn Cavalie. This allegation stems solely from automatic eFile notifications generated by the Texas eFile system in an ongoing Suit Affecting the Parent-Child Relationship (SAPCR) case, where I filed required documents such as motions and responses. These notifications were system-

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generated and did not constitute direct communication from me to Ms. Cavalie. At the time of these filings, Ms. Cavalie was not represented by an attorney in the case, as confirmed by court records and her lack of counsel of record. Under Texas Rules of Civil Procedure 21a and the eFileTexas system guidelines, service via eFile is mandatory and automatic for unrepresented parties, and such notifications do not equate to prohibited “contact” under any probationary terms, as they are procedural and not substantive or personal in nature.

4. The purported violations cited in the State’s Petition to Proceed to Adjudication (filed around October 7, 2025) reference dates coinciding with my legitimate filings in the SAPCR case, including efforts to oppose a motion to declare me a vexatious litigant and to seek a default judgment against Ms. Cavalie for her failure to respond after proper service. No evidence exists of any direct contact, harassment, or intent to violate terms; rather, this is a pretextual use of criminal process to obstruct my civil defenses, silence my filings, and facilitate the foreclosure of my homestead by Serve Bank, who engaged in ex parte communications with opposing counsel and withheld a reinstatement letter until less than 24 hours before the scheduled sale.
5. These actions by the court and related actors violate my constitutional rights under the Fifth and Fourteenth Amendments to the U.S. Constitution (due process and equal protection), the Fourth Amendment (unreasonable seizure via the Capias), and Texas Constitution article I, sections 10 (protection from unreasonable searches and seizures), 13 (open courts), and 19 (due course of law for deprivation of liberty and property). The doctrines of unclean hands and fruit of the poisonous tree apply, as the initial fraud in the 2021 decree—rooted in perjury and lack of jurisdiction—taints all subsequent proceedings, including the probation revocation and Capias. Judicial actors, including Judges Newell and Evans, have employed procedural mechanisms to perpetrate these crimes, such as refusing to hear my Verified Affidavit in Support of Criminal Complaint, Bill of Review, and Emergency Ex Parte TRO, thereby committing official oppression (Texas Penal Code § 39.03) and conspiracy against rights (18 U.S.C. § 241).
6. The Second Court of Appeals has failed to address this overt corruption, breaching its oaths and duties, necessitating its immediate recusal. The statewide implications are profound: This pattern of judicial abuse in Tarrant County undermines public confidence

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in Texas courts, erodes uniform constitutional protections, and invites systemic criminality if unchecked. I demand referrals for investigation and prosecution by the Texas Office of the Attorney General (OAG) and U.S. Department of Justice (DOJ), as these are not discretionary matters but mandatory responses to evident felonies by public officials.

7. I have suffered irreparable harm, including over a year of illegal home confinement that prevented employment and led to the foreclosure crisis, psychological torture from repeated due process denials, and the threat of unlawful incarceration via the Capias. A permanent stay or injunction is essential, as prior stays have been ignored through procedural gamesmanship.
8. Attached hereto as exhibits are copies of relevant documents, including but not limited to: the Capias Warrant (Exhibit A), Vexatious Litigant Order (Exhibit B), eFile Notification Records (Exhibit C), Bill of Review (Exhibit D), Emergency TRO Filing (Exhibit E), and Correspondence with Serve Bank (Exhibit F). These support the facts averred and demonstrate the criminal nature of the proceedings against me.

FURTHER AFFIANT SAYETH NOT.

Jose Portalatin.

signature

Date:

10-9-25

Burleson, TX 76028

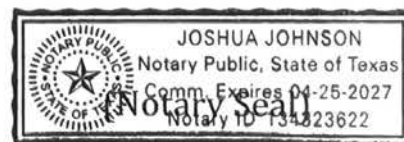
SUBSCRIBED AND SWORN TO BEFORE ME by Jose Portalatin, who is personally known to me or who has produced [type of identification, e.g., Texas Driver's License] as identification, on this 9th day of October, 2025.

Notary Public Signature

Printed Name: Joshua Johnson

Notary Public, State of Texas

My Commission Expires: 04/25/27.



325-635708-18

**Supplemental Criminal Complaint for Ongoing Corruption,
Obstruction, and Retaliation**

**Against Denise Hallmark, Andrea Padilla, Marylin Cavalie, OAG
Personnel, and Named Attorneys**

**STATE OF TEXAS
COUNTY OF TARRANT**

BEFORE ME, the undersigned authority, personally appeared **Jose Portalatin**, who, after being duly sworn, deposes and states as follows:

I. PARTIES

Complainant:

Jose Portalatin

Burleson, TX 76028

Email: [REDACTED]

Respondents:

1. **Denise Hallmark** – Visitation Supervisor, Tarrant County Visitation Center
2. **Andrea Padilla** – Visitation Monitor, Tarrant County Visitation Center
3. **Marylin Cavalie** – Mother of Complainant's Children
4. **Amber Tilley** – Attorney
5. **Karon Rowen** – Attorney
6. **Dana D. Clark** – Attorney
7. **Ashley Conyers** – Attorney
8. **Rebecca Eyster** – Attorney
9. **Jennifer Liles** – Attorney
10. **Erika Wheeler** – Attorney
11. **Kellet Greenwood** – Attorney

12. **John Cashman** – Attorney
13. **Cherryl Rausher** – Attorney
14. **Brian Singleterry** – Attorney
15. **James Schnurr** – Attorney
16. **OAG Child Support Division Personnel, Staff, Court Actors, and Administrators** associated with **Cause No. 325-635708-18**

II. JURISDICTION

This affidavit is filed under the authority of the following statutes:

- **Texas Penal Code § 25.03:** Interference with Child Custody
- **Texas Penal Code § 36.06:** Obstruction or Retaliation (Criminal Coercion)
- **Texas Penal Code § 22.04:** Injury to a Child
- **Texas Penal Code § 22.041:** Abandoning or Endangering a Child
- **Texas Penal Code § 38.05:** Hindering Apprehension or Prosecution
- **Texas Penal Code § 39.02:** Abuse of Official Capacity
- **Texas Penal Code § 39.03:** Official Oppression
- **Texas Penal Code § 39.015:** Concurrent Jurisdiction for Official Misconduct
- **Texas Penal Code § 37.09:** Tampering with or Fabricating Physical Evidence
- **Texas Penal Code § 71.02:** Engaging in Organized Criminal Activity
- **Texas Family Code § 153.001(a):** Parental Rights and Child Welfare

III. STATEMENT OF FACTS

1. On **June 3, 2023**, **Andrea Padilla**, acting as a visitation monitor, interrogated my daughter, [REDACTED] during supervised visitation, causing undue psychological distress.
2. On **June 17, 2023**, **Denise Hallmark** improperly influenced [REDACTED] to refuse court-ordered visitation.
3. **Critical Incident with** [REDACTED]
 - During a supervised visit, I hugged my son, [REDACTED]
 - **Denise Hallmark** and **Andrea Padilla** abruptly **terminated the visit** and **forcibly removed** [REDACTED] causing emotional harm.

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- This action was a clear **abuse of authority** and not authorized by any court order.
- 4. **Marylin Cavalie** has knowingly placed my children with **known criminals**, endangering their physical and emotional well-being.
- 5. Despite the **Notice of Criminal Activity** served on **November 19, 2024**, the listed attorneys and **OAG personnel** have continued to obstruct justice by filing motions and manipulating the court process.

IV. STATUTORY VIOLATIONS

A. Violations by Denise Hallmark, Andrea Padilla, and Marylin Cavalie

1. Texas Penal Code § 25.03 – Interference with Child Custody
2. Texas Penal Code § 36.06 – Obstruction or Retaliation (Criminal Coercion)
3. Texas Penal Code § 22.04 – Injury to a Child
4. Texas Penal Code § 22.041 – Abandoning or Endangering a Child
5. Texas Penal Code § 39.02 – Abuse of Official Capacity
6. Texas Penal Code § 39.03 – Official Oppression
7. Texas Penal Code § 38.05 – Hindering Apprehension or Prosecution

B. Violations by the Listed Attorneys and OAG Personnel

1. Texas Penal Code § 38.05 – Hindering Apprehension or Prosecution
2. Texas Penal Code § 37.09 – Tampering with or Fabricating Physical Evidence
3. Texas Penal Code § 36.06 – Obstruction or Retaliation
4. Texas Penal Code § 71.02 – Engaging in Organized Criminal Activity

V. DEMAND FOR ARREST WARRANTS

I, Jose Portaltin, hereby **demand** immediate arrest warrants for:

- Denise Hallmark
- Andrea Padilla
- Marylin Cavalie
- Amber Tilley

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- Karon Rowen
- Dana D. Clark
- Ashley Conyers
- Rebecca Eyster
- Jennifer Liles
- Erika Wheeler
- Kellet Greenwood
- John Cashman
- Cherryl Rausher
- Brian Singleterry
- James Schnurr
- OAG Child Support Division personnel who failed to act on previous complaints.

VI. STATEMENT OF LIMITED PRESENTATION OF FACTS

*The facts presented in this affidavit are limited to those directly known and personally experienced by me, **Jose Portaltin**. This statement is made in good faith to initiate a criminal investigation. I am prepared to provide additional evidence if requested.*

VII. RELIEF REQUESTED

1. **Immediate issuance of arrest warrants** for all named individuals.
2. A **formal criminal investigation** by the **OAG Criminal Division** or referral to **federal authorities**.
3. **Permanent restraining orders** preventing any legal actions until a full investigation is completed.
4. **Immediate removal and referral for indictment** of all **OAG personnel** who failed to report the crimes.
5. Restoration of my lawful **parental rights**.

VIII. VERIFICATION

I declare under penalty of perjury that the statements in this affidavit are true and correct to the best of my knowledge.


Jose Portalatin

Executed in Tarrant County, Texas

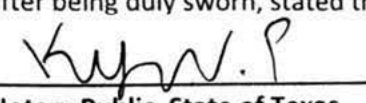
1-12-25

IX. NOTARY ACKNOWLEDGEMENT

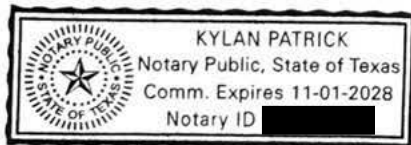
State of Texas

County of Tarrant

Before me, the undersigned authority, on this day personally appeared **Jose Portalatin**, who, after being duly sworn, stated that the contents of this affidavit are true and correct.


Notary Public, State of Texas

Commission Expires: 11/01/2028 KP (01/12/2025)



Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 96114198

Filing Code Description: Notice

Filing Description: Supplemental Criminal Complaint/ OBSTRUCTION AND RETALIATION

Status as of 1/13/2025 3:09 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Marylin Cavalie		[REDACTED]	1/12/2025 1:52:25 PM	SENT
jose portlatin		[REDACTED]	1/12/2025 1:52:25 PM	SENT
ATTORNEY GENERAL OF TEXAS		CSD-LEGAL-914@TEXASATTORNEYGENERAL.GOV	1/12/2025 1:52:25 PM	SENT
CHERYL RAUSCHER		[REDACTED]	1/12/2025 1:52:25 PM	SENT
Amber Tilley		[REDACTED]	1/12/2025 1:52:25 PM	SENT
Karon Rowden		[REDACTED]	1/12/2025 1:52:25 PM	SENT
KERRY OWENS		[REDACTED]	1/12/2025 1:52:25 PM	SENT
AMBER TILLEY		[REDACTED]	1/12/2025 1:52:25 PM	SENT
Christopher Norris		[REDACTED]	1/12/2025 1:52:25 PM	SENT
Marylin Cavalie		[REDACTED]	1/12/2025 1:52:25 PM	SENT
Brian Singleterry		[REDACTED]	1/12/2025 1:52:25 PM	SENT
BRIAN SINGLETERRY		[REDACTED]	1/12/2025 1:52:25 PM	SENT

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Exhibit C

Second Supplemental Criminal Complaint

Affidavit of Jose Portalatin

For Ongoing Retaliation, Harassment, Torment, and Lack of Candor

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, personally appeared **Jose Portalatin**, who, being duly sworn, deposes and states as follows:

I. Jurisdiction

This affidavit is submitted under the jurisdiction of the **State of Texas**, pursuant to **Texas Penal Code § 36.06 (Obstruction or Retaliation)**, **Texas Government Code § 81.102 (Unauthorized Practice of Law)**, and the **Texas Disciplinary Rules of Professional Conduct**. This affidavit establishes probable cause for immediate legal action and investigation into repeated and deliberate acts of retaliation, harassment, and torment.

II. Statement of Purpose

This affidavit complies with **Article 15.05 of the Texas Code of Criminal Procedure**, requiring that a complaint:

1. **Identify the Accused:** Names **James Schnurr, Amber Tilley, Karon Rowden, and Lisa Grimaldi**, and describes their misconduct.
2. **Establish an Offense:** Specifies acts constituting criminal and ethical violations under Texas law.
3. **Provide Time and Place:** Details the dates, locations, and circumstances of the alleged offenses.
4. **Affirm Under Oath:** Is signed under oath, affirming its sufficiency and truthfulness to establish probable cause.

III. Statement of Limited Presentation of Facts

This affidavit includes only the facts necessary to establish probable cause for criminal and ethical violations. It does not contain all evidence in my possession but focuses on the most relevant incidents. I have no duty to provide evidence to the accused or conduct investigations; such responsibilities rest with the authorities receiving this affidavit. This affidavit stands sufficient on its face.

IV. Complainant Information

Name: Jose Portalatin

Email: [REDACTED]

V. Respondents

1. **James Schnurr**

State Bar Qualified Law Student

Texas A&M University School of Law

2. **Amber Tilley**

Supervising Attorney, Texas Bar No. 24085082

3. **Karon Rowden**

Supervising Attorney, Texas Bar No. 24026080

4. **Lisa Grimaldi**

Court Coordinator, 325th District Court

VI. Statement of Facts

Background and Pattern of Retaliation

1. On **November 19, 2024**, I filed a formal criminal complaint detailing unethical practices, procedural violations, and retaliatory conduct by the respondents in **Cause No. 325-635708-18**.
2. Following this complaint, the respondents escalated their actions, engaging in a sustained campaign of **retaliation, harassment, and torment**, targeting me through procedural abuses, baseless motions, and deliberate misrepresentations in court filings.
3. **James Schnurr, Amber Tilley, and Karon Rowden** have each signed and filed retaliatory motions, including the **Motion to Compel Address**, which directly demonstrates their coordinated misconduct.

December 10, 2024: Bad Faith Scheduling During My Vacation

4. On **December 10, 2024**, **James Schnurr**, under the supervision of **Amber Tilley** and **Karon Rowden**, emailed the court and opposing counsel proposing hearing dates for a **1st Amended Motion to Overrule Objections** during a period he knew I was on vacation (until **December 13, 2024**). His deliberate scheduling attempt demonstrates **bad faith** and intent to gain an unfair procedural advantage.
5. Schnurr's actions disregarded the procedural stay imposed by my **Motion to Disqualify the Presiding Judge**, further escalating harassment and torment. Despite being copied on this email, neither Tilley nor Rowden intervened, allowing Schnurr to proceed unchecked, in violation of **Rule 5.01 (Responsibilities of Supervisory Lawyers)**.

January 13, 2025: Lack of Transparency and Continued Harassment

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6. On **January 13, 2025**, Schnurr contacted me again to schedule hearings for a **Motion to Enforce Child Support** and an **Objection to Discovery of Bank Records**. In response, I explicitly requested clarification of Schnurr's supervising attorney and objected to his unauthorized actions.

7. Despite my request, **Amber Tilley** and **Karon Rowden**, who were copied on the email, failed to intervene or address my concerns. Their silence enabled Schnurr's unauthorized legal actions and further violated their duties under the **Texas Supreme Court's Student Practice Rule**, which mandates supervision and disclosure of authority.

January 16, 2025: Exclusion by Grimaldi and Unfair Advantage

8. On **January 16, 2025**, a hearing for **January 30, 2025**, was set by **Lisa Grimaldi**, the Court Coordinator for the 325th District Court. Grimaldi deliberately excluded me from communications regarding the available dates, while issuing them directly to opposing counsel. This omission created a significant procedural disadvantage and exemplifies ongoing harassment and bias against me.

January 30, 2025: Retaliatory Motion and Tilley's Misrepresentation

9. Following the January 16 scheduling, **Amber Tilley**, along with **James Schnurr** and **Karon Rowden**, signed and filed a **Certificate of Conference** falsely claiming that meaningful efforts had been made to consult with me and that no agreement could be reached. This statement is demonstrably false, as it relied on Schnurr's deficient January 13 email, which contained no good faith effort to confer.

10. Additionally, **Schnurr, Tilley, and Rowden** jointly filed a **Motion to Compel Address**, an unnecessary and retaliatory filing designed to harass and torment me further. This filing demonstrates a direct and intentional violation of **Texas Penal Code § 36.06 (Retaliation)**.

Systemic Impact on Future Attorneys

11. The behavior of **Amber Tilley** and **Karon Rowden** as supervising attorneys not only enabled Schnurr's unauthorized practice of law but also sets a dangerous precedent for future student attorneys. Their failure to enforce ethical standards risks corrupting future practitioners, fostering a culture of professional misconduct, and eroding public trust in the legal system.

VII. Legal Violations

1. **Unauthorized Practice of Law (Texas Government Code § 81.102)**
 - Schnurr acted beyond his authority as a law student, engaging in legal actions without proper supervision.
2. **Obstruction of Justice (Texas Penal Code § 36.06)**
 - Filing motions and scheduling hearings in violation of a procedural stay constitutes obstruction.
3. **Retaliation (Texas Penal Code § 36.06)**
 - Filing retaliatory motions, including the Motion to Compel Address, to intimidate and harass me as a complainant.
4. **Fraud Upon the Court**

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- Misrepresenting facts, including proposing hearing dates while I was unavailable, to gain an unfair advantage.
5. **Failure to Supervise (Rule 5.01)**
 - Tilley and Rowden's failure to supervise Schnurr's unauthorized actions.
 6. **Court Coordinator Misconduct**
 - Grimaldi's exclusion of me from key communications demonstrates bias and procedural unfairness.

VIII. Relief Requested

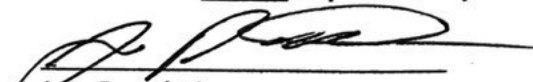
I respectfully request the following:

1. **Issuance of Arrest Warrants**
 - For all named respondents based on obstruction, retaliation, and ethical violations.
2. **Formal Criminal Investigation**
 - Conducted by the **OAG Criminal Division** or referred to **federal authorities**.
3. **Permanent Restraining Orders**
 - Prohibiting respondents from further filings or retaliatory actions until investigations conclude.
4. **Additional Relief**
 - Any other actions deemed necessary to uphold justice and accountability.

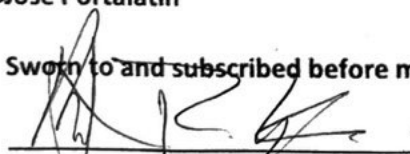
IX. Verification

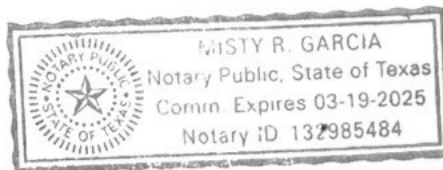
I, **Jose Portalatin**, declare under penalty of perjury that the foregoing is true and correct based on my personal knowledge, the attached evidence, and relevant legal documents.

Executed this 20 day of January 2025 in Tarrant County, Texas.


Jose Portalatin

Sworn to and subscribed before me on this 20th day of January 2025.


Notary Public, State of Texas





Phil Sorrells
Criminal District Attorney, Tarrant County

Return to: White Collar/Public Integrity Unit
C/O Chief Lori Varnell
401 West Belknap, 9th Floor
Fort Worth, Texas 76196-0201
[REDACTED]

CRIMINAL OFFENSE INVESTIGATION REFERRAL

1. **Complainant**

Your name: JOSE PORTALATIN

Home address: [REDACTED]
Arlington street Texas apartment 76016
city state zip code

Birth date: __/__/__ [REDACTED] [REDACTED]

Home phone: () Work phone: ()

Company you represent:

Company address: street apartment
city state zip code

E-mail address: [REDACTED]

2. **Person and Position complained about:**

public servant
Name or names: Angie Livingston Wierzbicki and Erika Vieyra Patino, lawyer, Bar Card Number: 24074866

Home address: [REDACTED]
North Richland Hills street TX apartment 76180
city state zip code

Entity name: Court Coordinator of 233th District Court, Texas

Entity address: [REDACTED] 5th Floor
Fort Worth street, TX apartment 76196
city state zip code

Work phone: ()

E-mail address:

3. **Names of suspect's companions and employees that have information about the offense alleged:**

Erika Vieyra Patino, lawyer, Bar Card Number: 24074866

[REDACTED] Ste A, Pantego, TX 76013-2047

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4. **Offense:**

Nature of Offense: Angie(Tex. Penal Code § 36.09); Erika (36.08(e), (h) and/or § 36.02(a))
(theft, misapplication of fiduciary property, securing execution of a document by deception, etc.)

Date of Offense: 08/01/2025 City offense occurred in: Fort Worth, Texas

5. List the names of any other agencies (including police) to which you have already made a complaint in this matter, the name of the person contacted, and the date of your complaint, and the incident number of any police report:

N/A

6. **Narrative**

Please write a detailed statement of the transaction complained of. Include as many specifics as possible (for example, list the names and phone numbers of all witnesses, provide all dates, etc.) Include an explanation of your own efforts to recover your property since the transaction. **USE ADDITIONAL PAPER IF NEEDED. PLEASE ATTACH COPIES (NOT ORIGINALS) OF ANY PERTINENT DOCUMENTS.**

See attachment.

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7. List the names, addresses, and phone numbers of any individuals who know additional facts about these transactions:
See attachment.
-
-
-

Please read the following and sign the affidavit below.

- 1) The District Attorney's Office, by law, can represent only the State and only in criminal offenses. It can not represent you nor give you advice in a civil matter. Please make note that this form is not to be used generally for offenses, the District Attorney's Office is not the investigator of first report. This form is provided for referral of criminal matters of public integrity only.
- 2) The filing of this complaint can result in criminal charges being filed against the person complained of.
NOTE: INTENTIONAL MISSTATEMENT OF FACTS IN THIS COMPLAINT FORM CAN RESULT IN YOUR BEING CHARGED WITH THE OFFENSE OF "FALSE STATEMENT TO A PEACE OFFICER."
- 3) If criminal charges are filed, the disposition of the charges is the discretion of the District Attorney.
- 4) The filing of a criminal complaint does not preclude you availing yourself of civil remedies; however, please notify this office if doing so.
- 5) The District Attorney is not required to dismiss any charges upon your request. Once charges are filed, the District Attorney will only dismiss charges when it is deemed appropriate to do so. NOTE: UNDER SOME CIRCUMSTANCES, YOUR AGREEING TO DROP CHARGES CAN BE A CRIMINAL OFFENSE.
- 6) It is your responsibility to notify this office of any changes in your address or any new information obtained concerning the facts in this case.
- 7) Please return this form to the address listed at the top of page one. Include front and back copies of all the relevant documents, including checks. **DO NOT SEND YOUR ORIGINAL DOCUMENTS UNLESS SPECIFICALLY REQUESTED TO DO SO.** Keep your original documents in a safe place; they may be needed for trial.
- 8) This complaint will be reviewed by an Assistant District Attorney as soon after receipt as possible. You will be notified by mail if it is determined that criminal charges cannot be pursued. If a criminal investigation is begun, you will be notified. Please do not come to the offices of the District Attorney without first scheduling an appointment.
- 9) It normally takes 4 to 6 weeks for a response from this office on your complaint. This depends upon the workload. We process complaints in the order in which they are received. Due to the extremely lengthy time required for this office to obtain financial investigation records, some cases are under investigation for several months. No one can be certain as to how long a matter might take from start to finish.

AFFIDAVIT

THE STATE OF TEXAS)

COUNTY OF TARRANT)

BEFORE ME, A Notary Public in and for the State and County aforesaid in this day personally appeared the undersigned affiant, who, after being duly sworn upon Oath deposes and says:

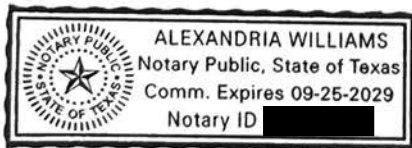
My name is Jose Portatatiu, I have completed this form, and have read it completely. It is true, correct, and complete. If the information included in this complaint changes, I will immediately write the Criminal District Attorney's office to correct the information the Criminal District Attorney has on file in this matter. I understand that making false statements to a law enforcement officer may result in criminal penalties. Furthermore, I am willing to testify to the accusations made in this complaint, if needed. If I have further communication with the entity of which I am complaining, I will immediately write to the Criminal District Attorney's office to update/correct this complaint. I will, further, communicate any and all exculpatory information and attest that I have done so in this complain."


SIGNATURE OF COMPLAINING PARTY

NAME: Jose Portatatiu

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for Tarrant County,

Texas, this the 11th day of October, 20 25.



Alexandria Williams
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission expires on 25th Day of September, 20 29.

It is my best knowledge and believe that following facts are true.

Offenses alleged: (1) *Offering Gift to Public Servant* — Tex. Penal Code § 36.09; (2) *Gift to Public Servant* — § 36.08(e), (h); **in the alternative** (3) *Bribery* — § 36.02(a).

Venue: Tarrant County, Texas.

A. Parties and Status

1. **Suspect 1 (private lawyer): ERIKA PATINO**, State Bar No. 24074866, whose business address is 2 [REDACTED] **Ste A, Pantego, TX 76013-2047**
2. **Suspect 2 (court employee): ANGIE LIVINGSTONE WIERZBICKI, Court Coordinator** for the **233rd District Court, Tarrant County, Texas**. A court coordinator is a **public servant** employed by a tribunal having judicial authority. See Tex. Penal Code § 1.07(a)(41); Tex. Gov't Code § 74.101.
3. **“Benefit”** means anything reasonably regarded as pecuniary gain, including a motor vehicle. Tex. Penal Code § 36.01(3).

B. Statutory Allegations

Count 1 — Offering Gift to Public Servant (Tex. Penal Code § 36.09; Class A misdemeanor).

On or about **AUGUST 1, 2025**, in Tarrant County, **ERIKA PATINO**, a person with matters pending or reasonably anticipated to be pending before the **233rd District Court**, **offered and provided** a benefit—namely a **white Volkswagen Tiguan**, year 2022-204, value **\$20,000 to 35,000+** to **ANGIE LIVINGSTONE WIERZBICKI**, a public servant employed by said tribunal, **knowing** she was prohibited by law from accepting the benefit.

Count 2 — Gift to Public Servant (Tex. Penal Code § 36.08(e), (h); Class A misdemeanor).

On or about the same date and county, **ANGIE LIVINGSTONE WIERZBICKI**, while an **employee of a tribunal exercising judicial functions**, **accepted** the above-described benefit from **ERIKA PATINO**, a person **known to be interested** in matters pending before that tribunal.

Alternative Count — Bribery (Tex. Penal Code § 36.02(a); second-degree felony).

Appendix A - ASCC Jose Portaltin

If court hearing date setting evidence shows the vehicle was given **as consideration** for a prioritized (faster) court hearing date assigned by **ANGIE LIVINGSTONE WIERZBICKI** or other exercise of official discretion, or for a violation of an official duty by **ANGIE LIVINGSTONE WIERZBICKI**, then **ERIKA PATINO** and/or **ANGIE LIVINGSTONE WIERZBICKI** committed **Bribery** under § 36.02(a).

C. Probable-Cause Narrative

4. The **233rd District Court** is a Texas state district court seated in Tarrant County. **ANGIE LIVINGSTONE WIERZBICKI** serves as its court coordinator, performing official functions including calendaring, communications with the presiding judge, and management of court operations affecting parties with matters before the court.
5. On 5th **IN AUGUST 2025**, I observed/obtained **PHOTO/ POST** depicting **ANGIE LIVINGSTONE WIERZBICKI** in or with a **white 2022-2024 Volkswagen Tiguan**.
6. On information and belief, the Tiguan was **purchased, financed, leased, or paid for by ERIKA PATINO** (directly or through a third party) **for the use or benefit of ANGIE LIVINGSTONE WIERZBICKI**. The vehicle value is **\$20,000+ to 30,000+** based on information over internet.
7. At the time of the purchase, **ERIKA PATINO** had **matters pending** or reasonably anticipated to be pending before the **233rd District Court** during **2025**.
8. Under Tex. Penal Code § **36.08(e)**, an employee of a tribunal exercising judicial functions **may not accept** any benefit from a person known to be interested in matters before that tribunal. Under § **36.09**, it is an offense to **offer** such a benefit **knowing** the employee is prohibited from accepting it.
9. These facts establish **probable cause** that § **36.09** (by **Patino**) and § **36.08(e)** (by **Wierzbicki**) were violated and, depending on further proof of **quid pro quo**, § **36.02** (Bribery).

D. Requested Investigative Steps

Issue subpoenas/requests for:

- **Dealership** records: buyer(s), payer(s), sales contract, trade-in, financing, VIN, payment method(s), and delivery records.
 - **TxDMV** title/registration and lien data for the Tiguan.
 - **Insurance** binder and who paid the premiums.
 - **Bank/credit-card** payments linked to the purchase/lease.
 - **Communications** (texts/emails) between **Patino** and **Wierzbicki** around **July–September 2025**.
 - **Court docket** entries showing matters involving **Patino** in the **233rd District Court** during that period.
 - Any **gift/ethics disclosures** by court staff, if maintained.
11. Interview **dealership personnel** and relevant **court staff**; collect any **electronic posts** or **messages** referencing the vehicle.

E. Relief Requested

12. That this complaint be received; that an investigation be opened; and, upon determination of probable cause, that **appropriate charges** be filed for § **36.09**, § **36.08(e)**, and, if supported, § **36.02**.

Exhibit List:

- **Exh. A** — Post contains photographs of white 2022-2024 VW Tiguan.

Unsworn Declaration (Sworn Statement Under Penalty of Perjury)

[Tarrant County, Texas]

My name is Jose Portalatin, and my [REDACTED]

My address is [REDACTED] Arlington, TX 76016.

Appendix A - ASCC Jose Portaltin

I am the declarant in the above-styled cause, and I declare under penalty of perjury that the facts stated in this document are true and correct to the best of my knowledge and belief.

Executed in Tarrant County, Texas, on this 12 day of October, 2025.

/S/Jose Portalatin

Jose Portalatin, Declarant

Pursuant to Tex. Civ. Prac. & Rem. Code § 132.001, this declaration is made in lieu of a sworn affidavit and has the same force and effect as an affidavit made under oath.

Exh A

Appendix A - ASCC Jose Portaltin

