

CAUSE NO. 19,058-A

EX PARTE DESIREE SHAW

§ IN THE DISTRICT COURT  
§  
§ 159/217TH JUDICIAL DISTRICT  
§  
§ ANGELINA COUNTY, TEXAS

AFFIDAVIT OF GARY WHITE

STATE OF TEXAS  
COUNTY OF ANGELINA

§  
§

BEFORE ME, the undersigned authority, personally appeared GARY WHITE, who was sworn by me and deposed as follows:

"My name is GARY WHITE. I am over the age of 18 and of sound mind and I am not disqualified from making this affidavit. I have personal knowledge of the facts asserted below and am competent to testify to those facts."

"On August 11, 1996 as a patrol officer for the City of Diboll, Texas, I was directed by dispatch to answer a 911 call to 407 Birdsong in Diboll, Texas in reference to a gunshot victim. Upon arrival the front door of the residence was open. I entered the residence to look for the victim. I found the victim Eddie Royce Shaw lying in bed in a bedroom of the house. Also in the bedroom was Desiree Shaw, his wife. Mrs. Shaw was holding a towel on her husband's throat and she was still on the phone with 911. Mrs. Shaw appeared upset and was yelling "I need an airway".

I was unable to find any pulse on Mr. Shaw. He did not appear to be breathing. Within seconds of my arrival emergency medical personnel arrived. Mrs. Shaw was escorted from the room by Officer Eddie Matthews. Mr. Shaw was immediately examined by E.M.T. Tony Holman and he was not able to find any pulse or sign of life. Although I have been trained in emergency first aid and CPR, I made no attempt to revive Mr. Shaw because in my opinion, based on his injury and condition, any such effort would have been entirely futile.

I have reviewed the Diboll Police Department offense report. The report reflects that the 911 call came in at 7:11 a.m. Officer Eddie Matthews and I arrived at the residence at 7:12 a.m. and Tony Holman, E.M.T. arrived at 7:13 a.m.

I have been allowed to review an affidavit of Desiree Shaw where she alleges that Mr. Shaw did not receive proper or prompt medical treatment. That is entirely false. The medical personnel answered the call very promptly as well as myself and other members of the Diboll Police Department. Mr. Shaw was dead in my opinion prior to our arrival. Upon my examination of Mr. Shaw, he appeared to have a gunshot wound to his upper neck. The wound was no longer bleeding

and the blood appeared to have already been coagulating. Again, there was no sign of pulse or respiration at any time.

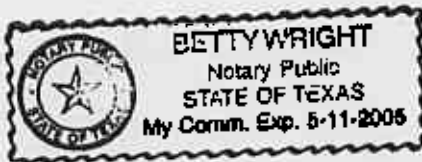
After myself and the E.M.T's were satisfied that there was no possible assistance to Mr. Shaw, I secured the scene and did not allow anything to be tampered with until I surrendered the scene to Lt. Charlie Harris of the Diboll Police Department.

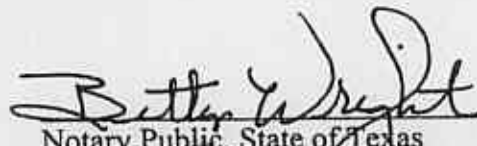
At no time did Mrs. Shaw object to the presence of the Diboll Police Department or other emergency personnel. I entered the residence in response to a 911 call. At no time that I was present was Mrs. Shaw treated rudely or in any manner that was inconsistent with professional courtesy.

SIGNED this 18<sup>th</sup> day of March, 2003."

  
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GARY WHITE, Affiant

SWORN TO AND SUBSCRIBED before me by GARY WHITE, on this the 18<sup>th</sup> day of March, 2003.



  
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Notary Public, State of Texas

(Seal)