

**ORIGINAL**

AFFIDAVIT FOR SEARCH WARRANT

THE STATE OF TEXAS )

COUNTY OF COLLIN )

THE UNDERSIGNED AFFIANT, BEING A PEACE OFFICER UNDER THE LAWS OF TEXAS AND BEING DULY SWORN, ON OATH MAKES THE FOLLOWING STATEMENTS AND ACCUSATIONS:

1. THERE IS IN COLLIN COUNTY, TEXAS, A SUSPECTED PLACE AND PREMISES DESCRIBED AND LOCATED AS FOLLOWS:

**The person of Enrique Gutierrez Arochi AKA Enrique Arochi Gutierrez (H/M 3/12/1990) which is currently located at the Plano City Jail, 900 East 15<sup>th</sup> Street, Plano, Collin County, Texas.**

2. THERE IS AT SAID SUSPECTED PLACE AND PREMISES PERSONAL PROPERTY CONCEALED AND KEPT AND SUBJECT TO SEIZURE UNDER THE LAWS OF TEXAS AND DESCRIBED AS FOLLOWS:

**Property of items constituting evidence of an offense or relating to an Aggravated Kidnapping investigation to wit:**

1. **DNA sample(s) of saliva and/or blood specimens from Enrique Gutierrez Arochi AKA Enrique Arochi Gutierrez (H/M 3/12/1990)**

3. SAID SUSPECTED PLACE AND PREMISES ARE IN CHARGE OF AND CONTROLLED BY EACH OF THE FOLLOWING PERSONS:

**Enrique Gutierrez Arochi AKA Enrique Arochi Gutierrez  
Plano City Jail**

4. AFFIANT HAS PROBABLE CAUSE FOR SAID BELIEF BY REASON OF THE FOLLOWING FACTS:

Affiant, Robyn Busby #1419, is a certified Police Officer employed by the City of Plano for over 14 years. Affiant is currently assigned as a Detective to the Crimes Against Persons Unit, and she has had the opportunity to work and assist in investigating multiple homicide and missing person cases. In addition, Affiant has attended many training courses related to the investigation of homicides and kidnapping offenses which included training related to DNA, trace evidence, and other evidence related to these types of offenses.

On Tuesday, September 2, 2014, at approximately 2317 hrs, Plano Police Officer Semrau #1762, took a report of a Missing Person, Plano Incident #2014-152241. The missing person was identified as Christina Marie Morris (W/F, 7/25/1991). Officer Semrau spoke with Mark Morris (adult male, father of Christina Morris) who reported his daughter had not returned to her home which she shares in Ft. Worth with her boyfriend Hunter Lee Foster. Mark Morris also reported Christina had not reported to work for two days, and he was unable to contact her by phone.

On Wednesday, September 3, 2014, Affiant was assigned as the lead investigator in this case. During the course of the investigation, Affiant reviewed Officer Semrau's information report and spoke with Officer Semrau. From these sources, Affiant discovered Christina Morris had gone out with friends at the Shops at Legacy which is located in the 5700 block of Legacy Drive in Plano.

14-152241

Collin County, Texas, on Friday night, August 29, 2014. Christina Morris was reported to have last been seen at a friend's apartment at the Shops at Legacy and to have left the apartment with a friend from high school identified as Enrique Gutierrez Arochi aka Enrique Arochi Gutierrez. Officer Semrau also discovered Christina Morris' vehicle (a silver 2001 Toyota Celica) in the parking garage adjacent to Henry's Tavern also located at the Shops at Legacy. Officer Semrau reported he did not notice anything suspicious related to the vehicle and notified Mark Morris, who went and picked up the vehicle.

On September 3, 2014, Affiant contacted Christina Morris' friend, Paulina Petrosky (W/F adult), who lives at Shops at Legacy and another friend, Steven Nickerson (W/M adult). Both stated that after a group of friends from high school were out drinking at the Shops at Legacy, several of them including Christina, Enrique, Paulina, and Steven returned to Paulina's apartment. Steven Nickerson reported to Affiant that Christina Morris and Enrique Gutierrez Arochi left Paulina's apartment together on August 30, 2014, at approximately 0330 hours, to walk to their cars, which were parked near Henry's Tavern. Nickerson told Affiant that after Christina and Enrique left the apartment that Christina called Nickerson from her cellular phone and she advised him that she was still walking to her vehicle at that time.

During Affiant's interview of Paulina Petrosky on September 3, 2014, Affiant asked Petrosky if Enrique Gutierrez Arochi appeared to be romantically interested in Christina Morris. Petrosky said she did not think so as Arochi seemed to be interested in her friend Sabrina Boss. Petrosky told Affiant before Arochi left her apartment with Christina that Boss was lying in Petrosky's bed going to sleep. Petrosky said she felt Arochi was upset about his situation with Boss at that point and he wanted to go home.

Affiant also spoke with Mark Morris who later provided Affiant with a copy of cell phone records for Christina Morris' cellular phone number. According to those records, Christina Morris called Steven Nickerson on August 30, 2014 at 3:43 a.m. Affiant also obtained identifying cellular phone information from Mr. Morris for Christina's cell phone. According to the information provided by Mr. Morris, Christina Morris was in possession of a black iPhone 5 with MEID #99000320146785 at the time of her disappearance. Mr. Morris also told Affiant that Christina's Toyota car keys were not located in or around the vehicle when Mr. Morris obtained possession of the vehicle from the Shops at Legacy.

On September 3, 2014, Affiant and Detective Stamm #1294 went to 1218 Harvard Lane in Allen, Collin County, Texas, to attempt to contact Enrique Gutierrez Arochi. We contacted a female at the residence who identified herself as Arochi's mother, Elizabeth Gutierrez-Arochi. Mrs. Arochi invited us into the residence. Inside the foyer area was an area that appeared to be utilized as an office. Affiant and Detective Stamm observed a computer and monitor to be in this office area. During this contact, Mrs. Arochi provided Affiant with a cellular phone number for Enrique Gutierrez Arochi of 214-966-8748, and she stated Enrique was at work at the Sprint store located in Wylie.

On September 3, 2014, Detective Stamm called Enrique Gutierrez Arochi and requested he come to the Plano Police Department for an interview in regards to disappearance of Christina Morris as he was the last person known to be with her. Detective Stamm conveyed to Affiant that during the interview, Enrique Gutierrez Arochi said he went to the Shops of Legacy with a group of friends which included Christina Morris. At the end of the evening, he left his friend Paulina Petrosky's apartment with Christina Morris and they walked back to where their cars were parked. Enrique Gutierrez Arochi told Detective Stamm the last time he saw Christina Morris she was entering the garage by Henry's Tavern, and he walked around the front of Henry's Tavern and went to a

parking garage near Blue Martini where he had left his car parked earlier that evening. Enrique Gutierrez Arochi insisted he did not enter the parking garage with Christina Morris.

After Detective Stamm's first interview of Enrique Gutierrez Arochi on September 3, 2014, Affiant and Detective Stamm obtained consent from Enrique Gutierrez Arochi to view the interior and exterior of his 2010 Chevrolet Camaro. We observed that there was a large dent in the front right fender of his Camaro. We also observed that the vehicle's interior appeared to be extremely clean and also appeared to have been recently vacuumed. The interior carpet, in particular along the sides from under the dashboard area leading down to the front passenger floorboard area, had what appeared to be vacuum patterns and little to no visible debris was observed on the carpeted areas throughout the vehicle. We also observed multiple cellular phones and other electronic data storage devices inside of Arochi's vehicle. Arochi told Affiant and Detective Stamm that he utilized those devices for data storage.

Affiant and Detective Stamm also observed that Enrique Gutierrez Arochi had bruising to his forearm and abrasions on his right hand. Enrique Gutierrez Arochi told Detective Stamm he sustained these injuries on Friday, August 29, 2014, prior to going out with his friends, while "turning" his tires "around" and the wheel fell on his hand. He stated he became angry and damaged his front right fender by punching it with his right fist and striking it with his right forearm.

After this interview, Affiant received and reviewed available video recordings from cameras at the Shops at Legacy which were obtained by Officer Benzick #1633. Based on this information and date/time stamp information on the recording devices which Officer Benzick conveyed to Affiant, Affiant determined Christina Morris was last seen at approximately 0355 hours on August 30, 2014, entering the parking garage adjacent to Henry's Tavern at the Shops at Legacy located in Plano, Collin County, Texas with a male believed to be Enrique Gutierrez Arochi (H/M, 3/12/1990). Affiant is aware that the video evidence contradicted information Arochi provided to Detective Stamm that he did not enter that parking garage with Christina Morris.

After review of the video footage, Detective Stamm contacted Enrique Gutierrez Arochi again on September 3, 2014, and requested he return to the police station for a second interview. Detective Stamm told Affiant, during this interview of Enrique Gutierrez Arochi, she showed him a still photograph retrieved from surveillance video at the Shops at Legacy. The photograph depicted a male and female entering the parking garage by Henry's Tavern on August 30, 2014, at 0355 hours. Enrique Gutierrez Arochi acknowledged to Detective Stamm he was the male in the photograph walking into the parking garage with Christina Morris. Detective Stamm told Affiant after seeing the photograph, Enrique Gutierrez Arochi changed his previous account of events related to the last time he saw Christina that night. Arochi now told Detective Stamm he did not see Christina's direction of travel after the two entered the garage because he walked through the garage to the Blue Martini parking garage where he had parked his Camaro. Enrique Gutierrez Arochi also told Detective Stamm he did not talk to Christina while the two walked from Paulina's apartment to the parking garage because Christina was talking on the phone loudly and sounded upset. Enrique Gutierrez Arochi also told Detective Stamm that Christina Morris had not been in his vehicle.

Affiant later reviewed additional video footage from the parking garage by Henry's Tavern Officer Benzick obtained which showed Enrique Gutierrez Arochi's vehicle exiting the parking garage adjacent to Henry's Tavern on August 30, 2014, at approximately 0358 hours. Officer Benzick told Affiant that Officer Semaru confirmed this was the same garage where he found Christina Morris' vehicle parked. Detective Stamm told Affiant during a third interview of Enrique

Gutierrez Arochi on September 4, 2014, she showed Arochi a still photo of the Camaro exiting the parking garage by Henry's Tavern. Enrique Gutierrez Arochi acknowledged the Camaro was his vehicle. Detective Stamm asked Enrique Gutierrez Arochi why his car would be leaving the parking garage by Henry's Tavern when he denied parking there. Enrique Gutierrez Arochi again changed his account of events that night and told Detective Stamm he must have parked there.

Affiant was able to confirm Arochi and Morris both parked in the same garage when she obtained additional video footage from Officer Benzick of the parking garage by Henry's Tavern. Affiant reviewed the video footage which showed Enrique Gutierrez Arochi's Camaro entering the parking garage of Henry's Tavern on August 29, 2014, at approximately 2322 hours, followed immediately by Christina Morris' Toyota Celica. Video footage also indicated both vehicles were parked within close proximity of each other. Based on the fact, Christina Morris and Enrique Gutierrez Arochi were captured on video entering the parking garage near Henry's Tavern together on August 30, 2014 at 0355 hours, Enrique Gutierrez Arochi's Camaro was captured on video exiting that same parking garage at 0358 hours, and Christina Morris was not captured on video exiting the parking garage in some other manner, Affiant believes that Christina Morris was in Enrique Gutierrez Arochi's Camaro at the time it exited the parking garage contrary to Arochi's statement that Morris was never in his vehicle.

Detective Pfahning #1601 obtained via a Search Warrant cellular phone records for Enrique Gutierrez Arochi's cell phone number. Affiant reviewed the cellular phone records and found the records indicated text messages and a phone call were made from Enrique Gutierrez Arochi's cell phone to Christina Morris' boyfriend, Hunter Foster on August 30, 2014, at 0350, 0353, and 0355 hours. Detective Stamm also told Affiant during an interview that she confronted Enrique Gutierrez Arochi with the fact text messages and a phone call were made to Hunter Foster from his cell phone just before Christina was last seen on video. Enrique Gutierrez Arochi denied he was the person texting or calling Hunter Foster and told Detective Stamm he must have let Christina use his cell phone, after he previously denying he engaged in any conversation with Christina as they walked from Paulina's apartment to the parking garage.

Detective Stamm told Affiant that Enrique Gutierrez Arochi told her he went directly home from the Shops at Legacy on August 30, 2014. Enrique Gutierrez Arochi provided Detective Stamm with a copy of his NITA toll tag records for his vehicle which showed he traveled along the Sam Rayburn Tollway and passed through the Custer Road gantry northbound on August 30, 2014 at 0408 hours.

Plano Patrol Officer Benzick #1633 retrieved and watched surveillance video of the parking garages and businesses throughout the Shops at Legacy for this investigation. Officer Benzick told Affiant that Christina Morris' car did not leave the parking garage until it was removed by Mark Morris. Additionally, Officer Benzick did not observe Christina Morris exiting the parking garage after she was seen entering the parking garage with Enrique Gutierrez Arochi on August 30, 2014.

On September 3, 2014, Officer Benzick provided Affiant a copy of a "We-Scan" entry scan log from Scruffy Duffies, a bar located in the Shops at Legacy, which he obtained from the bar. The scan was dated August 30, 2014 at 12:31 a.m. for a Christina Morris with an identification ending in 7294. Affiant is aware Christine Morris' Texas Driver's License number is 25797294. Affiant believes this indicates Christina Morris provided identification so that the bar would grant her access into the location. On this same date, Officer Benzick also provided Affiant with a copy of a credit card receipt for a transaction where a MasterCard ending in 8584 for "Christin Morris" was used on August 30, 2014 at 12:34 a.m. which he also obtained at Scruffy Duffies. Affiant believes



these documents indicate, at a minimum, Morris possessed these items on the night she disappeared.

On September 4, 2014, Christina Morris' Toyota Celica vehicle was processed by CSI Criminalist M. Boubel. Affiant reviewed the report completed by Criminalist Boubel related to her processing of Morris' vehicle. Criminalist Boubel's report indicated she collected a Dr. Pepper soda can from the vehicle. On September 19, 2014, a swab from a Dr. Pepper can collected from the vehicle was submitted to the University of North Texas Center for Human Identification so that a DNA profile for Christina Morris could be developed for comparison to other items of evidence collected in this case. Affiant reviewed a letter from the UNT Health Science Center which confirmed that a STR profile was developed from the sample submitted and DNA profile analysis of Morris' parents. UNT provided the Department with a copy of the STR Data Table which contained the developed DNA profile for Christina Morris.

On September 6, 2014, Detective Stamm had a conversation with Enrique Gutierrez Arochi about how he received his injuries. Detective Stamm told Affiant, during that conversation, Arochi told her he had used a "lifter," which he had in his garage, to turn the tires around on his vehicle. Based on conversations with Detective Stamm and the information provided by Arochi, Affiant believes Arochi indicated to Detective Stamm the "lifter" was a jack or other type of "lift" to elevate his vehicle to a position high enough to remove a tire such that the tire could fall on his arm and cause the injuries to his arm. On September 18, 2014, Detective Hoffman #1619 and Detective Bryeans #1592 interviewed Carlos Arochi, who is Enrique Gutierrez Arochi's brother. Affiant spoke with Detective Hoffman and Detective Bryeans about this interview. Both detectives indicated Carlos Arochi told them his brother Enrique normally used a jack which was maintained in the garage at his residence. Detective Bryeans clarified for Affiant that Carlos Arochi indicated this to be a standard car jack.

On September 6, 2014, Detective J. Hay #1599 interviewed Sabrina Boss who was also present at Petrosky's apartment at the time Christina Morris and Enrique Gutierrez Arochi left the apartment to return to their vehicles. Detective Stamm reviewed an audio recording of this interview and told Affiant the following: Boss informed Detective Hay after the group of friends left Scruffy Duffy's, she, Paulina Petrosky and Enrique Gutierrez Arochi got into her car and drove to Whataburger. Boss, Arochi, and Petrosky then drove to Petrosky's apartment. Boss told Hay after they ate their food, Boss was tired and tried to lie down on the couch, but Arochi would not let her. Boss said she told Arochi to move and he said "NO." Boss said she became frustrated and went to lay down in Petrosky's bed. She said about ten minutes later Arochi came into the room and said "if you're not sleeping on the couch, I'm going home". Detective Hay asked Boss if she believed Arochi was angry when she got up from the couch and Boss stated, "Yes." Boss told Detective Hay Arochi was pretty upset and the way he acted, he was pretty angry and upset. Detective Hay made the comment to Boss obviously he thought your relationship was romantic and you didn't, and Boss agreed with Detective Hay.

On September 6, 2014, Christina Morris' boyfriend, Hunter Foster, voluntarily provided Affiant with his cellular phone and allowed Affiant to have his phone forensically extracted. The extraction was conducted by Detective Pfahning who has training and experience in conducting cellular phone extractions. Affiant reviewed the Forensic Report of Foster's phone. Affiant observed messages containing photographs received on Foster's cell phone from Christina Morris's cell phone number. Affiant observed a photograph in a message dated August 30, 2014 at 0234 hours. The photograph appeared to be a female's hand holding two (2) individual keys. Affiant also observed what appeared to be a gold colored ring on the middle finger of the person's hand. Affiant believes, based on the content of the messages and a photograph of Morris herself just prior

to the photograph of the keys' being sent from the same phone number that the keys and ring belonged to Morris, and they were in her possession on the date she disappeared.

On September 10, 2014, Detective A. Garcia #1583 conducted a trash pull at 1218 Harvard Lane in Allen, TX which is the residence of Enrique Gutierrez Arochi. Affiant reviewed the report completed by Detective Garcia related to this trash pull. The report indicated that items collected were logged in as evidence by Detective Spillman #1427. Affiant review the evidence report completed by Detective Spillman. According to the evidence list, items located in the trash at residence of Enrique Gutierrez Arochi included various cleaning rags and towels and cleaning supplies including an empty 32 ounce bottle of "409" cleaner and an empty 32 ounce bottle of "all-purpose cleaner" with bleach. Affiant also reviewed photographs of the items which were taken by Detective Spillman. Affiant observed that the cleaning supply containers appeared to be in good condition, lacked dust, and appeared to be recently purchased.

On September 15, 2014, Plano PD Detective J. Hay #1599 was contacted by Sprint Regional Manager Scott Aronstein who advised Enrique Gutierrez Arochi had stolen a gold Samsung Galaxy S5 cellular phone from Sprint and activated this phone on his personal Sprint account on August 25, 2014. Affiant reviewed a report completed by Detective Hay which detailed this information. The offense was reported to the Wylie Police Department (incident number 14025877). Detective Stamm obtained a copy of the Wylie PD Incident Report related to this case. Affiant reviewed the Incident Report which indicated Enrique Gutierrez Arochi had returned the stolen phone to another employee at the Sprint store. Detective Stamm received permission from Aronstein to obtain possession of this cell phone. According to a report completed by Detective Stamm, Affiant learned Detective Stamm took possession of this cellular phone on September 23, 2014, from Sprint employee Juan Ponce. Detective Stamm logged this cellular phone as evidence.

Detective J. Rich #1351 provided this cellular device to viaForensics a company specializing in the forensic recovery of evidence from cellular devices. Detective Rich, is a Police Detective for the Plano Police Department and he has been a police officer for over 20 years. Detective Rich is assigned to investigate Internet Crimes and has received extensive specialized training in the investigation of the computer facilitated crimes and internet based investigations. Detective Rich told Affiant he contacted the Director of Mobile Services and Forensic Examiner for viaForensics Katie Strzempka regarding the results of the forensic analysis of this cellular device. Strzempka told Detective Rich this cellular device appeared to have been "wiped" to eliminate or destroy data on the device, and it had not just been reset to factory settings. Based on Detective Rich's experience, training, and conversations with other law enforcement officers related to cellular devices and the information he obtained from Strzempka, Detective Rich told Affiant the most probable way for a cellular device to be analyzed and found to be in this condition is for the device to have been connected to a computer or other device capable of accomplishing this goal. Software used to wipe cellular devices is commercially available to the public and is commonly installed on a computer attached to the cellular device. Additionally, Detective Rich told Affiant he is also aware that people routinely back up their cellular devices, including attached media, to computers or other storage devices for the purpose of saving contacts, transactional data, and other information from their cellular device to be restored on another device once acquired. Affiant is aware that this data can be forensically retrieved from such computers or devices.

On September 24, 2014, Detective Garcia conducted an additional trash pull at Enrique Gutierrez Arochi's residence. Items located in the trash were given to Detective D. Caballero #1708 to review for evidentiary relevance to this case. According to a report completed by Detective Caballero which Affiant reviewed, Detective Caballero located several items of evidence which he logged in as evidence. Affiant reviewed photographs of the items obtained from this trash pull

which were taken by CSI personnel and the evidence list submitted by Detective Caballero. Affiant observed that items collected from this trash pull included additional empty bottles of cleaning supplies including an empty gallon size bottle of concentrated "OdoBan" cleaner. According to labeling, the content of the bottle was capable of producing 32 gallons of cleaning solution capable of killing 99.99% of germs. Another empty 32 ounce bottle of multi-surface cleaner was also located in the trash. Between the previous trash pull mentioned and empty cleaning supply containers located from this trash pull, Affiant noted there appeared to be a large quantity of cleaning supplies recovered via abandoned trash at Enrique Gutierrez Arochi's residence. Affiant again observed that the empty cleaning supply containers in this trash pull also appeared to be in good condition, lacked dust, and appeared to be recently purchased. Additional items located in this trash were empty boxes for cellular phones and a handwritten note on a yellow piece of paper. The note was written in Spanish. Affiant spoke with Detective D. Caballero #1708 who is the designated Spanish speaking detective for Affiant's Unit. Detective Caballero Spanish language skills were vetted through testing to establish his fluency prior to his selection to his current possession. Detective Caballero translated this note for Affiant. According to Detective Caballero the note listed the following items: black shirt, texts from the 29<sup>th</sup> through today's date, bank bills, and cellular bills. Affiant believes these items to be evidentiary items in this case.

On September 24, 2014, Detective Bryeans #1592 obtained surveillance video dated August 30, 2014, at approximately 1015 hours, from a Kroger located at 1212 E. Bethany, Allen, TX. Affiant reviewed the video which showed a Chevrolet Camaro drive up to a gas pump. Affiant observed Enrique Gutierrez Arochi exit the driver's side of the vehicle, walk around the backside of the vehicle, appear to inspect the rear trunk area, and proceed to fill up the car with gas. Enrique Gutierrez Arochi then appeared to inspect the passenger side door and appeared to wipe the door with an unknown piece of material. Enrique Gutierrez Arochi then proceeded to get the window squeegee/scrubber (available at gas pumps) and walk to the backside of the vehicle. Enrique Gutierrez Arochi appeared to scrub the backside of the vehicle with the squeegee/scrubber and then returned the squeegee/scrubber back where he found it.

On September 26, 2014, Detective Stamm obtained a Search Warrant (380-09-26-2014-7-S) for Enrique Gutierrez Arochi's 2010 Chevrolet Camaro displaying Texas registration DJL8459. The search warrant was executed on the same date, and it was processed for the presence of bodily fluids and other trace evidence. During the processing of Arochi's vehicle under this search warrant, CSI Criminalist B. Vleer collected several swabs of the interior of this vehicle as well as the interior area of the trunk of this vehicle. Swabs collected during the processing of Arochi's vehicle were submitted to Bode Technology, which is a forensic lab that processes for DNA.

On December 9, 2014, Detective E. Spillman #1427 received a Supplemental Forensic Case Report from Bode Technology related to their analysis of the swabs submitted to their lab which were collected from Enrique Gutierrez Arochi's vehicle during the execution of the previously mentioned Search Warrant. Affiant reviewed the Case Report. The report stated a DNA profile was obtained from Bode sample #CCC1402-0255-E06 which was taken from Agency Sample #668923 labeled as "swab from edge of trunk opening." The Bode Technology report provided the STR DNA profile for this sample.

Affiant and Detective Spillman provided the Bode Technology Case Report to Plano Police Department CSI Manager Dr. R. Staub. Dr. Staub is a certified lab director for human identification using DNA, holds a PhD in Genetics, and has extensive forensic DNA experience to include having been the Senior Manager and Laboratory Director for Orchid Cellmark forensic lab in Dallas, Texas prior to being hired by the Plano Police Department. Dr. Staub obtained the complete lab case file from Bode Technology related to this case. Dr. Staub evaluated the Bode

Technology lab case file. Dr. Staub told Affiant he found that Bode Technology's results from the above mentioned swab indicated there was a significant amount of DNA present which was produced from a single source female profile. Dr. Staub compared the DNA profile Bode Technology developed from the swab taken from the interior trunk opening of Enrique Gutierrez Arochi's vehicle and the DNA profile developed for Christina Morris from the UNT lab. Dr. Staub found the DNA profile developed from the trunk swab to be a perfect match to the DNA profile of Christina Morris developed by UNT. Dr. Staub told Affiant that based on his evaluation of the data provided by the Bode Technology Case Report that the chance of another person having this DNA profile is approximately 1 in 69.08 quadrillion Caucasians. Dr. Staub also told Affiant that based on his experience and the amount of DNA that was present on the swab taken from interior of Enrique Gutierrez Arochi's trunk, he does not believe the DNA source to have merely been touch DNA, but more likely that the DNA source was a bodily fluid such as blood or saliva.

Additional samples analyzed by Bode Technology which were also taken from Enrique Gutierrez Arochi's vehicle indicate other DNA profiles are present in the evidence collected to include the DNA of an unknown male contributor.

Cellular phone records for both Christina Morris and Enrique Gutierrez Arochi were obtained from Sprint by Detective Rich. The transactional records for data usage were analyzed by Detective Rich, Officer Benzick, and Affiant. Detective Rich, Officer Benzick, and Affiant concluded the records indicate Enrique Gutierrez Arochi's cellular device and Christina Morris' cellular device both communicated with a cellular phone tower located at 5800 Granite Pkwy (Plano, TX) 75024 which is just north of the Shops at Legacy and south of SH 121. According to these data records, Enrique Gutierrez Arochi's cellular device last communicated with this tower on August 30, 2014 at 0456 hours. Christina Morris' cellular device last communicated with the exact same tower and same side of that tower as Arochi's cellular device on August 30, 2014 at 0447 hours.

Based on Affiant's training, experience, and conversations with other law enforcement officers, Affiant is aware the fact both cellular devices communicated with the same tower and same side of that tower indicates the cellular devices were in close proximity to one another at these times. This is contrary to Enrique Gutierrez Arochi's statements that he went directly home after leaving the Shops at Legacy parking garage and Christina Morris was not with him. Affiant is also aware that the times Enrique Gutierrez Arochi's cellular device communicated with this particular cellular tower is after the time his toll records indicated that he was traveling north on the Sam Rayburn Tollway near Custer Road. Affiant is aware other cellular towers exist in the area between the Shops at Legacy and Arochi's residence. Therefore, it is Affiant's belief that Enrique Gutierrez Arochi returned to the area of the Shops at Legacy after leaving the area initially in his vehicle and traveling on Sam Rayburn Tollway near Custer Road and that Christina Morris' cellular device, and most probably Christina Morris, herself was with Enrique Gutierrez Arochi at that time.

Based on the cellular data records reviewed by Detective Rich, Officer Benzick, and Affiant, following the last recorded communication by Enrique Gutierrez Arochi's cellular device with the tower by the Shops at Legacy on August 30, 2014 at 0456 hours, Arochi's cellular data records indicate his cellular device communicated with a cellular tower on the same date at 0532 hours. That cellular tower is located in the 1500 block of E Bethany Dr (Allen) and the side of the tower which the cellular device communicated with was the side directed toward Enrique Gutierrez Arochi's residence.

Through a review the video footage obtained by Officer Benzick, a review of a photograph provided to Affiant by Paulina Petrosky which Petrosky stated was taken of her and Christina the evening she last saw Christina, and personal conversations with Petrosky and Steven Nickerson,



Affiant believes that Christina Morris was wearing a dark colored hat, a light colored t-shirt she obtained from Petrosky, a dark colored skirt, unknown colored flip flops or sandals, and a dark colored backpack at the time she disappeared. Affiant observed in the video footage that Enrique Gutierrez Arochi appeared to be wearing a black colored long sleeve shirt, dark colored pants, and dark colored shoes.

Affiant is aware through training, experience, and conversations with other law enforcement officers that cellular devices can contain GPS and other location identifying information which can place the device or individuals carrying said cellular devices in a particular area which may provide additional evidence related to this offense. Affiant is also aware through her training, experience and conversations with other experienced police detectives that persons that commit kidnapping offenses often utilize electronic devices such as computers or cellular phones to research areas or information that may assist them in disposing of evidence related to the offense. Affiant is further aware that cellular phones, computers, and other data storage devices often located in or around persons who have committed these offenses are found to contain evidence of such preparation or research related to the commission of or following the commission of these types of offenses that may assist them in hiding or secreting a person or other evidence related to the offense. Affiant is also aware this evidentiary data is not easily destroyed and it is retrievable by persons trained in the forensic recovery of this information.

Based on the information provided in this Affidavit, Affiant believes the cellular data information which indicated Enrique Gutierrez Arochi's cellular device communicated with a cellular tower in the area of his home less than 40 minutes after his cellular device communicated with the same cellular tower as Christina Morris' cellular device near the Shops at Legacy. Affiant believes Arochi returned to his residence following the last communication of his cellular device with the Shops at Legacy tower in the early morning hours of August 30, 2014. Based on the cellular data information and the Bode Technology Lab Case File which confirmed that Christina Morris' DNA was present in the interior trunk area of Enrique Gutierrez Arochi's vehicle, Affiant further believes Arochi left the Shops at Legacy area and returned to his residence located at 1218 Harvard Lane in Allen, TX, with Christina Morris in the trunk of his 2010 Chevrolet Camaro contrary to his statements that Morris was never in his vehicle.

Based on the evidence detailed in this Affidavit, Affiant believes Enrique Gutierrez Arochi intentionally and knowingly abducted Christina Marie Morris as Affiant does not find it reasonable, especially in light of additional lies found to have been told by Arochi about his activities with Morris the morning she disappeared, that Christina Morris voluntarily entered the trunk of Arochi's Camaro. Thus, Affiant believes Christina Morris would have had to have been placed or forced into the trunk of Arochi's vehicle without her consent by Enrique Gutierrez Arochi in order for her DNA to be present in that location. Affiant further believes based on the anger Arochi displayed at Petrosky's apartment towards Sabrina Boss when she refused his sexual advances towards her that Enrique Gutierrez Arochi intended to violate or abuse Christina Morris sexually. Affiant believes Enrique Gutierrez Arochi was sexually frustrated that Boss rebuffed his sexual advances and an opportunity presented itself for him to act upon his anger and sexual frustration when he found himself alone with Christina Morris.

As such, due to the amount of Christina Morris' DNA found to be present in the interior trunk area of Arochi's vehicle, Affiant believes this DNA was from Christina Morris' bodily fluids such as blood or saliva. Therefore, Affiant believes Christina Morris' bodily fluids would likely have been transferred to clothing and/or footwear worn by Arochi as well as additional items touched by Arochi during the commission of and following this offense. Based on conversations with experts

such as Dr. Staub, Affiant is aware that despite washing and cleaning, this DNA evidence can remain on items where it was transferred for extended periods of time.

Affiant is also aware that video footage showed Christina Morris had a backpack in her possession immediately prior to her disappearance. Affiant believes the backpack contained personal items people commonly carry when away from home such as wallets, identification, credit cards, cellular phone, prescription medications, and other such personal items as some of these items were believed to have been used by her on the night of her disappearance. Affiant was told by Detective Stamm that Christina Morris was prescribed prescription medications at the time of this offense. Detective Stamm obtained this information from Morris' mother, Jonni McElroy.

Affiant is further aware, based on her training, experience, and conversations with other experienced law enforcement officers who have also investigated this type of offense and similar cases, that persons who commit such offenses often retain personal items of the victim and that no item known to be in possession of Christina Morris, nor Christina Morris herself, have been located since the date of this offense. As of this date, through Affiant's review of Christina Morris' cell phone records, her financial records, monitoring of her social media accounts, and repeated contacts with her family, friends, and live-in boyfriend, Affiant has determined there is no known record or information that Christina Morris has attempted to contact any family member or friend by any means; nor has she returned to her residence or place of employment. There has also been no activity on Christina Morris' financial records, cell phone records, or her social media accounts, and available evidence indicates she has ceased to participate in her normal daily activities.

Affiant is further aware through her training, experience, and conversations with other experienced law enforcement officers that trace evidence is difficult to destroy, despite cleaning efforts in an attempt to destroy such evidence, and it is detectable by trained persons utilizing specialized equipment, and that such evidence can remain for an extended period of time. Evidence of this offense such as DNA, bodily fluids, fibers, or hair may have transferred to the clothing or other items of Enrique Gutierrez Arochi or inside of areas or locations touched by Arochi, either intentionally or unintentionally, during the commission of the offense, in any clean up related to the offense, or disposal of evidence following the offense.

With the information obtained through this investigation, Affiant believes Enrique Arochi Gutierrez has committed the offense of Aggravated Kidnapping PC 20.04 (a)(4) when he intentionally or knowingly abducted another person, Christina Marie Morris, with the intent to inflict bodily injury on her or violate or abuse her sexually.

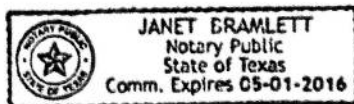
Affiant has good reason to believe and does believe that a search of **Enrique Gutierrez Arochi AKA Enrique Arochi Gutierrez (H/M 3/12/1990)**'s person for saliva and/or blood specimens in order to obtain DNA samples as identified above in this affidavit would reveal evidence of this offense. Based on personal investigation, Affiant believes that these samples constitute evidence related to an aggravated kidnapping offense committed near the 5700 block of Legacy Drive in Plano, Collin County, Texas described above in this affidavit, and the evidence is currently located at 1500 E 15<sup>th</sup> Street, Plano, Collin County, Texas, at the Plano City Jail.

Wherefore, Affiant asks for issuance of a warrant that will authorize Affiant to search said suspected place and premises for said personal property and seize the same. Affiant also asks that the warrant authorize the forensic analysis of any evidence collected, and that such analysis be authorized to be conducted by any qualified lab or personnel qualified to conduct such testing or analysis as deemed necessary in furtherance of the investigation of this offense.

Robert L. Budy #1419  
AFFIANT

SWORN AND SUBSCRIBED by the Affiant before me this date, the 12<sup>th</sup> day of December, 2014.

Janet Bramlett  
NOTARY IN AND FOR THE STATE OF TEXAS  
COUNTY OF COLLIN



SEARCH WARRANT

THE STATE OF TEXAS ) Place/Premises: Enrique Guiterrez Arochi H/M/03/12/1990  
COUNTY OF COLLIN )

THE STATE OF TEXAS to the SHERIFF or any PEACE OFFICER OF COLLIN  
COUNTY, TEXAS, or any PEACE OFFICER of the STATE OF TEXAS.

GREETING:

WHEREAS, the AFFIANT whose name appears on the Affidavit attached hereto is a  
Peace Officer under the laws of Texas and did heretofore this day subscribe and swear to  
said Affidavit, and whereas I find that the verified facts stated by Affiant in said Affidavit  
show that Affiant has probable cause for the belief he expresses therein and establishes  
existence of proper grounds of issuance of this Warrant; NOW, WHEREFORE, you are  
commanded to enter the suspected place and premises described in Affidavit and to there  
search for the personal property described in said Affidavit and seize same and bring it  
before me. Herein fail not, but have you then and there execute this Warrant within three  
days, exclusive of the day its issuance and exclusive of the day of its execution, with your  
return thereon, showing how you have executed the same.

ISSUED AT 9:43 O'CLOCK A .M., on this the 13th day of  
December, 20 14, to certify which witness my hand this day.

Benjamin H. Smith  
MAGISTRATE

380TH DISTRICT COURT  
(NAME OF COURT)

MCKINNEY, COLLIN COUNTY, TEXAS  
CITY, COUNTY, STATE



3805-20141213-1

RETURN AND INVENTORY

THE STATE OF TEXAS )

COUNTY OF COLLIN )

THE undersigned Affiant, being a Peace Officer under the Laws of the State of Texas, and being duly sworn, on oath certifies that the foregoing warrant came to hand on the day it was issued and that it was executed on the 13<sup>th</sup> day of DECEMBER, 2014, by making the seizure as directed by law and seizing the following described property;

2 Buccal SWABS

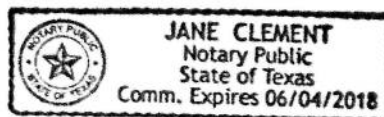
1 SWAB RIGHT CHEEK

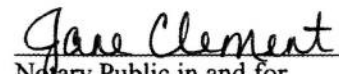
1 SWAB LEFT CHEEK

 1601  
AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned authority, on this the

15<sup>th</sup> day of December, 2014.



  
Notary Public in and for  
State of Texas