

06-14-08-sw

**EVIDENTIARY SEARCH WARRANT AFFIDAVIT**

On July 6, 2014, I, Detective Ben Lopez #1459, hereinafter referred to as Affiant was assigned as a Homicide Detective for the Arlington Police Department. At approximately 1346 hours, Affiant was contacted by Homicide Sgt. K. Fryer #1456 and notified of an investigation that Arlington Police Officers were working. Sgt. Fryer told Affiant that patrol officers were investigating a possible Capital Murder and were at two locations in Arlington. Sgt. Fryer told Affiant that a female was with patrol officers at 1980 W. Pleasant Ridge Rd. Arlington, Tarrant County, Texas. The female told officers there that her boyfriend had killed her child. The location is a hotel known as the Studio 6 hotel.

Affiant called the officers at the scene and was briefed by Officer Hoerig #2452. Officer Hoerig told Affiant the following: On July 6, 2014, Officer Hoerig and Officer Phillips #1881 were dispatched to 1980 W. Pleasant Ridge Rd, reference a lost child report. The person who called 911 to ask for police assistance was a relative of the child that was missing from the location. When Officer Hoerig arrived, she interviewed the caller, identified as Trina McKenzie. McKenzie said that the mother of the child, identified as Alexis Botello, a white female, born September 26, 1996, was dating her nephew. Her nephew was identified as Joshua Beard, a white male, born September 1, 1993. Beard was currently in the Arlington Jail. Beard had been "blowing her phone up" from the Arlington Jail, begging her to go to the hotel where Botello was staying to check on her. Beard said he had been trying to get in touch with Botello and she wasn't answering her phone. McKenzie first tried calling the location to get in touch with Botello. After not reaching Botello in the room, she called the front desk. Botello was in the office and they allowed McKenzie to speak to her. Botello was upset because they would not let her in the room. McKenzie drove to the Studio 6 at 1980 W. Pleasant Ridge Rd. to try and get in touch with Botello. Once McKenzie got to the location, she saw Botello sitting in her car and she was crying hysterically, talking on the phone. Botello handed McKenzie the phone. McKenzie asked who she was talking to. Botello was unable to answer. McKenzie asked her if it was her mother and she nodded yes. McKenzie then asked Botello where Tylea was. McKenzie said Tylea was Botello's 18 month old daughter. Botello first stated that Tylea was with Botello's mother. McKenzie told Botello that she had spoken with Botello's mother, identified as Angela Botello and that she stated she had not seen Tylea in over a month.

Officer Hoerig then spoke with Botello. Botello originally said she didn't know where Tylea was and that the last time she saw Tylea was two days ago. Botello then changed her story and said "he said he didn't mean to do it". Botello said the "he" was her boyfriend, Joshua Beard. Botello said she couldn't say what Beard had done because Beard made her promise not to say a word. Botello then said that she couldn't believe "she is gone". She clarified that she meant her baby. Botello still said she didn't know where Tylea was. Botello told Officer Hoerig that they were at a house on Polo Club on July 4, 2014 (Affiant learned that this was a house that Botello and Beard had been living in. This house is located at 2215 Polo Club Ct. Arlington, Tarrant County, Texas). Botello said Beard was pushing and yelling at Tylea. Botello kept yelling at him to stop, that she was just a baby and didn't understand. Beard then started yelling and hitting Botello. Botello told Beard he needed to calm down, that his abuse was getting worse and he was beginning to hurt them. Beard continued to push and shove Tylea. Botello finally got Beard to go to bed. Botello put Tylea in her room and went to bed. During the night Botello woke up to Tylea crying. Botello went into her room and found Beard hitting Tylea. Botello begged Beard to calm down and let Tylea be to sleep. Beard went to bed. Botello then said that the next morning she woke up and Tylea was nowhere to be found. After talking with

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Officer Hoerig further, Botello admitted that Tylea was dead and that she was buried in Springtown under a bridge that went over a stream like area. Botello said she could show officers where Tylea was buried. Botello gave more detail and said that after going to sleep at 4 a.m. on July 4th she didn't wake up again until 9 or 9:30. Botello went to the living room and Beard said she needed to get the "little demon" (Referring to Tylea). Botello went into Tylea's room and picked her up. Tylea looked awful. Her bottom was swollen, she had bruises on her ribs, chest, arms, legs, and even on the top of her feet. She also had bite marks all over her. Tylea had two cuts on her mouth, one on the top lip and one on the bottom lip. Botello described Beard hitting Tylea over and over again. Botello was yelling at him to stop and was trying to get Beard off of Tylea. Beard began hitting Botello. Beard picked Tylea up and threw her so hard on the bed that she bounced off and landed on the ground. Beard then began stomping on Tylea's stomach over and over again. Beard hit and choked Botello when she tried to stop him. Botello saw Tylea was throwing up green stuff. Beard tried CPR and got the green stuff all over him. Botello also tried CPR but Tylea wouldn't breathe.

Affiant asked that an officer take Botello to the Arlington Police Department Main Station so that Affiant could interview her further. Affiant and Detective C. Blank #2043 interviewed Botello in an interview room on the third floor. The interview was video recorded. Botello recounted the story she told Officer Hoerig. Botello also said Beard put Tylea's body in the trunk of her car to take Tylea to bury her. Beard drove and Botello went with him. They stopped at a Wal-Mart in Weatherford to buy gloves and two shovels. They then found a bridge in a remote area. They dug a grave under the bridge and buried Tylea. Tylea was wearing a diaper and was wrapped in a blue blanket. After she was buried Beard put some logs and rocks on the dirt over her grave. They left the two shovels near the bridge. Botello thought the gloves they used were in the trunk of her car. Botello said her clothes were in the hotel room. Botello said that there is bedding at the house (2215 Polo Club Ct. Arlington, Texas) that has vomit on it from when Tylea threw up. Botello said she wasn't sure what clothes Beard was wearing during the offense.

Botello said she would show detectives where Tylea was buried. Affiant and Detective Blank drove Botello to the place where she said they buried Tylea. The location is in the 1900 block of Sarra Ln. Weatherford, Parker County, Texas. Botello showed Affiant where they threw the shovels. Affiant saw two shovels in some trees on the side of the road. The shovels looked new. Botello showed Affiant where she said Tylea was buried. Crime Scene Investigator N. Newquist came to the location. CSI Newquist contacted D. Austin, with the Tarrant County Medical Examiner's Office to make arrangements to exhume the grave. This is scheduled to be done on July 7, 2014.

Affiant found that room number 373 of the hotel is registered to Joshua Markus Beard, a white male, born September 1, 1993,

Affiant asks that the warrant be issued so that the suspected place can be processed and photographed as a crime scene.

WHEREFORE, I ask that a warrant be issued to search for and seize at the above named and described place the aforesaid property and items, and person or persons whose names, identities and descriptions are unknown who may be found at the aforesaid location in possession of said property or in control of the area wherein said property is located, in accordance with the

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law in such cases provided.

Witness my signature, this the 7<sup>th</sup> day of JULY, 20 14.

[Signature] #1459  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, this 7 day of July, 2014,  
at 1:50 O'clock a.m.



[Signature]  
MAGISTRATE IN AND FOR  
TARRANT COUNTY, TEXAS  
Associate Judge  
OFFICE TITLE

Arlington Municipal Court of Record  
OFFICE ADDRESS