

THE STATE OF TEXAS

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CASE NO: 2023-00973280 PM 3:12

COUNTY OF VICTORIA

§

CAUSE NO:

FILED

2023 NOV 30

PM 3:12

*[Signature]*  
DISTRICT CLERK  
VICTORIA COUNTY, TEXAS

## SEARCH WARRANT

{Article 18.01, Texas Code of Criminal Procedure}

### GREETINGS:

**THE STATE OF TEXAS:** To the Sheriff or any Peace Officer of Victoria County, Texas or any Peace Officer of the State of Texas:

**WHEREAS,** the Affiant whose signature is affixed to the Affidavit attached hereto is a Peace Officer under the Laws of Texas and did heretofore this day subscribe and swear to said Affidavit before me (which said Affidavit is expressly here now made a part hereof for all purposes and incorporated herein as if written verbatim with the confines of this Warrant), 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 herein and establishes existence of proper grounds for issuance of this Warrant.

**THERE IS WITHIN THE CITY OF VICTORIA AND IN VICTORIA COUNTY, TEXAS, A BUILDING AND PREMISES DESCRIBED AND LOCATED AS FOLLOWS:**

The residence is located at 2320 CR 406, Yoakum, TX, Lavaca County. The residence is on a piece of land, with a red barn on the property, a white and black Jayco travel trailer, and a cream colored single wide trailer with white trim. Photographs of the property are shown below.





Said suspected place, in addition to the foregoing description, also includes any and all other, edifices, openings, enclosures, and vehicles on said premises which are found to belong to or be under the control of the suspected party named in this warrant, and in, on, or around which said suspected party may reasonably reposit or secrete property which is the object of the search requested herein.

**IT IS THE AFFIANT'S BELIEF AND AFFIANT DOES BELIEVE THAT A SPECIFIC CRIMINAL OFFENSE HAS BEEN COMMITTED, TO WIT:**

Tampering with or Fabricating Physical Evidence, TX PC 37.09



**IT IS THE BELIEF OF YOUR AFFIANT THAT SAID SUSPECTED BUILDING AND PREMISES HAS POSSESSION OF AND IS CONCEALING AT SAID SUSPECTED PLACE THE FOLLOWING PROPERTY:**

Latent prints, DNA, such as hair follicles, skin cells, suspected blood, bodily fluid, firearms, firearm cases, knives, any other weapons suspected of being used in a crime, clothing or articles used during the commission of the crime or to tamper with the evidence in the crime, or Stevenson's body.

**AFFIANT ALSO REQUESTS AUTHORITY FROM THE COURT TO TRANSPORT, REMOVE, OR TAKE ANY LOCATION OR EVIDENCE SEIZED PURSUANT TO THE WARRANT REQUESTED HEREIN TO ANY LOCATION DEEMED NECESSARY FOR PURPOSES OF SAFEKEEPING, EVALUTATION, TESTING, AND FOR THE COMPLETION OF ANY INVESTIGATION OR PROCEEDINGS RELATED TO THE ACTIVITIES DESCRIBED IN THIS AFFIDAVIT.**

**HEREIN FAIL NOT**, but have you then and there this Warrant within three days, exclusive of the day of its execution, with your return thereon, showing how you have executed the same.

**ISSUED** this the 24th day of November A.D. 2023, at 6:20 o'clock P.M. to certify which witness my hand this day.



Magistrate

377 Court of Texas (District/County Court At Law)  
Victoria County, Texas

Eli E. Garza

Printed Name of Magistrate

THE STATE OF TEXAS

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CASE NO: 2023-009732

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COUNTY OF VICTORIA

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CAUSE NO: \_\_\_\_\_

FILED  
2023 NOV 30 PM 3:12

*[Signature]*  
DISTRICT CLERK  
VICTORIA COUNTY, TEXAS

## AFFIDAVIT FOR SEARCH WARRANT

{Article 18.02, Texas Code of Criminal Procedure}

**BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:**

I am the Affiant and my name is Amanda Caughey. I am a Licensed Peace Officer in and for the State of Texas, presently employed as a detective for the Victoria Police Department currently assigned to the Crimes Against Person Unit. I have been a licensed peace officer since January 2016. I currently hold an Advance Peace Officer license through the State of Texas and I have over 3200 accredited hours of TCOLE training. I spent 4 years and 6 months on Patrol with the Victoria Police Department and investigated numerous felony crimes including felony assaults.

**THERE IS WITHIN THE CITY OF VICTORIA AND IN VICTORIA COUNTY, TEXAS, A BUILDING AND PREMISES DESCRIBED AND LOCATED AS FOLLOWS:**

The residence is located at 2320 CR 406, Yoakum, TX, Lavaca County. The residence is on a piece of land, with a red barn on the property, a white and black Jayco travel trailer, and a cream colored single wide trailer with white trim. Photographs of the property are shown below.







Said suspected place, in addition to the foregoing description, also includes any and all other, edifices, openings, enclosures, and vehicles on said premises which are found to belong to or be under the control of the suspected party named in this warrant, and in, on, or around which said suspected party may reasonably reposit or secrete property which is the object of the search requested herein.

**IT IS THE BELIEF OF YOUR AFFIANT THAT SAID SUSPECTED BUILDING AND PREMISES HAS POSSESSION OF AND IS CONCEALING AT SAID SUSPECTED PLACE THE FOLLOWING PROPERTY:**

Latent prints, DNA, such as hair follicles, skin cells, suspected blood, bodily fluid, firearms, firearm cases, knives, any other weapons suspected of being used in a crime, clothing or articles

used during the commission of the crime or to tamper with the evidence in the crime, or Stevenson's body.

**SAID SUSPECTED PLACE AND PREMISES IS IN THE CHARGE OF AND CONTROLLED BY EACH OF THE FOLLOWING NAMED AND/OR DESCRIBED SUSPECTED PARTIES RESPECTFULLY (HEREAFTER REFERRED "SUSPECTED PARTY", WHETHER ONE OR MORE), TO WIT:**

Kevin Melvin Benneston, W/M, 03/20/78,  
6'0, 230 lbs, Bald, Brown eyes,  
TX DL #16502921, SSN #467-87-3680

**IT IS THE AFFIANT'S BELIEF AND AFFIANT DOES BELIEVE THAT A SPECIFIC CRIMINAL OFFENSE HAS BEEN COMMITTED, TO WIT:**

Tampering with or Fabricating Physical Evidence, TX PC 37.09

**AFFIANT HAS PROBABLE CAUSE FOR SAID BELIEF BY REASON OF THE FOLLOWING FACTS AND CIRCUMSTANCES:**

On Wednesday, 11/22/23, Sgt. John Ortiz came to me in reference a possible missing person that was reported Tuesday, 11/21/23 to the Victoria Police Department (VPD). Sgt. J. Ortiz advised Officer James Swisher received a call from Jennifer Horsley, W/F, 9-16-76 who wished to report Amanda Stevenson, W/F, 11-24-03 missing, VPD case #2023-009732. Stevenson is Horsley's biological daughter. Sgt. J. Ortiz told me officers had already completed several follow-ups, searched local hotels, and parking lots that Stevenson frequents.

Officers began to obtain information and contacts from Horsley who was able to get information that Stevenson was staying at 1701 Morningside St. Victoria, TX. Officer J. Swisher responded to 1701 Morningside St., and located Stevenson's 2003 black Nissan Altima, bearing temporary TX LP (4365L57), parked in front of the location. Horsley also stated Stevenson's friend Ivory, who was later identified as Ivory Alarcon, W/F, 08/26/04, lived at 1701 Morningside St. Horsley stated Alarcon told her that her and Stevenson were "scamming" people and scammed a man named "Kevin Dennesten" out of money, and described Kevin to drive an orange Jeep. "Kevin Dennesten" was later identified as Kevin Bennetson, W/M, 03/20/76. Officer J. Swisher attempted to locate a "Kevin Dennesten" in the police department database. Officer J. Swisher was later contacted by Horsley who clarified "Kevin Dennesten" was actually Kevin Benneston, W/M, 03/20/76. The orange Jeep Bennetson was reported driving was later identified as a 2019 Jeep Wrangler bearing TX LP (SXN-4209).

Horsley also told Officer J. Swisher that she has spoken to VCSO, and Officer J. Swisher followed up and spoke with Sgt. B. Schusteriet at VCSO. Officer J. Swisher then conducted a



follow-up with Benneston at his residence at 223 Cobble Stone Court, and also located the above orange Jeep. Officer J. Swisher stated Bennetson admitted to being with Stevenson on 11/19/23 from around 1800-2200 hours, and dropped Stevenson off at 4405 N. Navarro St. (Grove Apartments) at around 2200 hours.

On 11/22/23, at approximately 0925 hours, Officer J. Swisher responded to the Grove Apartments in reference to a phone being turned in by a tenant. It was tagged into evidence at VPD by Officer J. Swisher, and later discovered to be Stevenson's phone. Detective Aaron Smalley checked the phone out of the Crime Scene Unit (CSU) to photograph the device. Upon removing the device from evidence, Detective A. Smalley located a large amount of blood surrounding the camera lens on the phone. The phone was removed from its protective case to be tagged in as evidence due to an identification card being stored in the phone case. The outside of the phone case appeared to be clean. However, from his training and experience in handling cell phones from murder investigations, Detective Smalley recognized that the cell phone may have been lying in a pool of blood for it to seep under the case and collect around the lenses. Detective Smalley alerted the VPD CSU of the blood around the camera lens of the cell phone. The crime scene unit processed the phone and tested the substance using Siemens Hemastix. The Siemens Hemastix confirmed that the red substance around the lenses of the phone was in fact blood.

On 11/22/23, at approximately 1021 hours, Horsley and her Deonta Chitty, B/M 11/21/96 came to the police department to speak with myself and Detective Aaron Johnson. Horsley and Chitty gave me the same information they gave Officer J. Swisher, and also provided me with a screenshot that showed Stevenson's phone last location was at the Grove Apartments at approximately 2100 hours on 11/20/23. Through the phone's location app., dispatch pinged Stevenson's cellphone which showed its last location was at 5301 N. Main St., 0.87 miles to the east at 0058 hours on 11/21/23. Chitty also stated that he "Googled" Benneston's residence and found that he lived at 223 Cobble Stone Court. Chitty stated he went to the location and rang the doorbell, no one answered, but Benneston told Chitty to meet him at Speedy Stop. Chitty stated he met Benneston at 8701 N. Navarro St. (Speedy Stop), and recorded an approximately forty minute conversation with Benneston. Chitty stated Benneston basically gave the same story, but Chitty believed Benneston was being dishonest.

On 11/23/22, at approximately 1105 hours, I spoke to Benneston via telephone (214-802-1505). I told Benneston why I was calling, and asked Benneston if he would come in and give me a statement. Benneston stated he could not come in because he left for Dallas TX., about an hour ago, which I knew was false due to Officer J. Swisher watching the residence. Benneston stated he could give me a statement over the phone and would be in Monday, 11/27/23 to give me a statement in person. Benneston stated he picked up Stevenson from Alarcon's residence around 1800 hours. Benneston stated they drove to Riverside Park, and while in the park Stevenson became paranoid and stated a red truck (nod) was following them because she robbed him for heroin. Benneston stated he drove eastbound on Rio Grande St., until he got to the 5900 block of Houston Hwy., and got onto the feeder road. Benneston stated he turned eastbound on Salem Rd. Benneston stated they got stuck in his Jeep, and Stevenson made a phone call and



someone Stevenson called came and pulled them out of the mud. Benneston stated they then drove to his residence in Yoakum TX., located at 2320 CR 406. Benneston stated Stevenson needed to be at the Grove Apartments by 2200 hours, and dropped Stevenson off around 2205 hours. When I was acquiring about where Benneston wife was or her name, Benneston stated he wanted a lawyer. The conversation was ended. The conversation was recorded with a digital voice recorder.

Within thirty minutes of being off the phone with Benneston, Officer J. Swisher advised Benneston was pulling up to his residence. It was advised if Benneston left the location, a traffic stop would be conducted for not having a front license plate. During the investigation for the traffic stop, Benneston shot himself in the head. Despite life saving measures Benneston succumbed to his wound.

Due to the fact that Stevenson's phone was recovered, the phone being covered in blood, and the suspicious circumstances surrounding Stevenson's disappearance, I have probable cause to believe that a crime has been committed against Stevenson, and evidence was tampered with or fabricated. Furthermore, I believe Benneston had knowledge of the said crime against Stevenson. Due to Benneston having knowledge of this crime, the suspiciousness of him taking his own life, I have probable cause to believe that Benneston committed the crime of tampering with evidence.

Before I completed this search warrant, Niki Phan, A/F, 09/17/72 came to the police department to speak with me. Phan provided consent to search the above listed vehicle, their residence at 223 Cobble Stone Court, Victoria TX, Victoria County, and their property at 2320 CR 406 Yoakum TX, Lavaca County. While conducting the search warrant at the property in Yoakum TX, evidence was located inside the trailer home on the property including blood. Cadaver dogs were also on the property to search for Stevenson. Due to the time of night we concluded the search of the property for the evening.

On 11/24/23, I attempted to contact Phan via telephone to attempt to get consent to go back to the property in Yoakum TX., to search the property during day time house with cadaver dogs and personnel, but Phan did not answer. After talking with police administration, they also wanted to re-enter the trailer to "luminol" the inside of the trailer. Due to Phan not answering, I am requesting to go back onto the property to continue the search for Stevenson, and to collect additional evidence inside the trailer on the property.

All information noted in this Affidavit for Search Warrant has been related to me by the person(s) and/or source(s) attributed or referenced. I further believe in good faith that the information provided herein is true and correct. Because the sole purpose of this Affidavit is to establish probable cause that a criminal offense has occurred, not every relevant fact known to me, or to other investigators, is included within. Rather, only those facts necessary to establish probable cause have been discussed.




AFFIANT ALSO REQUESTS AUTHORITY FROM THE COURT TO TRANSPORT, REMOVE, OR TAKE ANY LOCATION OR EVIDENCE SEIZED PURSUANT TO THE WARRANT REQUESTED HEREIN TO ANY LOCATION DEEMED NECESSARY FOR PURPOSES OF SAFEKEEPING, EVALUTATION, TESTING, AND FOR THE COMPLETION OF ANY INVESTIGATION OR PROCEEDINGS RELATED TO THE ACTIVITIES DESCRIBED IN THIS AFFIDAVIT.

WHEREFORE, AFFIANT ASKS FOR ISSUANCE OF A WARRANT THAT WILL AUTHORIZED AFFIANT AND OTHER PEACE OFFICERS TO SEARCH THE PROPERTY OF THE SUSPECTED PARTY DESCRIBED ABOVE FOR THE PROPERTY DESCRIBED ABOVE, PHOTOGRAPH THE ABOVE DESCRIBED PROPERTY, AND SEIZE SAME AS EVIDENCE THAT THE OFFENSE DESCRIBED WAS COMMITTED AND THAT SUSPECTED PARTY COMMITTED SAID OFFENSE.

Carmen #7694  
AFFIANT

\_\_\_\_\_  
WITNESS (Certified Texas Licensed Peace Officer)

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID AFFIANT ON THE 24th DAY  
OF November, A.D., 2023.

  
Magistrate

377 Court of Texas (District/County Court At Law)  
Victoria County, Texas

Eli E. Garza  
Printed Name of Magistrate

THE STATE OF TEXAS

COUNTY OF VICTORIA

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CASE NO: 2023-0097323:13

CAUSE NO: \_\_\_\_\_

**OFFICER'S RETURN AND INVENTORY**

The undersigned Affiant, being a Certified Texas Peace Officer under the laws of the State of Texas and being by me duly sworn, on oath certified that the foregoing Warrant came to hand on the 24th day of November A.D., 2023 at 6:20pm and was executed on 25th day of November A.D., 2023 at 9:30am.

See \*\* Attachment A \*\* for list of items seized.

\*\*No items were seized during this search warrant.

Carmen #1405  
Affiant

SUBSCRIBE AND SWORN TO BEFORE ME BY SAID AFFIANT ON THIS THE 28 DAY OF Nov, A.D. 2023.

Magistrate

3A7 Court of Texas (District/County Court At Law)  
Victoria County, Texas

Eric E. Garza  
Printed Name of Magistrate