

WARRANT OF ARREST AND DETENTION
WICHITA COUNTY, TEXAS

WFPD CASE: 22-091149
WARRANT NUMBER: 01-166441
BOND AMOUNT: \$50,000 -

In the Name of the State of Texas,
To any Sheriff, Constable, or Peace Officer of the State of Texas, Greetings:
YOU ARE HEREBY COMMANDED TO TAKE INSTANTER THE BODY OF:

 ORIGINAL

CATHERINE THOMAS JARVEY

Hereinafter referred to as the suspect, and bring the said suspect before a Magistrate in and for Wichita County, Texas, instanter, then and there to answer the State of Texas for an offense against the laws of said State, to-wit:

PC 22.04(e) INJURY TO A CHILD, ELDERLY OR DISABLED INDIVIDUAL - F/1

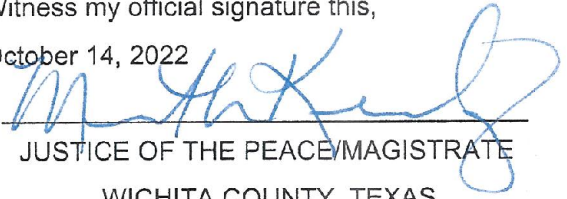
of which **FELONY** offense the said suspect is accused by the written Affidavit, under oath of

ANDREA YOUNG

filed before me anterior to the issuance of this warrant
Herein fail not and due return make hereof at the place hereinafter named.

Witness my official signature this,

October 14, 2022


JUSTICE OF THE PEACE/MAGISTRATE
WICHITA COUNTY, TEXAS

N/H

*****ADMINISTRATIVE DATA*****

State of Texas vs. **CATHERINE THOMAS JARVEY**

Date of Birth: [REDACTED] Sex: **FEMALE** Race: **WHITE**
DL: [REDACTED] ID:
Height: **5'05** Weight: **165** Hair: **BROWN** Eyes: **GREEN**
Date of Offense: 09/21/2022
Arrest Warrant Issued To: WCSO/WFPD/DA/JP Arrest Status: At Large

=====RETURN=====

Came to hand the _____ day of **10/14/2022**, at _____ hours, and executed on the **10/14/2022**
day of _____, at _____ hours by arresting and detaining the within named at the location of _____
in _____ County/Parish in the State of _____
*taking his/her bond *placing him/her in jail at _____

I actually and necessarily traveled _____ miles in the service of this writ and in addition to any other mileage I may have traveled in the service of other process during the same trip.

FEES - Making Arrest..... \$ _____
Mileage..... \$ _____
Taking Bond..... _____
Commitment..... _____
Release..... \$ _____
TOTAL..... \$ _____


BY _____

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned Affiant, who after being duly sworn by me, on oath stated: My name is Andrea Young, and I have good reason to believe that on or about September 21, 2022, in Wichita County, Texas, one

CATHERINE THOMAS JARVEY

 ORIGINAL

Did then and there commit the offense of

PC 22.04(e) INJURY TO A CHILD, ELDERLY OR DISABLED INDIVIDUAL - F/1

Your Affiant's belief is based upon the following facts and information deriving from your Affiant's personal investigation of this alleged offense and/or the account of a fellow peace officer/peace officers who personally participated in the investigation of this alleged offense, who provided information to your Affiant, and whose information your Affiant believes to be credible.

On the basis of facts developed during the investigation of this offense, it is believed that the suspect, on or about the date of **September 21, 2022** committed the offense of **PC 22.04(e) INJURY TO A CHILD, ELDERLY OR DISABLED INDIVIDUAL - F/1**, in **Wichita Falls, Wichita County, Texas**.

The facts of the offense are as follows:

On 09/21/2022 at about 0130 hours, officers were dispatched and responded to 1212 Broad Street to room 124 at the Delux Inn in regard to a check welfare call that resulted in a possible injury to a child. Officers advised that staff at the Delux Inn identified Catherine Jarvey and her two children as residents of room 124. Officers further advised that an exterminator had been to the room and observed the Victim whom he described as looking like a skeleton lying in a pack and play in the room. When the head of the skeleton turned and faced the exterminator, he realized that the skeleton was a child who was alive. The exterminator then notified his supervisor who in turn notified the Wichita Falls Police Department. A check welfare was completed by patrol officers on duty at the time. After officers encountered Catherine and her children, they contacted Sgt. Esteves and detectives with the Juvenile and Crimes Against Children Unit.

Your Affiant responded to room 124 at the Delux Inn and approached officers on scene. Your Affiant observed an adult female who was identified as Catherine Jarvey holding a small child that appeared to be possibly a toddler who was identified as the Victim. The Victim was very thin, and Catherine cradled him in her arms much like a parent would hold an infant. The Victim could not extend his arms and legs and did not let out any noises. Your affiant observed the Victim move his eyes and head slightly as people talked and observed hair growing all over the Victim's body. Catherine stated that the Victim was her son, and he was 6 years old. Your Affiant observed that the Victim's head was misshapen, and he suffered from a severe curve of his spine. Your Affiant could see the Victim's rib cage which was curved inward and askew. Catherine stated she also had a daughter who lived in the hotel room with her who was 10 years old, and she pointed to a juvenile female that was standing near the door of the room. Catherine's daughter looked to be average height and weight for a 10-year-old female.

While on scene, numerous cans of Pediasure enteral formula were located inside the hotel room. Catherine indicated that the cans were the formula that she fed to the Victim through his G-tube. The cans were stamped on the bottom with a use by date of "1MAY2020". During Catherine's interview, she advised that she would give the Victim one 8 oz can of formula every 5 hours. She indicated that she would follow the feed with water so that the Victim stayed hydrated as well. When Catherine was advised during her interview that the expiration date on the cans was "1MAY2020", she advised that she had additional feed that was in a storage unit that she would administer to the Victim. A search warrant for the storage unit was executed, and 18 cases consisting of 48 cans of enteral formula each were located in the unit. All of the formula in the cases were marked with "USE BY" dates of 2021 or prior. No other formula or feed was located in room 124 or in the storage unit.

During Catherine's interview, she stated that on 9/21/2022 when she encountered CPS and law enforcement, she had missed feeding the Victim every 5 hours. She stated that she fed the Victim 8 oz through his G-tube at midnight on 9/21/2022. Catherine admitted in her interview that she did not feed the Victim again on 9/21/2022 due to other events occurring that needed her attention resulting in her having to postpone the Victim's feed. She advised that things kept coming up that needed her immediate attention such as getting her daughter ready for a dental appointment and scheduling transportation for her daughter's dental appointment.

Catherine stated that the Victim had numerous diagnoses that caused his appearance. She told officers and your Affiant

that she is used to having CPS and law enforcement called after people see the Victim because his appearance is so abnormal. Catherine stated that the Victim was diagnosed with alobar holoprosencephaly, hydrocephalus, pectus excavatum, and scoliosis. Catherine stated that when the Victim was born that he was diagnosed with failure to thrive and incompatible with life. She stated that the Victim weighed 8 lb 7 oz and was 19" when he was born.

On 9/21/2022, hospital staff at United Regional emergency room advised your Affiant that it was suspected the Victim had not been fed for 24 to 48 hours due to there being no gastric contents present in his stomach when feeding was attempted.

On 9/22/2022, the Victim was transported to Cook Children's Medical Center for treatment. Dr. Elizabeth Peeler, Cook Children's Medical Center C.A.R.E. Team, treated the Victim when he arrived at Cook Children's Medical Center in Fort Worth, Texas. Dr. Peeler stated in her report the following findings:

- The Victim was born with holoprosencephaly (birth defect resulting in an abnormal brain) and resultant G-tube dependence. The Victim was admitted to the pediatric intensive care unit with severe malnutrition and failure to thrive.
- The Victim appeared extremely small for his age and cachectic (physical wasting with loss of weight and muscle mass). Records state, "Patient opens eyes and moans with manipulation. Flexes legs into fetal position when examined."
- The Victim's head appeared macrocephalic in comparison to body habitus.
- The Victim is not able to walk, talk, sit up, follow commands, and is not potty trained.
- The Victim's musculoskeletal exam showed that the Victim had atrophy in all extremities with his left calf measuring at 4.5 inches in circumference and no adipose tissue and that scoliosis was visible in the entire spine and shoulder blades. A blister was observed on the tip of the Victim's left 5th toe, redness was visible in a small area of the sacrum, and petechiae was visible to the right lower eyelid.
- On 9/22/2022, the Victim weighed 15 lb 3.4 oz which is less than the 1st percentile for his age and gender. The Victim weighed 19 lb when he was 18 months old. This proves that despite his medical condition, the Victim should weigh significantly more.



Catherine stated to Dr. Peeler and to your Affiant that the Victim was fine on 9/21/2022. Catherine stated that she did not believe that the Victim needed to go to the hospital. She advised Dr. Peeler that the Victim's only hiccup was that he had missed feeds on Wednesday during the CPS investigation. Catherine reported to Dr. Peeler that the Victim got all his feeds without symptoms prior to that.

When Catherine was asked about prior medical care, she stated that he had not been seen in a while. Catherine first estimated it had been two years since the Victim went to the doctor. Then, during her interview with your Affiant, she advised that the last doctor's appointment he had was in 2019. The Victim was last seen for a medical appointment on 10/16/2019 where he weighed 21 lb 1 oz.

Dr. Peeler's medical findings consisted of the following: severe malnutrition, failure to thrive, holoprosencephaly, G-tube dependent, developmental delay, hypothermia, severe pectus, transaminitis, refeeding syndrome, medical neglect, and physical neglect. Dr. Peeler advised in her findings that despite the Victim's medical condition, holoprosencephaly, the Victim should weigh significantly more. She also advised that her findings were most consistent with medical neglect and physical neglect resulting in a near fatality.

Dr. Peeler stated, "I see patients for neglect every day. This is one of the worst I've ever seen. This is really egregious." She further advised that Catherine's failure to seek medical care for the Victim and not feeding the Victim "definitely contributed" to the Victim's condition that resulted in a near fatality.

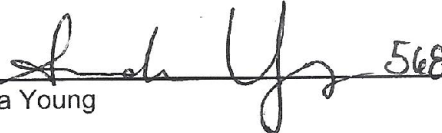
With proper medical care and treatment, the Victim is showing the ability to gain weight and his medical condition is stabilizing. As of 10/12/2022, Dr. Peeler advised that the Victim weighs 17 lb 13.4 oz and is improving daily.

Texas Family Code 151.001(a)(3) identifies support of a child, including providing the child with clothing, food, shelter, medical care, dental care, and education as a duty of a parent. Additionally, Catherine Jarvey by act, words, and her course of conduct acted so as to cause a reasonable person to conclude that she had accepted responsibility for the protection, feeding, sheltering, and medical care for the Victim, her 6-year-old son whom is a child 14 years of age or younger. As the Victim's mother, Catherine Jarvey had a legal duty to feed the Victim and to provide prompt medical care for him. Yet, Catherine Jarvey failed to provide adequate food for the Victim and/or failed to get the Victim prompt medical care as it became clear to her that the Victim was losing significant weight and failing to thrive.

Your Affiant believes that Catherine Jarvey's failure to adequately feed the Victim and failure to provide medical care for the Victim when she realized the Victim was losing significant weight resulted in a near fatality of the Victim.

Therefore, your Affiant believes probable cause exists to show that Catherine assumed care, custody and control of the Victim and that she has knowingly caused serious bodily injury to the Victim by omission by failing to feed and seek or provide medical care for him when he lost significant weight in violation of PC 22.04 Injury to a Child, Elderly Individual, or Disabled Individual, a first-degree felony.

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



Affiant, Andrea Young

Subscribed and sworn to before me, an official authorized to administer and authorize this oath pursuant to Texas Government Code §602.002, on this the 14 day of October, 2022.



MAGISTRATE / NOTARY / CLERK OF THE COURT

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 14th day of October, 2022, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.



JUSTICE OF THE PEACE/MAGISTRATE
WICHITA COUNTY, TEXAS