

NO. 01-24-00695-CR

In the
Court of Appeals
For the
First District of Texas
At Houston

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
2/6/2025 1:31:24 PM
DEBORAH M. YOUNG
Clerk of The Court

**Trial Court No.
23-DCR-104105**

In the 434th Judicial District
Fort Bend County, Texas

AURELIO RAMIREZ CASADOS

Appellant

v.

THE STATE OF TEXAS

Appellee

BRIEF FOR APPELLANT

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ORAL ARGUMENT NOT REQUESTED

ISSUE PRESENTED

WHETHER, BASED ON THE TOTALITY OF THE CIRCUMSTANCES AND THE STATE’S FAILURE TO PROVE THE BASIS FOR A WARRANTLESS PRETEXTUAL STOP, THE TRIAL COURT ABUSED ITS DISCRETION IN DENYING THE DEFENDANT’S MOTION TO SUPPRESS.

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IDENTIFICATION OF THE PARTIES

Pursuant to TEX.R.APP.P. 38.1(a), a complete list of the names of all interested parties is provided below so the members of this Honorable Court may at once determine whether they are disqualified to serve or should recuse themselves from participating in the decision of this case.

Complainant, victim, or aggrieved party:

The State of Texas

Appellant or Criminal Defendant:

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Trial Judge:

Honorable Chrisitan Becerra, 434th District Court
Fort Bend County, Texas

STATEMENT REGARDING ORAL ARGUMENT

Oral argument is not requested.

ISSUE PRESENTED

WHETHER, BASED ON THE TOTALITY OF THE CIRCUMSTANCES AND THE STATE'S FAILURE TO PROVE THE BASIS FOR A WARRANTLESS PRETEXTUAL STOP, THE TRIAL COURT ABUSED ITS DISCRETION IN DENYING THE DEFENDANT'S MOTION TO SUPPRESS.

SUMMARY OF THE CASE

Aurelio Ramirez Casados, was indicted for money laundering and filed his motion to suppress evidence obtained during a warrantless stop and search. The stop was pretextual, with the State admitting that the initial detention, along with the subsequent handcuffing and questioning of Casados, stemmed entirely from tracking his cell phone without proof of a warrant. Law enforcement used Casados' phone "pinging" to monitor Casados' movements from possibly Illinois down to Fort Bend County, Texas, but they failed to show legal authority or a warrant for this action.

On May 25, 2023, Officer Tondera stopped Casados in Fort Bend County, Texas, claiming to have observed traffic violations like speeding and improper driving. However, dashcam footage contradicted these claims. In opening arguments, the State stated that Tondera questioned Casados, and during a search of his truck, \$68,000 in cash was discovered, leading to Casados' detention and

over an hour of questioning without Miranda warnings. For over an hour Tondera detained, cuffed, and questioned Casados without formally reading him his Mirandized rights. RR Vol 2, p 9.

The legal issue revolves around the use of a mobile tracking device, which the defense argues was unconstitutional because it was done without a warrant, violating the Fourth Amendment. The evidence from the illegal search, including the cash and statements made by Casados, should be suppressed. Additionally, Casados' statements made during detention, without proper Miranda warnings, should also be excluded as he was in custody for legal purposes.

The case presents significant issues related to warrantless surveillance, improper detention, and failure to provide Miranda rights, suggesting that the evidence obtained was tainted by these legal violations.

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ISSUE PRESENTED

WHETHER, BASED ON THE TOTALITY OF THE CIRCUMSTANCES AND THE STATE’S FAILURE TO DEMONSTRATE A VALID BASIS FOR A WARRANTLESS PRETEXTUAL STOP, THE TRIAL COURT ABUSED ITS DISCRETION IN DENYING THE DEFENDANT’S MOTION TO SUPPRESS.

I.

HISTORY OF THE CASE

The defendant was indicted for money laundering, a third-degree felony, on June 26, 2023. On August 13, 2024, he opted for a bench trial, which included hearing his dispositive motion to suppress. If granted, the case would be dismissed; if denied, the defendant would plead guilty and receive a sentence of time served. This case centers on a warrantless stop. The State concedes that the initial stop of Aurelio Casados, his detention, cuffing, and questioning were all pretextual. RR Vol 2, p. 8 (State’s opening argument). The trial court denied Casados’ motion to suppress.

II.

FACTS OF THE CASE

A. Pretextual Stop and Tracking of Defendant’s Cell Phone “Pinging”

While traveling from Monmouth, Illinois, to Fort Bend County, Texas, Casados' phone—and possibly his 18-wheeler truck—was reportedly monitored by law enforcement as he drove south to the Texas border. Casados has no reported

criminal history, nor did he have any outstanding warrants. The State's presentation of the facts lacked most of the underlying details and proof to support exactly why Casados' was being monitored. They failed to demonstrate whether they had legal authority, state or federal, to stop Casados based on seizing his cell phone information or installing a tracking device on his property. The offense report provided to defense counsel did not disclose that Casados' phone had been tracked.

The State's only witness at the suppression hearing was Officer Daniel L. Tondera of the Fort Bend County Sheriff's Office. Tondera met with prosecutors twice in person to prepare for the motion to suppress. RR Vol 2, 65–67. At the hearing, Tondera explained that he was working with Task Force Officer (TFO) Zavala, and the Fort Bend County Narcotics Task Force (FBCNTF). Tondera stated the FBCNTF learned of Casados' whereabouts through cell phone pinging, which involved accessing his private cell phone data. At the suppression hearing, neither Tondera nor the State presented any evidence of the legal authority or warrant they obtained to track Casados' location coordinates as he traveled from Illinois to Texas. There was no indication that the Fort Bend County Sheriff's Office disclosed this fact on any reports provided to the state or defense. RR Vol 2, p. 69–70. In other words, the defense was led to believe, based on his offense

report, that Tondera's stop, detention, and probable cause were based solely on stopping an 18-wheeler for a traffic offense. However, this was not the case.

On May 25, 2023, just after midnight, Tondera stopped defendant Aurelio Casados while driving southbound in Fort Bend County, Texas, on Highway 59. Tondera is an experienced officer, with nine years of experience, assigned to the FBCNTF for interdiction that night. He possessed a keen background in narcotics investigations, money laundering, and weapons and human trafficking. While his knowledge of the specific investigation was somewhat unclear, he was collaborating with Officer Zavala, who had “reached out” to Tondera about tracking Casados' movements. RR Vol 2, p. 65–66. Zavala’s name was never mentioned in police offense reports, nor was it ever disclosed to counsel. Tondera testified that Zavala used Casados' cell phone pings to track his movements, for suspected smuggling of bulk cash proceeds. RR Vol 2, p. 66.

It was unclear whether Tondera was aware of the more specific details of Casados' tracking, as he referred to others—unidentified and not present—who were more involved in the investigation. The State failed to prove a legal basis for following him. As Casados entered the jurisdiction, Zavala kept updating Tondera on his location. RR Vol 2, p. 67. Tondera also testified about receiving a call from an unidentified DEA Task Force officer of a southbound 18-wheeler tractor-trailer possibly involved in bulk cash narcotics smuggling. RR Vol 2, p. 20.

According to Tondera, Zavala and potentially other members of the task force were conducting real-time surveillance on Casados and provided Tondera with coordinates from Casados' cell phone to track him. RR Vol 2, p. 21. Tondera explained that someone was pinging Casados' phone, but he failed to specify the duration or distance over which Casados was tracked. RR Vol 2, p. 21. Tondera was instructed to look for a specific license plate belonging to Casados' rig and stop him once he entered Fort Bend County, where the stop occurred. St. Exhibit 1. (Video), RR Vol 2, p. 21.

At the suppression hearing, Tondera did not produce a warrant for the search of Casados' cell phone communications, geotracking data, or real-time coordinates of his movements. The record indicates that no such warrant existed, as one was never presented, and the State did not produce any witnesses to support its existence. Furthermore, the State seemed unaware of this issue until the motion to suppress hearing. RR Vol 2, p. 70–73.

The State's failure to explain their lack of awareness that law enforcement intercepted Casados' phone or monitored him effectively conceded the issue and left the defense's argument—that the search was unconstitutional or that the State failed to meet its burden—unrebutted. RR Vol 2, p. 68. How involved was the interception and monitoring of Casados' movements, and what exactly did it entail? Did it include listening to phone calls (wiretapping), tracking text messages,

emails, GPS location, or other data from the phone? The State's failure to answer these questions was problematic. Surveillance of this nature, as in Casados' case, required a warrant or court approval.

B. Alleged Traffic Violations and Dashcam Evidence

Before the stop, Tondera testified that Casados was driving on the improved shoulder, the fog line, and in the middle lane of traffic. RR Vol 2, p. 30. However, cross-examination and review of the dashcam footage shows that Casados never crossed into an adjacent lane or the fog line, nor was he driving unsafely. RR Vol 2, p. 78; see St. Exhibit 1, first 3 minutes of Tondera following Casados' rig. When Casados noticed Tondera behind him, he attempted to find a safe spot to pull over, RR Vol 2, p. 78, which included safely riding into the fog line in an attempt to safely pull over. This attempt coincided with Tondera's claim that Casados was driving improperly on the shoulder. Tondera even stated to dispatch that he was "waiting for a good spot to light him up." St. Exhibit 1, time stamp 2:15. Tondera's claim that Casados was swerving due to "mirror driving"—a term he used to describe a driver who frequently looks back at the officer behind him—was inconsistent with the dashcam footage. RR Vol 2, p. 21; St. Exhibit 1, minute timestamp, 00:02:00 – 00:03:30. At approximately time stamp 00:02:00, Tondera noted that Casados was driving at 63 mph in a 55 mph zone (RR Vol 2, p. 27) and claimed that Casados failed to pull over immediately (RR Vol 2, p. 31).

Additionally, Tondera mentioned that the tires on Casados' truck exhibited “feathering,” an indication of dangerous condition caused by excessive wear. RR Vol 2, p. 35; St. Exhibit 1, timestamp, 00:7:34; 00:27:09. Yet, he released Casados without incident that night.

C. Detention and Interrogation

Upon stopping Casados, Tondera ordered him to step out of the vehicle. Using a telephone translator, Tondera learned that Casados had been driving from Monmouth, Illinois (p. 37; 12:32) and stopped at a Love’s truck stop along the route. The conversation through the telephone translation service seemed to partly confuse Casados, affecting his understanding of what was being communicated. Tondera speculated that Casados was being deceptive because of his alleged “anchor point movements” in response to questions. RR Vol 2, p. 45–49.

Tondera pressed Casados about his knowledge of the truck, whether it had been in his care at all times. At timestamp 00:28:35, Tondera asked if anyone had asked Casados to transport anything for them. St. Exhibit 1. Casados denied receiving any bags or items. St. Exhibit 1, timestamp 00:28:50. He specifically denied anyone asking him to transport something from the Chicago area. St. Exhibit 1, timestamp 00:28:40 – 00:29:00. Tondera continued questioning Casados, to get him to open up, by emphasizing this was his opportunity to be

honest. St. Exhibit 1, timestamp 00:34:37. At 00:35:15, Casados consented to a search of his trailer. St. Exhibit 1.

At timestamp 00:45:45, after locating a box containing \$68,800 (RR Vol 2, p. 88) in cash, Tondera told Casados in Spanish, “no se mueva” and placed him in handcuffs. St. Exhibit 1. Casados was restrained, not free to move. Tondera in fact told him not to move. By this time, probable cause had been reached. Tondera then asked questions of Casados about smuggling cash without first informing him of his Mirandize rights. At 01:21:00 – 01:22:30, Tondera asked Casados if he wanted to talk about the situation, and Casados began explaining, stating that he could help but needed protection. St. Exhibit 1. It was not until over an hour after Tondera cuffed Casados, at 02:13:00 AM, that Detective Arredondo of the Fort Bend County Sheriff’s Office arrived and Mirandized Casados while he was in the police car. St. Exhibit 1.

D. Timeline: Stop, Detention (Arrest), Release, Re-Arrest

- Casados stopped at 12:09 AM, on May 25, 2023, on a pretextual stop.
- Casados consented to a search of his truck 35 minutes into the stop.
- At 46 minutes, Tondera locates a shoebox with cash, and cuffs Casados.
- For over an hour, Tondera elicits incriminating statements from Casados.
- Casados was not Mirandized until 2:13 AM, by a Spanish speaking officer, more than two hours into the stop, after providing his same responses to Tondera's questions.

- After being detained, questioned, and Mirandized, Casados was released with only a warning for speeding. No booking occurred.
- Casados is arrested for money laundering on July 22, 2024.

III.

LAW AND ANALYSIS

A. Mobile Tracking Device Use and Warrantless Search

The installation and use of a mobile tracking device on Casados' personal phone or vehicle by law enforcement constitutes a "search" under the Fourth and Fourteenth Amendments of the U.S. Constitution. See *United States v. Jones*, 565 U.S. 400, 132 S. Ct. 945, 181 L. Ed. 2d 911 (2012). The record contains no evidence indicating that law enforcement obtained a warrant for tracking Casados, whether to access his phone, pinging his location, or using a mobile tracking device on his vehicle. Without this information, law enforcement would not have known where Casados was, nor would they have had probable cause to intercept his vehicle.

In the absence of facts supporting probable cause for the use of a mobile tracking device, all evidence gathered as a result—including Casados' statements—should be excluded. As established in *Jones*, the warrantless installation and use of a mobile tracking device constitutes an illegal search, and any evidence obtained from this search is tainted by its illegality. In this case, Casados' speeding violation and consent to search did not attenuate the taint of the

illegal search, and the trial court erred in denying his motion to suppress.

In *Jones*, the Supreme Court ruled that the warrantless use of a mobile tracking device to monitor a suspect's movements is a search under the Fourth Amendment. The trial court concluded that the officers' use of the tracking device, as used in Casados' case, similarly constituted a search under *Jones*.

Warrantless searches are per se unreasonable under the Fourth Amendment unless the State can prove the search falls within a recognized exception. See *Arizona v. Gant*, 556 U.S. 332, 338, 129 S. Ct. 1710, 173 L. Ed. 2d 485 (2009); *Wiley v. State*, 388 S.W.3d 807, 818 (Tex. App. – Houston [1st Dist.] 2012). In this case, the State failed to obtain or produce any evidence of a warrant authorizing the installation or use of a mobile tracking device on Casados' vehicle. Moreover, the State did not show that its warrantless search met any exceptions to the warrant requirement. Therefore, the installation and use of the tracking device is considered illegal for this analysis.

An officer may lawfully stop a driver who commits a traffic violation. See *Garcia v. State*, 827 S.W.2d 937, 944 (Tex. Crim. App. 1992). Here, Tondera testified that he observed Casados speeding, giving him probable cause to stop the vehicle. However, this analysis is incomplete because the illegal use of the mobile tracking device directly contributed to the stop.

The officers believed that Casados was transporting bulk cash or involved in money laundering. The mobile tracking device allowed them to track Casados' movements and confirm that he had entered Fort Bend County, on Highway 59, where the stop occurred. Without the tracking device, law enforcement would not have known Casados' location and would not have had a legitimate reason to stop his vehicle.

The officers' actions—tracking Casados' vehicle and then requesting his consent to search—were based entirely on information gathered through the illegal use of the mobile tracking device. There was no independent basis for stopping Casados aside from the device's information. Therefore, the stop, consent to search, discovery of evidence, and any incriminating statements must be considered tainted by the unlawful search.

1. Attenuation Doctrine & Exclusionary Rule

The Court must consider whether any intervening circumstances—such as Casados' alleged traffic violations and consent to search—attenuated the taint of the illegal search. The federal exclusionary rule bars the use of evidence obtained in violation of the Fourth Amendment. *Davis v. United States*, 564 U.S. 229, 131 S. Ct. 2419, 180 L. Ed. 2d 285 (2011). Texas law follows a broader exclusionary rule, which applies to violations of both state and federal constitutions. See *Wilson*

v. State, 311 S.W.3d 452, 458 (Tex. Crim. App. 2010); Tex. Code Crim. Proc. art. 38.23(a).

The "fruit of the poisonous tree" doctrine excludes not only direct evidence obtained through illegal searches but also any derivative evidence. See *Wong Sun v. United States*, 371 U.S. 471, 484, 83 S. Ct. 407, 9 L. Ed. 2d 441 (1963); *State v. Iduarte*, 268 S.W.3d 544, 550 (Tex. Crim. App. 2008). To determine whether evidence should be excluded, the Court must consider whether the evidence was derived from the illegal search or if it was sufficiently untainted by it. See *Wong Sun*, 371 U.S. at 488.

2. Attenuation Factors

Under Article 38.23 of the Texas Code of Criminal Procedure, evidence obtained through an illegal search is inadmissible unless the taint of the violation has dissipated by the time the evidence is acquired. *Johnson v. State*, 871 S.W.2d 744, 750 (Tex. Crim. App. 1994). Evidence will not be excluded under Article 38.23 if the taint from illegality has dissipated by the time the evidence is acquired. *Wehrenberg v. State*, 416 S.W.3d 458, 469 (Tex.Crim.App.2013). To determine whether evidence is sufficiently attenuated from the illegal action, three factors are considered: (1) the temporal proximity of the detention and the seizure, (2) the presence of intervening circumstances, and (3) the purposefulness or flagrancy of

the police misconduct. *State v. Mazuca*, 375 S.W.3d 294, 301–07 (Tex. Crim. App. 2012).

When physical evidence is seized shortly after an illegal stop, and there is no discovery of an outstanding warrant between the stop and the seizure, the evidence is generally suppressed. This is especially true when the temporal proximity between the stop and the seizure is close. *Mazuca*, 375 S.W.3d at 306. In this case, the officers did not discover any outstanding warrant, and Casados' consent to search occurred within minutes of the stop. As the search and the discovery of cash were close in time, the temporal proximity factor strongly favors suppression. The same applies to Casados' statements made shortly after the cash was discovered, making the temporal proximity relevant for suppressing those statements as well.

a.) Intervening Circumstances

To the extent the trial court found that Casados' speeding violation, other alleged traffic code violations, and his consent to search constituted intervening circumstances that attenuated the taint of the illegal search, that conclusion was erroneous. The trial court misapplied the law in this case. Tondera's observation of Casados' speeding violation, which allegedly justified the stop, was not independent of the use of the mobile tracking device. Rather, the stop was linked to data obtained from the tracking device. There was no attenuation of the taint because the officers' decision to stop Casados was based on information gathered

through the illegal search, not a separate, independent observation. As such, the stop was the direct result of the exploitation of the unlawful use of the tracking device, not a lawful, independent source. *Wong Sun v. United States*, 371 U.S. 471, 488 (1963). Moreover, Casados' speeding offense does not qualify as a sufficient intervening circumstance. The discovery of the offense was inherently tied to the unlawful tracking, and thus, the taint of the illegal search remained.

b.) Consent to Search

As for Casados' consent to search, the State must prove by clear and convincing evidence that the taint of the illegal search had dissipated by the time consent was given. *Brick v. State*, 738 S.W.2d 676, 680–81 (Tex. Crim. App. 1987); *Orosco v. State*, 394 S.W.3d 65, 75 (Tex. App.—Houston [1st Dist.] 2012, no pet.). Several factors are considered to determine whether consent was valid: (1) the temporal proximity of the unlawful stop and consent, (2) whether the illegal search prompted the request for consent, (3) the nature of the police misconduct, (4) whether consent was voluntarily given, (5) whether the defendant was aware of his right to refuse consent, and (6) whether the purpose of the illegal search was to obtain consent. *Brick*, 738 S.W.2d at 680–81.

Casados consented to the search shortly after the stop. Given the close temporal proximity, this factor favors suppression. Further, the consent was not entirely voluntary; Tondera requested it, and there is no evidence that Casados was

made aware of his right to refuse. Each of the factors outlined in *Brick* supports suppression of the consent as it was tainted by the earlier illegal search.

c.) Purposefulness or Flagrancy of Police Misconduct

Tondera's articulated basis for stopping Casados was not made in good faith, and the State completely failed to address the requirements of Article 18A of the Texas Code of Criminal Procedure, which mandates court approval for intercepting Casados' telecommunications. The absence of such approval is significant, particularly since Tondera referenced multiple team members involved in this investigation, all from the same agency. The tracking device was integral to the officers' efforts to obtain consent for a search, and the purposefulness of the misconduct weighs against the State in this case. Furthermore, Tondera's failure to disclose in his reports that Casados was being tracked by a monitoring device raises fundamental questions about why he was not more transparent.

d.) Conclusion – Attenuation

The evidence obtained, including both the cash and Casados' statements, was not sufficiently attenuated from the illegal use of the mobile tracking device. The temporal proximity strongly supports suppression, as there were no intervening circumstances that could purge the taint of the unlawful search. The actions of Tondera and the FBCNTF were not sufficiently distanced from the illegal search to

justify the use of the evidence. Therefore, the discovery of the cash and the subsequent statements should be suppressed.

B. Improper Custody and Failure to Provide Miranda Warnings

Regarding the incriminating statements made by Casados when he was handcuffed and questioned by Officer Tondera approximately between 1:00 AM and 2:00 AM, the U.S. Supreme Court's decision in *Orozco v. Texas*, 394 U.S. 324 (1966), is authoritative. In *Orozco*, the Court held that the defendant was in custody for Miranda purposes even though he had not been formally arrested. While the defendant in that case was not informed of his arrest, the police had probable cause, and the Court determined that the totality of the circumstances would lead a reasonable person to believe they were not free to leave. As a result, *Orozco* reasoned that the failure to provide Miranda warnings required the suppression of his statements. An analogous situation occurred with Casados. Officer Tondera, with the FBCNTF team, was investigating him that night. When Tondera found the box of laundered money he was expecting, he handcuffed Casados for up to an hour and prevented him from leaving. At no point during the search, detention, handcuffing, and questioning was Casados advised that he was free to leave. Although he was ultimately allowed to drive away that night, it was likely done only postpone his arrest until the prosecutor secured a true bill, which was based on the same facts depicted in State's Exhibit 1, from the grand jury.

Casados' handcuffing and questioning, combined with the lack of clarity about whether he was free to leave, would lead a reasonable person to believe he was restrained to the degree of a formal arrest. As a result, Casados was in custody for Miranda purposes, and any statements made during this period should be suppressed due to the failure to provide proper warnings.

Here, the equivalent of an improper two-step interrogation occurred and required curative measures to ensure that Casados understood the importance of the Miranda warning and waiver. The Supreme Court in *Missouri v. Seibert*, 542 U.S. 600 (2004), analyzed the use of a two-step interrogation technique, where a suspect is interrogated without Miranda warnings, then given the warnings and questioned again. The Court concluded that such a strategy undermines the purpose of Miranda and diminishes the effectiveness of the warnings. The Court stressed that Miranda warnings delivered midstream are ineffective when used in this manner, noting factors like the continuity of interrogation and the content of the two statements. In *Martinez v. State*, 272 S.W.3d 615, 627 (Tex. Crim. App. 2008), the court found that the two-step technique was deliberately used to circumvent Miranda protections. Martinez was questioned without *Miranda* warnings at the time of arrest and during a polygraph examination, with the warnings provided only after both the initial interrogation and polygraph. Like Casados' situation, the failure to *Mirandize* Martinez was very likely not a mistake,

especially considering Tondera's experience and coordinated FBCNTF efforts to stop Casados that night on Highway 59 in Fort Bend County. Furthermore, the second round of questioning was only a continuation of the first. In *Martinez*, the court noted that officers failed to inform the defendant that his earlier unwarned statements could not be used against him. *Martinez* listed several potential curative measures, including: a substantial break in time or circumstances between the unwarned statement and the Miranda warning; informing the defendant that prior unwarned statements are likely inadmissible; explaining that the defendant is not obligated to repeat previously incriminating information; refraining from referencing the unwarned statement unless the defendant does so first; if the defendant refers to the unwarned statement, informing him that he is not obligated to discuss its content. No such measures were provided that would have cured the improper taint discussed in *Missouri v. Seibert*.

IV.

CONCLUSION & PRAYER

The trial court erred in denying Casados' motion to suppress the evidence obtained from the illegal use of the mobile tracking device and his subsequent statements and evidence seized. The evidence was tainted by the unlawful search, and no attenuation or exception to the exclusionary rule applied. Furthermore, Casados' statements and evidence were obtained in violation of his Miranda rights

and should have been suppressed. Appellant prays this Court reverse the Trial Court's ruling and sustain defendant's motion to suppress.

RESPECTFULLY SUBMITTED,

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Pursuant to Tex.R.App.P. 9.5(d), this brief was served on opposing counsel, of the Austin County District Attorney's Office, by electronic filing on February 6, 2025.

/s / **James Rivera**

JAMES RIVERA

CERTIFICATE OF COMPLIANCE

Pursuant to TEX.R.APP.P 9.4(1)(i)(1), I certify that this document complies with the type-volume limitations of TEX.R.APP.P. 9.4(i)(2)(D):

1. Exclusive of the exempted portions set out in TEX.R.APP.P. 9.4(i)(1), this document contains 3,917 words.
2. This document was prepared in proportionally spaced typeface using Microsoft Word, in Times New Roman 14 point font.

/s / **James Rivera**

JAMES RIVERA