



THE STATE OF TEXAS
COUNTY OF DALLAS

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**AFFIDAVIT FOR ARREST
WARRANT OR CAPIAS**

Defendant: **TALIB, AQIB MUTTAQI**

Warrant Number: **F-1126192 - 2**

Offense: **AGGRAVATED ASSAULT - DEADLY WEAPON**

Type: **FAMILY VIOLENCE**

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 SCRUGGS, D 2477, and I am a Peace Officer of the City of Garland, Dallas County, Texas.

I have good reason to believe and do believe that on or about the 21st Day of March, 2011, one TALIB, AQIB MUTTAQI, did then and there in the City of GARLAND, DALLAS County, commit the offense of AGGRAVATED ASSAULT - DEADLY WEAPON, a violation of PENAL CODE section 22.02, a 2nd Degree Felony.

My belief is based on the following facts and information:

WORSHAM, BN # 261, investigator, Garland Police Department, who participated in the investigation of the alleged offense, furnished to me, the affiant, on the 5th Day of April, 2011, the following information:

On 3/21/2011 at 7:24 pm, Officers were dispatched to 933 Green Pond Dr. Garland, Dallas County, Tx. in reference to a disturbance with weapons. Officers had previously been dispatched to 942 Green Pond Dr on a family disturbance. Officers on the earlier call had made two reports for Class A Assault and Interference with an Emergency Call. The earlier call involved Shannon Billings and Saran Talib. Billings had left the scene prior to Officers arriving. Officers arrived on the second call, the weapons disturbance, and located Shannon Billings who advised his mother in-law, Okolo Talib and his brother in-law Aqib Talib had both fired a gun at him and Aqib tried to hit him with a gun. Billings told Officers he had returned to his house a couple of hours after being involved in the earlier disturbance with his wife Saran. Billings advised he was across the street from his house with his dog when he observed Aqib Talib pull up in his driveway in his black Mercedes. Billings told Officers that Aqib and his girlfriend Gypsy entered his residence after Saran opened the garage for them. Billings stated he went to his house and after he put his dog up he was confronted by Aqib in the front yard. Billings told Officers Aqib was armed with a handgun and pointed the gun at his head and began trying to strike him with the gun. Billings advised the gun slipped out of Aqib's hand while he was trying to strike him with it and he (Billings) gained control of the gun. Billings advised the gun was jammed from hitting a wooden fence. Billings told Officers Aqib's mother Okolo then arrived at the location and exited her car holding another gun. Billings advised Okolo shot at him numerous times with her gun then Aqib took the gun from her and Aqib shot at him numerous times. Billings told Officers he fled into the woods across the street and in the process of trying to clear the jam on the gun he had retrieved from Aqib he tripped over a vine and accidentally discharged the gun into the ground. Billings told Officers when he emerged from the woods a few minutes later, everybody had fled and he threw the gun in his trashcan in his backyard. Billings was arrested for charges stemming from the earlier family disturbance call. Officers located that gun where Billings stated it would be. The gun recovered from the trashcan was a Springfield 9mm handgun. Officers located two spent .380 shell casings in the street in front of 942 Green Pond Dr. Officers also located one spent .380 shell casing in the driveway of 941 Green Pond Dr. which is across the street from 942 Green Pond Dr. This corroborates Billings story of another gun being present during the disturbance. Reporting Officers contacted the 911 caller at 933 Green Pond Dr. who advised she observed a black female shooting at her neighbor Shannon Billings. While reporting Officers were at the scene, Saran and Okolo Talib returned to the location in Saran's vehicle. Officers contacted Saran and Okolo and both told Officers they had not been at the location, had not been involved in a disturbance and didn't know what Officers were talking about. It was apparent to the responding Officers that Saran and Okolo were lying about their involvement in this disturbance and shooting. Lt. Jennings contacted the Criminal Investigations Division to further investigate this offense.

Detectives Worsham and Potet were called out and responded to the scene. Detective Worsham arrived and contacted Lt. R.B. Jennings who was the patrol supervisor on scene. Lt. Jennings gave Detective Worsham a synopsis of what had taken place and advised Saran and Okolo Talib were not being honest when questioned about the disturbance and the shooting. Detective contacted Okolo in Saran Talib's garage at 942 Green Pond Dr. Detective introduced himself to Okolo and informed her of why he was there. Okolo immediately told Detective that she had not been present and had no idea why Officers were talking to her. Detective told Okolo this was a large disturbance where shots had been fired in the street and it

was very important for her to tell Detective the truth about what had taken place. Okolo stated for a second time she had just arrived at the location, didn't know what Detective was talking about and told Detective that her son Aqib was in Florida even though Detective hadn't asked about Aqib. Detective told Okolo that he knew she had been at the location earlier and reiterated that it was important to tell the truth. Okolo then stated she wanted to speak to an attorney. Detective discontinued the conversation with Okolo. Due to the fact that Okolo was a suspect in an Aggravated Assault with a Deadly Weapon – Family Violence and was not being truthful with Detective she was placed in handcuffs and detained in the back of a squad car.

Detectives Worsham and Poteet interviewed a witness at 933 Green Pond Dr. who advised she observed approximately five people arguing in the street. The witness told Detectives she observed a black female wearing a blue jacket shooting at her neighbor, Billings in the street. Okolo was wearing a red jacket when she returned to the scene, indicating she had changed her clothing before returning. The witness advised they disappeared from her sight and she heard one or two more gunshots but could not see who fired those shots. The witness advised all of the other people fled the scene and a few minutes later Billings emerged carrying a gun. The witness stated she saw Billings carry the gun to his backyard. The witness's story corroborated what Billings told reporting Officers.

Detectives contacted Shannon Billings to interview him about this incident. Detectives questioned Billings about the earlier family disturbance with Saran Talib and about the shooting that occurred later. Billings wrote a voluntary statement in regards to the earlier disturbance with his common law wife Saran Talib. Billings told Detectives after the disturbance with Saran Talib he left the house and walked to several different locations. Billings stated a few hours later he came back to his residence and found the house to be locked. Billings stated he knocked on the front door, received no answer, then knocked on the back door and received no answer. Billings stated he retrieved his dog and took him across the street to spend some time with him. Billings stated while he was across the street he observed his common law wife's brother, Aqib Talib pull up in his driveway in a black Mercedes SUV. Billings stated he observed Aqib and his girlfriend, Gypsy get out of the vehicle and his garage door was raised by Saran. Billings told Detective he observed Aqib, Gypsy and Saran enter his residence. Billings stated he went to his door and rang the doorbell, then decided to put his dog in the backyard so no one would feel threatened by the dog. Billings stated as he was walking back to the front of the house he was confronted by Aqib, Saran and Gypsy in the yard. Billings stated Aqib was armed with a black semi-automatic handgun. Billings stated Aqib pointed the gun at his head and stated "Now what"? Billings advised he told Aqib that he wasn't running from him, so he was going to have to shoot him. Billings stated Aqib told him he was going to "smack" him with the gun and began trying to strike him with the gun. Billings advised he was dodging the strikes and as Aqib was trying to hit him with the gun Aqib was yelling "you're going to make me throw away my career". Billings told Detectives that while Aqib was swinging the gun at him, it slipped out of his hand and hit a wooden fence. Billings advised he and Aqib ran for the gun, but he got to it first and picked it up. Billings stated the gun was jammed and when Aqib saw this he continued attempting to fight him. Billings stated at that time Saran's mother, Okolo came racing down the street and jumped out of her car with a gun in her hand. Billings stated that Okolo began pointing the gun at him and he began to retreat towards the woods across the street from his residence. Billings stated Okolo fired one shot at him and he turned and began fleeing and she fired one more shot at him. Billings stated as he began to run he heard Aqib say "give me the gun, I'll get him". Billings advised he looked over his shoulder and saw Aqib in possession of the gun Okolo had and Aqib shot at him several times. Billings stated he ran into the woods and was trying to clear the jam on the gun he had retrieved after Aqib dropped it. Billings stated he was finally able to clear the jam when he tripped and accidentally discharged the gun into the ground. Billings stated when he emerged from the woods everybody had fled the location and his garage door was down. Billings stated he took Aqib's gun and threw it in the trashcan in the backyard of his residence. Billings stated he walked to a neighbor's house and attempted to call Saran unsuccessfully. Billings advised he was able to call Kai Talib and he told her where he had thrown Aqib's gun. Billings wrote a sworn statement in regards to this incident.

Detectives had an ATF trace done on the gun recovered from the trashcan and it showed to have been purchased by Aqib Talib.

On 3/22/11 at 2:30 pm, Detectives Worsham and Poteet met with the witness from 933 Green Pond Dr. at the police station. The witness recounted the same story she told them the night before. The witness stated she observed a black female shooting at her neighbor, Shannon Billings. The witness told Detectives that she never saw Billings pointing a gun at anybody and didn't see Billings with a gun until he emerged from the woods and everybody else had fled the location. The witness told Detectives after the first couple of shots everybody disappeared from her sight and approximately 10 to 15 seconds later she heard another shot or two. At this point, the witness was not able to see anybody and could not say if it was Okolo Talib or Aqib Talib that was firing the final shot or two. The witness wrote a sworn statement in regards to this incident. The interview with this witness was video-taped.

Detective Worsham was contacted by Frank Perez who advised he was the attorney for Aqib Talib. Several meetings were scheduled and Detectives Worsham and Poteet eventually met with Mr. Perez and Aqib Talib on 3/25/2011. Detective worsham advised Mr. Perez there was a .380 handgun that was used in this offense and was still unaccounted for and would need to be brought in and turned over to police.

On 3/25/11 at approximately 6:45 am, Detective Worsham was notified that Mr. Perez was in the lobby with his clients. Detective Worsham went to the lobby and contacted Officer Morrow who told Worsham, Mr. Perez handed him a paper sack

containing a gun. Mr. Perez advised this was the other gun from this incident. Detective Worsham took possession of the paper-sack (Jack in the Box sack) and secured it in the CAPERS office.

On 3/25/11 at 7:00 am, Detectives Worsham and Poteet met with Mr. Frank Perez who is the attorney representing Aqib Talib and Mr. Carlos Gomez who is the attorney for Okolo Talib. Detectives escorted Mr. Perez and Mr. Talib to interview room 3. Mr. Talib was read his Miranda warning which he advised he understood and signed the Miranda form indicating this. Mr. Talib told Detectives he received a phone call at approx. 4:30 pm from his family telling him that Shannon had hit his sister, Saran. Mr. Talib advised his family he was in North Dallas at the time and would come to the location when he finished what he was doing. Mr. Talib advised he later went to his sister Saran's house. Mr. Talib stated he went to the door, went inside and began calling for Saran. Mr. Talib stated he went outside and could see Shannon coming around the corner of the house. Mr. Talib stated Shannon had a gun (later recovered and identified as a Springfield 9mm semi-auto handgun). Mr. Talib stated that the gun Shannon had was his gun that he owned and had left at Shannon's house previously. Mr. Talib stated he and Shannon began having a verbal altercation over the gun Shannon was holding. Shannon stated that during the argument his mother, Okolo and his other sister, Kai came around another corner. Mr. Talib advised his mother saw Shannon with a gun and she also had a gun. Mr. Talib stated Shannon and Okolo began arguing and Okolo shot at the ground. Mr. Talib stated they began moving toward the street and his mother shot at the ground again. Mr. Talib advised his mother was shooting at the ground but in the direction of Shannon. Mr. Talib stated at that point, Shannon takes a little hop and starts to run away and in the process of this he brings the gun he is holding up and is pointing it in he and Okolo's direction. Mr. Talib states as Shannon is running towards the wooded area he starts trying to take the gun away from his mother and she fires two more shots in the air before he manages to get the gun away from her. Mr. Talib stated everybody left with his sister Kai. Mr. Talib stated Kai took his mother home and he left and went back to his residence in Dallas. Mr. Talib stated when they left the scene, his mother had gotten the gun back and she had the gun when they left. Mr. Talib admitted he was upset over someone putting their hands on his sister and when Detective asked him if he had any intentions of harming Shannon when he came to the house, he replied "not really". Detective Worsham asked Mr. Talib when he had left his gun at Shannon's house and he answered, maybe a month ago, no telling, maybe two months ago. Mr. Talib could not give a good reason why he would leave his gun at his sister's house with Shannon. Detective asked Mr. Talib when his mother pulled up if she had her gun with her and he advised she did. Detective asked if someone had placed a call to his mother telling her Shannon was there with a gun and he advised he didn't know. Mr. Talib told Detectives that he never called his mother and never told her he was coming to Saran's residence. When questioned, Mr. Talib advised he never had possession of the Springfield 9mm that he accuses Shannon of having when he got to the scene. When questioned about his DNA being on the 9mm, Mr. Talib changes his time frame of when he left the gun with Shannon and says it could have been 3 weeks since he left the gun there. Detective Worsham asks Mr. Talib how many rounds were fired at the scene and he advised 5. Mr. Talib stated that the last two rounds fired were when he was trying to take the gun away from his mother. Mr. Talib confirms after he got the gun away from his mother, she got it back and left the scene with it. Detective Worsham asked Mr. Talib who was with him when he arrived at his sister's house and he stated no one. Detective Worsham asked Mr. Talib if his girlfriend Gypsy was with him when he arrived. Mr. Talib stated "no". Detective Worsham asked Mr. Talib if Gypsy wasn't with him, then what woman was with him and he stated no woman was with him. Detective Worsham confronted Mr. Talib and advised him a witness saw a woman get out of his vehicle when he pulled up and he stated that he was by himself. Detective Worsham told Mr. Talib that he did not believe he was being truthful in regards to this. At this point, Mr. Perez asked for a moment to speak with his client. Detectives Worsham and Poteet then left the interview room. After a short break, Detectives Worsham and Poteet re-entered the interview room and Mr. Talib admitted that he had lied to Detectives and Gypsy was with him. Detectives asked Mr. Talib who owned the gun his mother had used and he advised he did. Mr. Talib told Detectives that he had left the gun at his mother's house since he had bought it. Detective Worsham asked Mr. Talib if he would consent to give a sample of his DNA and he agreed to and signed a consent form. Detective Worsham obtained a sample of Mr. Talib's DNA with two buccal swabs. The DNA sample kit was sealed in front of Mr. Talib and his attorney. Detective Worsham asked Mr. Talib how many guns he owned and he advised three in Texas and three in Florida. Detective Poteet asked Mr. Talib what guns he owned in Texas and he advised the .380 his mother had possession of, the 9mm he had left at Shannon's house and a .223 rifle. According to Mr. Talib he has not had a gun he would be able to carry on his person for approx 2 months even though he has a concealed handgun license. Mr. Talib was offered a chance to write a voluntary statement which he declined. This interview was video-taped.

On 3/25/11 at 8:21 am, Detectives Worsham and Poteet escorted Mr. Carlos Gomez and Ms. Okolo Talib to interview room 3. Ms. Talib was read her Miranda warning and she signed the Miranda form. Ms. Talib apologized for lying to Detectives at the scene. Ms. Talib stated that on the day of the incident, she received a phone call on her cell phone from Gypsy. Gypsy is her son Aqib Talib's girlfriend. Ms. Talib stated that Gypsy told her that they had just pulled up and Shannon had a gun. Detective has sent a subpoena to Ms. Talib's cellular phone company for her records, which have not been received at the time of this report. Ms. Talib stated on an earlier date, Aqib had hidden a gun at her house, she knew where it was and she went and got that gun. Ms. Talib stated she put the gun in her purse and began walking towards her daughter, Saran's house. Ms. Talib stated her other daughter, Kai pulled up beside her in her car and she got in with Kai and they drove the short distance to Saran's house. Ms. Talib stated when they pulled up to the location, she observed Shannon in the yard with a gun arguing with her son Aqib. Ms. Talib stated she got out of the car with her gun and confronted Shannon in the front yard. Ms. Talib stated she was yelling at Shannon to put the gun down and stated that she had her gun to her side pointed downward and Shannon had his gun at his side pointed downward. Ms. Talib asked if she could stand up and demonstrate to Detectives what was happening. Ms. Talib stood up and pretended that Detective Poteet was Shannon. Ms. Talib began yelling, cursing and

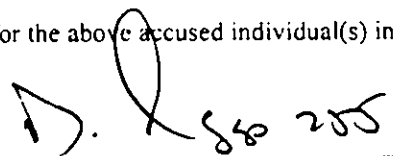
re-enacting her shooting three times at the ground at Shannon's feet. Ms. Talib stated at that moment she was "yelling, screaming and raging". Ms. Talib stated Shannon began moving around saying "you going to shoot me Omi". Ms. Talib told Detectives that Shannon began running towards the wooded area across the street and as he did he raised his gun up in her direction. Ms. Talib stated she fired two more rounds in the air in Shannon's direction and Aqib took the gun from her. Ms. Talib stated she was still in the front yard when she fired these last two shots. This statement does not match the location of the spent .380 shell casings found at the scene. Detective asked Ms. Talib what happened to the gun after Aqib took it and she stated he took it to his house and brought it back today and turned it over to Detectives. This contradicts what Aqib Talib told Detectives in the earlier interview, that his mother got the gun back from him and she had possession of it when they fled the scene. Detective asked Ms. Talib where she thought Shannon got the gun he had and she stated Aqib must have left it at Saran's house and Shannon knew about it. Ms. Talib stated that she knew it was Aqib's gun Shannon had and that it was in their house. Ms. Talib advised when Shannon ran towards the woods she heard another shot. Ms. Talib advised when they left the scene, Aqib came to her house and then left to go home. This contradicts what Aqib Talib told Detectives in an earlier interview that when he left the scene he went straight home. Detective asked Ms. Talib why she didn't stay and talk to police about what had taken place and she stated her son was an NFL player and she wasn't thinking right. Detective asked Ms. Talib why hours later when Detective arrived at the scene she didn't say what had taken place and claim self defense and she again admitted to lying at the scene to Detective. Ms. Talib advised when Gypsy called her and told her Shannon had a gun that she received that call on her cellular phone. Detective asked Ms. Talib what her cellular phone number and who her cellular provider was and she provided Detective with both. Ms. Talib stated when Gypsy called her, she told her they pulled up and Shannon was in the front of the house with a gun. This contradicts what Aqib Talib told Detectives in the earlier interview that he actually got out of his vehicle, went inside Saran's house calling for her, then came back out and confronted Shannon coming from around the corner. Ms. Talib advised when she fired the final two rounds in Shannon's direction, Aqib was yelling at her to give him the gun. Ms. Talib told Detectives that when they left the scene, she got in the vehicle with Aqib and he took her home. This contradicts what Aqib Talib told Detectives in the earlier interview that his sister Kai took his mother home. Ms. Talib stated to Detectives that Aqib drove her home, came inside her home, made sure she was alright then left. Again this contradicts what Aqib Talib told Detectives in the earlier interview. Detective Poteet asked Ms. Talib what her emotions were when she confronted Shannon initially and she stated she wasn't angry. This contradicts what she stated and demonstrated earlier in the interview. Detective Worsham reminded her that she stated she was "raging" and she stated she didn't say that. Ms. Talib stated when she was firing the final two shots in the air she wanted Shannon to come back so they could talk and was yelling this at him. Detectives confronted Ms. Talib about Aqib also shooting the gun at Shannon after he got it from her. Detectives left the room and gave Ms. Talib and her attorney time to visit. Detectives re-entered the room and Ms. Talib confirmed again that Aqib took the gun from her and that was all she knew. Ms. Talib stated when Aqib took the gun from her she began walking toward the car. Ms. Talib then changed her story and advised after Aqib took the gun from her, she did hear a shot and eventually admitted it could have been Aqib that shot. Additionally Ms. Talib stated after Aqib took the gun from her he chased after Shannon with the gun. This information contradicts what Aqib Talib had told Detectives in the earlier interview that he did not shoot. It also contradicts Aqib Talib saying after he got the gun from his mother and they were leaving she got the gun back and they all left. Ms. Talib was given an opportunity to write a voluntary statement which she declined. This interview was video-taped.

Aqib and Okolo Talib both fled the scene after this offense and Okolo Talib lied to Officers and Detectives about her presence at the scene and went so far as to say Aqib Talib was in Florida at the time. Okolo Talib had ample opportunity to tell reporting Officers and Detectives what had taken place but instead chose to lie about the situation, flee the scene, change her clothing appearance and never mention a claim of self defense. During the interviews of Aqib and Okolo Talib they gave conflicting stories as to what had taken place and Okolo Talib admitted to Detectives that once Aqib gained possession of her handgun she heard a shot and saw Aqib Talib chasing Billings. Detectives were able to corroborate Billings story based on witness interviews and physical evidence recovered at the scene. Detective was unable to corroborate Okolo or Aqib's story and both lied to Detective multiple times. Based on all of the facts, interviews and evidence Detective believes both Okolo and Aqib Talib fired the Ruger .380 handgun at Billings and Aqib Talib attempted to "pistol whip" Billing with his Springfield 9mm.

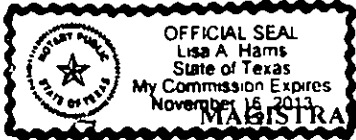
PROPERTY:
Total Property Value \$0.00

I believe this information furnished by a fellow police officer is credible.

Wherefore, Affiant request that an arrest warrant or capias be issued for the above accused individual(s) in accordance with the law.


Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this the 7 day of April, 2011



Lisa A. Harris
Notary Public in and for Dallas County, Texas

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 7 day of April, 2011 the undersigned Magistrate hereby acknowledges that he has examined the above affidavit and has determined that probable cause exist for the issuance of arrest warrant for the individual(s) accused herein.

J. G. Galbraith
MAGISTRATE, IN AND FOR
DALLAS COUNTY, TEXAS