

THE STATE OF TEXAS
VS.

MARK CHRISTOPHER SEVIER
3110 WEST END CIRCLE
NASHVILLE, TN 37203

SPN:
DOB: WM 04-18-1977
DATE PREPARED: 2/25/2011

02537445

D.A. LOG NUMBER: 1726391
CJIS TRACKING NO.:
BY: RZ DA NO: 070917650
AGENCY:HPD
O/R NO: 302711W
ARREST DATE: TO BE

P2

NCIC CODE: 1314 20

RELATED CASES:

SAME DEF-2F / 1M

MISDEMEANOR CHARGE: Assault-Family Member
CAUSE NO:

BAIL: \$1500 50,000
PRIOR CAUSE NO:

(Handwritten initials in a circle)

HARRIS COUNTY CRIMINAL COURT AT LAW NO:
FIRST SETTING DATE:

1740383
5

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, **MARK CHRISTOPHER SEVIER**, hereafter styled the Defendant, heretofore on or about **JANUARY 1, 2011**, did then and there unlawfully intentionally and knowingly cause bodily injury to [REDACTED] a member of the Defendant's family, hereafter styled the Complainant by **STRIKING THE COMPLAINANT WITH HIS HAND**.

PROBABLE CAUSE

Affiant, M. Holbrook, is employed as a peace officer with the Houston Police Department. Affiant believes and has reason to believe that Mark Christopher Sevier, hereinafter referred to as the defendant, committed the felony offense of endangering a child and two misdemeanor offenses of assault against a family member on or about January 1, 2011, in Harris County, Texas. Affiant bases her belief on the following: Affiant spoke to [REDACTED] who stated that he knows the defendant, Mark Chris Sevier, by name and sight because the defendant is his estranged son-in-law. [REDACTED] told affiant that his daughter, [REDACTED] Sevier, and the defendant have a child, [REDACTED] who was born on May 13, 2010. [REDACTED] told affiant that his daughter had come to Houston with the baby while the defendant was in California when the child was about 2 months old. Frank [REDACTED] told affiant that while in Houston, [REDACTED] Sevier decided that she wanted to legally separate from the defendant. She hired an attorney in Tennessee who filed a complaint for legal separation from Mark Chris Sevier on September 2, 2010. On September 17, 2010, the complaint was amended to request legal separation or divorce from Mark Chris Sevier. She continued to reside in Harris County, Texas with her parents and their 4 month old baby. On October 22, 2010, the defendant filed a Motion to Compel [REDACTED] Sevier to Return the Child to Tennessee. A hearing was held in the Fourth Circuit Court for Davidson County, Tennessee at Nashville on November 5, 2010. On November 17, 2010, the Court ruled, "It is therefore, ORDERED, ADJUDGED and DECREED that the Husband's Motion to Require the Wife and Minor Child to Return to Tennessee is denied based on the exigent circumstances exception to the relocation statute and their residence in Houston, Texas..." [REDACTED] told affiant that prior to January 1, 2011, the attorneys for both parties agreed to allow the defendant to have a supervised visit with [REDACTED]. It was agreed that the defendant would be allowed to see his son at the McDonald's on Post Oak in Houston, Harris County, Texas. It was agreed that it would be a two hour visitation. The child had only seen his father one time since August 2010. [REDACTED] told affiant, that he and his wife, [REDACTED] met the defendant at the McDonald's and went to the second floor of the McDonald's to allow the defendant to have some privacy with the child. The complainant, [REDACTED] left the restaurant to retrieve the diaper bag from his car. As he was going back into the restaurant, he saw that the defendant's car was backed into a space near the front door of the location and that there was a child seat in the back of the vehicle. As the complainant [REDACTED] reentered the location he heard his wife screaming, "He's taking the baby." He then saw the defendant racing down the stairs of the restaurant with the child in his arms attempting to leave the location. The complainant [REDACTED] attempted to take his grandson from the defendant when the defendant struck the complainant [REDACTED] in the face, eye and temple. The defendant continued to strike [REDACTED]. As a result of the assault, the complainant [REDACTED] felt pain and sustained a cut to his face and a black eye. During the assault, a patron of the restaurant, witness Marcus [REDACTED] stepped in and grabbed the child. The child, complainant [REDACTED] sustained a large contusion on his forehead during the assault on [REDACTED]. Affiant spoke to the witness, Marcus [REDACTED] who told affiant that he saw the defendant with the child in his left arm and with his right fist swing at the grandfather over and near the head of the baby several times. [REDACTED] also told affiant that during the struggle [REDACTED] was able to hand the baby to him and he took the child up the stairs and handed the child to [REDACTED]. The witness told affiant that he took the child from [REDACTED] to try to calm the child when the defendant came back up the stairs and started heading for the child. The complainant [REDACTED] approached the witness Greenspan and the defendant violently pushed the complainant [REDACTED] back causing her to fall. The witness [REDACTED] then handed the child to the defendant for fear of further harm coming to the

child. When the police arrived, an officer took the child from the defendant and gave the child to the EMS officer to check the child's condition. Affiant spoke to [REDACTED] who told affiant that she felt pain when she was pushed down by the defendant as he was trying to take the child a second time. Affiant has reviewed court documents from the proceedings in Tennessee and learned the following: the defendant filed a Motion to Compel the Plaintiff ([REDACTED] Sevier) to Return the Child to Tennessee. A hearing was held on that motion on November 5, 2010. On November 17, 2010, the Court denied the motion and ruled as follows, "It is therefore, ORDERED, ADJUDGED and DECREED that the Husband's Motion to Require the Wife and Minor Child to Return to Tennessee is denied based on the exigent circumstances exception to the relocation statute and their residence in Houston, Texas, before this pending action was filed;..." At a hearing on January 13, 2011, the defendant admits during sworn testimony that he knew the judge had denied his request to have the child returned to Tennessee and he admitted that he had decided on his own to take the child during the supervised visitation that his attorney had set up for him. He further admitted that he hired a former Navy Seal and a former ranger to assist him in his abduction of the child. He further admits that he saw the injury that the child sustained and that it was "awful." Affiant believes that after reviewing all the evidence and speaking to the complainants and witnesses that the defendant by his actions knowingly engaged in conduct that placed the complainant [REDACTED] in imminent danger of bodily injury by trying to take the child away from a supervised visitation by force and deception against the agreement of the parties. Further, affiant believes that the defendant intentionally and knowingly caused physical pain to [REDACTED] by striking him in the face and to [REDACTED] by pushing her to the ground with no legal justification on January 1, 2011 in Houston, Harris County, Texas.

Unofficial Copy Office of Chris Daniel District Clerk

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on February 25, 2011

Melissa Holbrook
AFFIANT

[Signature] 20917420
ASSISTANT DISTRICT ATTORNEY BAR NO.
OF HARRIS COUNTY, TEXAS.

Probable Cause found 2/28/11
Date

Capias to issue [Signature]
Magistrate, Harris County, Texas

COMPLAINT