

# PROBABLE CAUSE AFFIDAVIT

## State of TEXAS – County of DENTON (Affidavit)



Before me, the undersigned authority, on this day personally appeared the undersigned affiant who, after being by me duly sworn on oath deposes and says that:

Soto, Mario W/M DOB: 03/21/1992, hereinafter styled defendant,  
on or about the 23<sup>rd</sup> day of October, 2022, and before the making and filing of this complaint,  
in the County of Denton of the State of Texas, did then and there commit the offense of:

Charge (1): CJIS CODE:(10990019) Unlawful Restraint ( PC:20.02(c))

Affiant's probable cause for the above belief is based upon the following facts and sources of said facts:

### Narrative:

On October 22, 2022, I, Sgt. Thompson and Officer Allen of the Sanger Police Department were dispatched to an agency assist for Denton PD where a disturbance was called in by an occupant of a white Buick. The vehicle traveled through several jurisdictions where law enforcement was unable to catch up to the vehicle. I observed the vehicle traveling east on Willow St. near the intersection of Willow St. and Lake Ridge Dr. Officer Allen and I observed the vehicle swerving as it passed us. Officer Allen initiated the emergency lights and the driver could be heard over the caller's phone crying and becoming very upset because we were behind him. The driver told dispatch he was not going to stop for officers. Dispatch had already advised us that the female had requested several times for the driver to stop and let her and her two children out of the car and the subject refused to let them out. The vehicle finally pulled over in 300 blk of E. Willow St.. Upon contact with the driver, who was later identified as Mario Soto W/M DOB: 03/21/1992 showed red and glassy eyes. Once he exited the vehicle and I made contact with Soto who smelled of alcohol and was unsteady on his feet as he walked to the rear of the vehicle would not follow directions of removing his hands from his pocket. I grabbed Soto's arm and he immediately pulled away from me. I grabbed him again and told him to remove his hands from his pockets and not to pull away from me or I would put him on the ground. Soto again pulled away from me and I grabbed him and attempted to handcuff him behind his back. Soto pulled away again and I pushed him to the ground. I then got on top of Soto and as he tucked his hands under his chest. Soto refused to follow commands and kept pulling his hands down towards his waist. I then used my right hand and struck Soto several times commanding him to put his hands behind his back. At that time Officer Pease of the Sanger Police Department had arrived and assisted me with attempting to get Soto's hands behind his back. Soto still resisted and I eventually drive stunned Soto in the middle of his back until he complied. Soto was then taken into custody. Due to the combative nature of Soto SFSTs were not administered. Soto's wife stated he had been drinking and driving really fast and unsafe. Based on the information given by Soto's wife and my observations I believe Soto to be intoxicated and operating a motor vehicle on a public roadway with 2 children under the age of 15, and also committed the offenses of Unlawful Restraint, and Resisting Arrest, Search, or Transport.