

**ORDER OF COMMITMENT  
TO THE SHERIFF OF TRAVIS COUNTY. GREETINGS:**

TYLER HASTINGS BERRY who having been brought before me 3/15/2022 at 6:14A M. charged with the offense:

Class A Misdemeanor CRL NON-LVSTCK:NON P

is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in:

Court Administration Office, Room 1.218

BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER, 509 W. 11th Street

Instantler

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2022 MAR 15 PM 3:33  
REBECCA G. BERRY  
CLERK  
TRAVIS COUNTY  
TRAVIS COU

2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.

3. Bail is hereby set as follows: \$10,200 \$5,000.00 + POSSESS NO LIVESTOCK OR NON-LIVESTOCK ANIMALS

+ random UA's + material

4. The magistrate informed the person of the person's right to request appointment of counsel; asked the person whether the person wants to request appointment of counsel; and the person (requested) (did not request) appointment of counsel.

5. Defendant is / is not ordered to install a vehicle ignition interlock within 21 days of release on bond. Defendant is not to operate any motor vehicle unless the vehicle is equipped with that device. Report to the Interlock office within 3 working days of release (for location call 512-854-9381).

6. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his rights under Art. 15.17 of the Texas Code of Criminal Procedure.

HEREIN FAIL NOT but of this ORDER make due return showing how you have executed same.

Attorney  
Retained \_\_\_\_\_ Appointed \_\_\_\_\_

Judge of the ( Municipal / JP / )  
Court of ( City of Austin / Travis County / )  
( \_\_\_\_\_ ), Texas (Acting as Magistrate)



Warrant: C1CR21501268 TRN: 9238356807 TRS: A003 Cause No.: C1CR21501268  
The State of Texas vs.  
Name: TYLER HASTINGS BERRY  
Address: 115 ASTER CV  
City: BUDA TX 78610  
DOB: [REDACTED] Sex: M Race: W Ethnic: N MNI: 7894692 Booking #: 2204920 Charge No.: 3

**SHERIFF'S RETURN**

CAME TO HAND THIS \_\_\_\_\_ day of MAR 15 2022 20\_\_\_\_, at 6:14 o'clock A. M.

and executed this \_\_\_\_\_ day of MAR 15 2022 20\_\_\_\_, at 6:14 o'clock A. M.,

by placing the accused in jail in Travis County, Texas

Sally Hernandez

[Signature]  
by Deputy

SHERIFF OF TRAVIS COUNTY, TEXAS

**WARRANT OF ARREST**

THE STATE OF TEXAS

CAUSE NO: C1CR21501268

VS.

NAME: TYLER HASTINGS BERRY

AUSTIN POLICE DEPARTMENT

ALIASES:

OFFENSE NO: 21-2140910

RACE/SEX/DOB: WHITE / MALE / [REDACTED]

OFFENSE DATE: 08-02-2021

ADDRESS: 115 ASTER CV

CITY, STATE, ZIP: BUDA, TEXAS 78610

PEACE OFFICER: Tim Diven # 4417

SSN [REDACTED]

D/L Number: [REDACTED]

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2021 MAR 15 PM 1:33  
REBECCA GERRERO  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS  
TO ANY PEACE OFFICER OF THE STATE OF TEXAS: GREETING

You are hereby commanded to arrest:

TYLER HASTINGS BERRY WHITE / MALE / [REDACTED]

If they are found in your county, and bring Defendant before me, George Thomas, in and for the AUSTIN MUNICIPAL COURT of Travis County, then and there to answer the State of Texas for an offense against the laws of said State, to-wit:

**CRUELTY NON-LVSTK:FAIL PRV--(Class A Misdemeanor)**

of which offense Defendant is accused by the written complaint, under oath of Tim Diven, filed before me.

HEREIN FAIL NOT but of this writ make due return, showing how you have executed the same.

WITNESS my official signature, on this 11 day of Oct, 2021, at 11:23 AM.

*George Thomas*

George Thomas  
County of Travis, Texas  
AUSTIN MUNICIPAL COURT

**RETURN**

This Warrant **CAME TO HAND** on the 11 day of October, 2021, at 13:25 P.M. and was **EXECUTED** in \_\_\_\_\_ Travis \_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ .M. by taking Tyler Hastings Berry into custody and transporting the person to \_\_\_\_\_ as commanded.

The distance actually traveled by me in the execution of this process was \_\_\_\_\_ miles and my fees are \_\_\_\_\_.

\_\_\_\_\_  
Officer's Name and Title

\_\_\_\_\_  
Officer's Signature

REBECCA GUERRERO  
COUNTY CLERK  
TRAVIS COUNTY, TX

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AUSTIN MUNICIPAL COURT  
STATE OF TEXAS  
VERSUS  
TYLER HASTINGS BERRY

Recommended Bond

Count	Charges	Amount	Description	Status Type
1	42.092(c), CRUELTY NON-LVSTK:FAIL PRV	\$5,000.00		
Total:		\$5,000.00		

Recommended Bond Conditions (if any):

Other bond conditions: possess no livestock or non-livestock animals.

SIGNED on this the 11 day of Oct, 2021.

*George Thomas*

Judge  
AUSTIN MUNICIPAL COURT  
State of Texas

George Thomas

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2021 MAR 15 PM 1:39  
REBECCA GUERRERO  
COUNTY CLERK  
TRAVIS COUNTY TX

THE STATE OF TEXAS § IN THE AUSTIN CITY MUNICIPAL COURT  
v. §  
TYLER HASTINGS BERRY § AUSTIN MUNICIPAL COURT

AFFIDAVIT AND APPLICATION FOR ARREST WARRANT

The Undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement: I have reason to believe and do believe that: Tyler Hastings Berry, DOB: [REDACTED] did then and there, on or about 08-02-2021 at 10001 N. Capital of Texas Hwy #215, Austin, Travis County, TX commit the offense of:

**CRUELTY NON-LVSTK:FAIL PRV-- (Class A Misdemeanor)**

Affiant is Detective Tim Diven #4417, an Austin Police officer assigned to the Animal Cruelty Unit. Your affiant has been employed by the Austin Police Department for 21 years and has been investigating Animal Cruelty for the last 9 years. Belief of the following statement is based upon personal investigative knowledge, witness statements, and information provided by Austin Police report #21-2140910.

On August 2, 2021, Austin Police Ofc. P. Reed #6822 responded to a 911 call from the Hyatt House located at 10001 N. Capital of Texas Hwy., Austin, Travis County, TX. The caller, Joshua Owens, the hotel manager, advised that a guest had checked out of room 215 and his staff had located a deceased puppy and hypodermic needles within. Owens provided Ofc. Reed the name of the guest as Tyler Berry. Ofc. Reed found Berry had APD involvement, including 2 prior and similar cases of animal cruelty (one of which your affiant just filed a felony warrant on Berry for animal cruelty; the warrant is currently active with a \$20,000 bond). Ofc. Reed was shown the hotel security footage of Berry and was able to compare Berry's mugshot and DL photo to the video and it was a match for Tyler Berry. Owens advised that Berry had checked in on July 30<sup>th</sup> around 11:03pm and then checked out on the morning of August 2<sup>nd</sup>. Staff found the puppy when they went to clean the room.

Ofc. Reed entered room 215 and found the deceased puppy on the top of a full trashcan in the bathroom. The puppy was white with brown spots and was clearly deceased. Ofc. Reed noted that there was dog food and a food bowl in the bathroom. He also observed dog pee pads in the bedroom area as well as a patch of fake grass. In the cruelty case against Berry with the active warrant, that deceased dog (an adult dog) was found in almost identical circumstances. The puppy was removed by Animal Control and taken to the Austin Animal Center (AAC) so a necropsy could be performed. This puppy was assigned identification #A840131 and was estimated to be only 6 to 12 weeks old.

On August 3, 2021, APD Ofc. W. Tietz #6832 was called back out to this same hotel as staff had located another deceased puppy in that same room. After the first puppy was found and removed, hotel staff did not clean out the room until the following day. Upon emptying out the same trashcan where the first puppy was found, a second deceased puppy was found buried down in the bottom of the trashcan. This dog was also a puppy and was brown with white spots. Your affiant advised Ofc. Tietz to have Animal Control pick up this body for a necropsy as well. That puppy was given identification #A840204 and was also estimated to be 6 to 12 weeks old.

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RECORDS SECTION  
TRAVIS COUNTY TEXAS

Dr. Estep DVM conducted a necropsy on both puppies. He advised that both puppies were thin and had no food in their intestinal system (which means at least 2-3 days without food). The white puppy (A840131) had a large number of roundworms and Dr. Estep believes it died as a result of "overwhelming parasite infection and inanition" (lack of nutrients). The brown puppy (A840204) had evidence of pneumonia, and it had "some pulmonary edema and emphysema that could indicate suffocation or drowning" (due to the pneumonia). Dr. Estep believes these puppies were neglected to the point that it caused their deaths and that both puppies would be alive if the owner (Berry) had provided the puppies with standard animal care (to include food and medical care).

Your affiant met with the hotel manager, Owens. Owens confirmed the check in and out days for Berry. He advised that a driver's license check is performed when guests check in to the hotel and that was done when Berry checked in. He advised that no other guests were with Berry and no person or animal was listed on his room, other than himself. Owens was also able to look up the form of payment for Berry and Berry paid with a Mastercard. This same Mastercard was used by Berry at several other local hotels, and where other deceased dogs were found.

While investigating Berry for the other animal cruelty cases, your affiant spoke to Berry's girlfriend, Elizabeth Masters. Masters advised that Berry would regularly get new dogs and puppies from Facebook. She said the dogs would then just disappear and that Berry advised that he gave them away. Masters advised that his explanation of what happened to the dogs was always "fuzzy".

On August 8, 2021, Berry was arrested for unrelated warrants. APD officers spoke to him in regards to his past dogs (they were aware of these cases against him). Berry told the officers that the dogs were sick when he got them and claims they all must have died from parvo. Dr. Estep conducted parvo tests on both dogs and they were negative for parvo.

It is your affiant's belief that Berry was the sole occupant and guest of room 215 from July 30<sup>th</sup> to August 2<sup>nd</sup>. It is also believed that Berry was the owner and caretaker of 2 puppies, as evidenced by the numerous dog related items in the room (pee pads, fake grass, dog food, dog bowls, etc). It is also known that the 2 puppies died from easily treatable conditions and that Berry failed to provide the puppies with basic animal care to maintain them in a state of good health.

This warrant/affidavit is for the brown puppy A840240.

Affiant asserts **Tyler Hastings Berry** committed Cruelty to Non-Livestock Animals when the person intentionally, knowingly, or recklessly failed unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody. "Necessary food, water, care or shelter" in this chapter includes food, water, care, or shelter provided to the extent required to maintain the animal in a state of good health.

*Tim Diven*

Tim Diven  
Affiant



SWORN AND SUBSCRIBED before me on this 11 day of Oct, 2021.

*George Thomas*

George Thomas  
County of Travis, Texas  
AUSTIN MUNICIPAL COURT

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

The foregoing Affidavit and Application was submitted to me by the said affiant on this 11 day of Oct, 2021, at 11:23 AM . I find that there is sufficient Probable Cause to support the arrest of the accused.

*George Thomas*

George Thomas  
County of Travis, Texas  
AUSTIN MUNICIPAL COURT

REBECCA GUERRERO  
COUNTY CLERK  
TRAVIS COUNTY, TX

2022 MAR 15 PM 1:40

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Signed by the said affiant, submitted to me by reliable electronic means, and subsequently sworn to by the said affiant before me through an electronic broadcast system.