

DC-735

**COPY**

WCSO CFS 22-1108405

**WARRANT OF ARREST**

THE STATE OF TEXAS  
VS  
Tanner Lynn Horner

271<sup>st</sup> District Court

Warrant NO. \_\_\_\_\_

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS: GREETINGS:

You are hereby Comanded to arrest Tanner Lynn Horner (white/male, Date of birth \_\_\_\_\_, TX DL # \_\_\_\_\_), if to be found in your County and bring Tanner Lynn Horner before me, the undersigned 271<sup>st</sup> District Court Judge, a Magistrate in and for Wise County, Texas at my office at 100 North Trinity Street, Decatur, Texas 76234 in said County, immediately, then and there to answer the State of Texas for an offense against the laws of said State, to-wit:

**CAPITAL MURDER OF PERSON UNDER TEN YOA**  
**TEXAS PENAL CODE / SECTION 19.03(a)(8)**  
**CAPITOL FELONY**

of which offense she, Tanner Lynn Horner is accused by the written complaint, under oath, of  
Sergeant Investigator Joseph Oliver

filed before me. HEREIN FAIL NOT, but of this writ make due return as the law directs. GIVEN under my hand of office this 2 day of December 2022.

*Brock R Smith*

Bond set \$1,000,000.00  
*Brock R Smith*

Brock Smith  
271<sup>st</sup> District Judge  
Wise County, Texas

SHERIFFS OR CONSTABLE'S RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., by arresting the within named Tanner Lynn Horner at \_\_\_\_\_ in \_\_\_\_\_ County, Texas, and \*Taking her bond, \*placing her in jail at \_\_\_\_\_.

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

Lane Akin  
SHERIFF  
WISE COUNTY, TEXAS

BY \_\_\_\_\_ PEACE OFFICER

**FILED**

AM 1:31 PM

DEC 08 2022

BRENDA ROWE  
DISTRICT CLERK-WISE COUNTY, TX  
BY *[Signature]* DEPUTY

**COPY**

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**COPY**

DC-735

CFS# 22-1108405

STATE OF TEXAS

§

PROBABLE CAUSE

COUNTY OF WISE

§

ARREST WARRANT AFFIDAVIT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned Affiant who, after being by me duly sworn on oath deposes and says that Tanner Lynn Horner (white/male, Date of birth: \_\_\_\_\_, TX DL# \_\_\_\_\_), hereinafter styled defendant, on or about the 30<sup>th</sup> day of November 2022, and before making and filing of this Complaint, in the County of Wise of the State of Texas, did then and there knowingly and intentionally commit the offense of **CAPITAL MURDER OF PERSON UNDER TEN YOA**, to wit: then and there intentionally and knowingly cause the death of an individual, namely Athena Presley Monroe Strand (W/F, DOB: \_\_\_\_\_), an individual younger than 10 years of age, by strangulation, a violation of the Texas Penal Code 19.03(a)(8), a Capitol Felony (CJIS code 09990029).

Your Affiant, Investigator J. Oliver, is a peace officer licensed by the State of Texas and has been so for approximately 11 years. Affiant is and employed as a Deputy Sheriff by the Wise County Sheriff's Office and is assigned to the Criminal Investigations Division. Your Affiant has reason to believe and does believe the defendant committed the offense alleged herein because:

1. On Wednesday, November 30, 2022, at approximately 18:41 hours, Elizabeth Ashley Strand (W/F, DOB: \_\_\_\_\_) called 911. The call was answered by the Wise County Sheriff's Office Communications. Elizabeth reported that her seven years of age step-daughter, Athena Presley Monroe Strand (W/F, DOB: \_\_\_\_\_), had reportedly vanished from her residence at 268 County Road 3573, Paradise, Wise County, Texas. Deputies were dispatched to the address. Deputies arrived at approximately 18:56 hours, followed shortly after by numerous deputies, fire department and EMS personnel. First Responders began diligently searching for Athena in the near freezing temperature.
2. Deputies, spoke with the original reporting party, Athena's step-mom, Elizabeth Ashley Strand. Elizabeth explained to Deputies she had last seen Athena inside the converted storage shed Athena and her step-sister were temporarily using as a bedroom/living quarters while Athena's father, Jacob Henry Strand (W/M, DOB: \_\_\_\_\_), renovated the main residence (smaller residence) next to the storage shed. It should be noted that the main residence is the smaller of the residences and the large residence is abandoned. Elizabeth stated she had last seen Athena around 17:45 hours on the same day (11/30/2022), when Elizabeth had left Athena inside the shed/bedroom and told her to sort through her dirty clothes for laundry. Elizabeth then went back inside the main residence and started making dinner. Around 20-30 minutes later, Elizabeth went back outside to Athena's room to tell her dinner was ready, but Athena was gone. Elizabeth looked inside the room but did not notice anything suspicious or apparently different or out of place inside the room since she had last seen Athena in there. Elizabeth immediately began looking around the property for Athena. At approximately 18:22 hours, Elizabeth called her sister and brother-in-law, who lived on the adjacent property next to Elizabeth and Athena, and asked if Athena was over at their residence. They told Elizabeth that Athena was not over there and then began looking for Athena themselves. Elizabeth then called her husband Jacob (Athena's father), who was currently driving

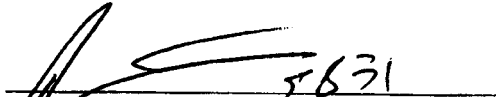
with his father to a hunting lease near San Antonio, and told him Athena was missing. Jacob then told Elizabeth to call 911. Elizabeth could not think of any place and/or person Athena would try to walk/run away from the property to, nor did Elizabeth know of any particular location on or around the property Athena would try to hide at. Houston also spoke with Jacob, who confirmed he and his father were driving to a hunting lease when Elizabeth called to tell him she could not find Athena, so Jacob and his father immediately turned around and drove back to the property (arriving after deputies).

3. An extensive search of the area was conducted over night, the following morning, and following day. Athena was not located.
4. Through the course of the investigation it was learned that FedEx had delivered a package to the residence during the time Athena went missing.
5. Through further investigation it was found that the company Big Topspin was the contracting company delivering packages for FedEx.
6. Investigators were able to work with employees from Big Topspin to determine which van and driver had made the delivery. Investigators also learned the van was equipped with video equipment which was run by a third-party vendor, Velocitor. Velocitor was able to provide video from the truck that delivered the package. The video consists of one-minute clips. An FBI employee was able to view the video. The FBI employee found that the driver had taken a young girl who was visually similar to Athena in his van. The driver was seen on video talking to her in the van.
7. The driver of the van was identified as the Defendant, Tanner Lynn Horner (W/M, DOB TX DL # ).
8. The van was identified as the white in color, 2019, GMC, box van, with the marking FedEx on the side, displaying Texas license plate number NNR4995, VIN# 1HA3GTCG8KN013678. The van is registered to Bog Topspin, 17418 River Hill Drive, Dallas, Texas.
9. Investigators located the Defendant. The Defendant stated to Investigator Joseph Oliver and Texas Ranger Job Espinoza that he had taken Athena. The Defendant stated to investigators she was deceased. The Defendant stated, when he was backing up in his Fed Ex truck he accidentally hit Athena with the truck, but she was not seriously injured. The Defendant stated, he panicked and put Athena in the van.
10. Investigators transported the Defendant to the Wise County Sheriff's Office. The Defendant was read his Miranda Warning. Ranger Espinoza and Investigator Oliver interviewed the Defendant. The Defendant stated when he was backing up in his Fed Ex truck he accidentally hit Athena with the truck, but she was not seriously injured, panicked and put her in the van. The Defendant stated Athena was alive at that time, talking to him, and told him her name was Athena. The Defendant stated he attempted to break Athena's neck to kill her. The Defendant stated, when he attempted to break Athena's neck it did not work so he strangled with his bare hands in the back of the Fed Ex van.

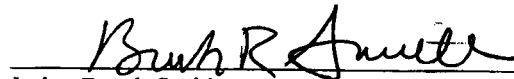
11. During the course of the interview the Defendant again stated he strangled Athena because she was going to tell her father about being hit by the Fed Ex truck the Defendant was operating.
12. Investigators asked the Defendant if he would be willing to take them to where he put Athena's body. The Defendant stated that he would and directed investigators to CR 4668, Boyd, Wise County, Texas, where Investigators observed the deceased body of whom the defendant stated was Athena in the water.
13. The Defendant was transported to the Wise county Sheriff's Office without incident.

Wherefore, premises considered your Affiant respectfully requests that a warrant for arrest of Tanner Lynn Horner to answer for the Capitol Felony offense of CAPITAL MURDER OF PERSON UNDER TEN YOA in accordance with the laws of the State of Texas.

Against the peace and dignity of the State of Texas.

  
AFFIANT

SWORN TO AND SUBSCRIBED TO before me on this the 2 day of December, A.D., 2022.

  
Judge Brock Smith  
271st District Court  
WISE COUNTY, TEXAS

District Judge  
TITLE AND OFFICE HELD