

THE STATE OF TEXAS
VS.
RENARD LEON SPIVEY
5013 BRISCOE ST
HOUSTON, TX 77033

00242798

SPN: *X*
DOB: **B M 07/20/1956**
DATE PREPARED: 7/29/2019

08242798 PB
D.A. LOG NUMBER: 2557541
CJIS TRACKING NO.:
BY: SA DA NO: 2261087
AGENCY:HPD
O/R NO: 096400719
ARREST DATE: TO BE

NCIC CODE: 0903 20
FELONY CHARGE: MURDER

RELATED CASES:

CAUSE NO:
HARRIS COUNTY DISTRICT COURT NO:
FIRST SETTING DATE:

1640543
185

BAIL: TO BE SET AT MAGISTRATION
PRIOR CAUSE NO:
CHARGE SEQ NUM:

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

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, **RENARD LEON SPIVEY**, hereafter styled the Defendant, heretofore on or about **July 28, 2019**, did then and there unlawfully, intentionally and knowingly cause the death of Patricia Spivey, hereinafter called the Complainant, by shooting the Complainant with a firearm.

It is further presented that in Harris County, Texas, Renard Leon Spivey, hereinafter styled the Defendant, heretofore on or about July 28, 2019, did then and there unlawfully intend to cause serious bodily injury to Patricia Spivey, hereinafter called the Complainant, and did cause the death of the Complainant by intentionally and knowingly committing an act clearly dangerous to human life, namely, by shooting the Complainant with a firearm.

PROBABLE CAUSE:

AFFIANT, R. BASS, IS REPUTABLY EMPLOYED AS A PEACE OFFICER WITH THE HOUSTON POLICE DEPARTMENT. AFFIANT BELIEVES AND HAS REASON TO BELIEVE THAT THE DEFENDANT, RENARD LEON SPIVEY, COMMITTED THE OFFENSE OF MURDER ON JULY 28, 2019, AT 5013 BRISCOE STREET, HOUSTON, HARRIS COUNTY, TEXAS. THE AFFIANT'S BELIEF IS BASED ON THE FOLLOWING FACTS:

On July 28, 2019, Affiant was assigned Houston Police Department Incident No. 964007-19, an officer-involved shooting involving off-duty Harris County Sheriff's Deputy Renard Spivey, hereafter the Defendant, and the Patricia Spivey, the Complainant, at a residence located at 5013 Briscoe Street in Houston, Harris County, Texas. Affiant initially responded to Ben Taub General Hospital, where the Defendant was being treated for a gunshot wound to the left leg. Affiant obtained consent from the Defendant to search and process the residence located at 5013 Briscoe Street in Houston, Harris County, Texas.

The Defendant declined to speak with Affiant to provide a statement. Affiant went to the location at 5013 Briscoe Street, where patrol officers had secured the scene, and observed Patricia Spivey, the Complainant, who was identified by state-issued identification that was in her purse in the residence, deceased in the master bedroom closet. There is only one entrance and exit to the master bedroom closet. There was a noticeable amount of blood in the northeast corner of the closet, at one of the furthest points away from the entrance/exit to the closet, as well as a cellular phone that appeared to belong to the Complainant. Three shell casings were recovered from the master bedroom closet and a black Smith and Wesson 9mm semi-automatic firearm was recovered from the top of a clothes hamper inside the closet next to entrance/exit. Affiant pulled body-worn cameras from Houston Police Department patrol officers K. Hale and N. Faiura, as well as the 911 call made by the Defendant, and reviewed all of the items.

1640543
185

Affiant learned that at approximately 3:12am on July 28, 2019, the Defendant called 911 requesting an ambulance to 5013 Briscoe Street and reported "shots fired." The defendant identified himself as Renard Spivey and provided his phone number. He advised that he and his wife had an argument. The Defendant advised that he and his wife were tussling with the gun and that he accidentally shot her. He further advised that he was also shot in the leg and that his wife shot him. Affiant reviewed the body worn camera that was being worn by patrol officer K. Hale and that was activated when entry was made in to the residence. Officer N. Faiura asked where the Complainant was shot and the Defendant responds by saying, "we was arguing and tussling with the gun; we had been arguing all day." Affiant spoke with Houston Police Department Investigator John Snook, who interviewed Ezra Washington, a person J. Snook found to be credible and reliable. Affiant learned that Ezra Washington is the brother of the Complainant and the brother-in-law of the Defendant. Ezra Washington advised that the Complainant and Defendant had been arguing about their relationship and the Complainant's suspicions that the Defendant was possibly back on steroids and/or having an affair, because of a lack of intimacy in their relationship. Ezra Washington advised that he spoke to the Defendant approximately three times on July 27, 2019, at 8:17pm, 9:09pm, and 10:22pm.

The Defendant had been telling Ezra Washington things like, "she's counting my pills (low testosterone medication), claiming that I'm sleeping with someone else," and other things. Ezra Washington advised that the Defendant told him that one time the Complainant had referred to the Defendant as the incredible hulk, and that at some point she's going to make him rise up like the Incredible Hulk and "it ain't gonna be good." Ezra Washington advised that he took that statement to mean that the Defendant would do something harmful to the Complainant. Ezra Washington advised that he told the Defendant that if things were that bad between the two of them, he should just leave. Affiant learned that an autopsy was conducted by Assistant Medical Examiner J. Ross with the Harris County Institute of Forensic Sciences on July 29, 2019.

Affiant learned that the Complainant was shot two times. One of the bullets entered her right arm, exited her right arm, and then re-entered the right side of her chest below the right breast. This wound broke the Complainant's arm, and Dr. Ross indicated that once the bullet went through her arm, causing the bone to break, the arm would be incapable of use. A second bullet entered the left side of the Complainant's chest, striking her in the heart and the left side of her lung, fatally wounding her. Dr. Ross also observed that the Complainant had some minor bruising around her wrists. Affiant noticed that the defendant used his right hand when signing the consent form in the hospital, and that his duty belt had his firearm placed on his right side, indicating to Affiant that the Defendant is right-hand dominant.

The Defendant was shot through his left thigh area. On July 29, 2019, Affiant spoke with counsel for the Defendant, who re-iterated that his client was declining to make a statement about what happened. Affiant has been a certified peace officer for over fourteen years. Affiant has participated in approximately over 100 hours of firearms related training through the course of his career. Affiant noted that the evidence indicated that three shots were fired in the closet, and the Complainant was shot twice, which is inconsistent with the Defendant's statement that he "accidentally" shot the Complainant and that the firearm "accidentally" discharging during a struggle between the Defendant and Complainant.


Affiant also noticed that the Defendant is approximately 6'2" and 280lbs, per her Texas Driver's License, and that the Complainant is approximately 5'6" and 170lbs, per her Texas Driver's License. Throughout the home, Affiant observed a number of body building/weight lifting trophies and awards, and that the Defendant appears to be an avid body builder/weight lifter.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on July 29, 2019



AFFIANT



ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS
Bar No. 241063596

FILED
Marilyn Burgess
District Clerk

JUL 29 2019

Time: 1725
Harris County, Texas

By: 

COMPLAINT

Unofficial Copy Office of Marilyn Burgess District Clerk

COPY OF COMPLAINT/WARRANT DELIVERED TO

Officer's name: [Signature]
Police agency: Houston Police Dept.
Phone no: _____ date/time: _____

[Signature]