

THE STATE OF TEXAS
COUNTY OF TRAVIS

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IN THE MAGISTRATE COURT
CITY OF AUSTIN
IN TRAVIS COUNTY, TEXAS

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:
I have good reason to believe and do believe that:

Antonio Buehler W/M (DOB) 06/11/1977

On or about the 2nd day of August, 2015, in the incorporated limits of the City of Austin,
County of Travis, Texas, did then and there commit the offense of:

Interference with public duties- (Offense Level B)

On August 2, 2015 at approximately 1:45 am, your Affiant was on duty as an Austin Police Officer wearing the uniform of my position with shoulder patches and badge on my chest.

While on foot patrol in the 400 block of E.6th street, I came in contact with a white male then identified as ANTONIO BUEHLER with a date of birth 06/11/1977. Antonio is a known subject to our department and was given numerous warnings prior to his arrest tonight to not interfere with public duties. The warnings were explained at a great length by several Lieutenants, Sergeants, and Officers about the need for a safe distance from officers while performing their duties.

A disturbance broke out in front of Burnsidess bar. Several officers from my shift and I responded but were delayed on our way to the scene due to Antonio and a crew of about 6 members of Peaceful Streets were running to the scene in an effort to get their video cameras on the incident before we could get there. Not only did responding officers have to move around crowds to get to the disturbance they also had to move around members of the Peaceful Streets running towards the scene attempting to get there before we could, this delayed our response time to help and assist breaking up the disturbance by adding to pedestrian traffic, blocking my path, at one point I had to move Buehler out of the way.

Peaceful Streets continued to surround us as Officers arrived on-scene and were video recording as officers were taking a subject into custody. Once the disturbance outside of Burnsidess bar was taken care, Officers from my shift and I formed a perimeter for officer safety and for a work space. It is a common practice in DTAC to form a perimeter of officers of about 6 to 10 officers in order to ensure officer safety due to the large crowds that are present on 6th street. The environment in the downtown area is such that assaults are occurring frequently, both on citizens and officers working in the downtown entertainment district.

It was then that Antonio approached our perimeter and made contact with SGT. Randy Dear. Antonio was holding a video recording device in his hand and was holding it approximately 6 inches from SGT. Dears' face nearly touching him. SGT. Dear advised Antonio that he was on patrol and asked him to get back as he was in blocking his view, preventing him being able to have a clear line of sight of the large 6th street crowd. Antonio moved his recording device approximately 2 inches and began arguing with SGT. Dear. SGT. Dear then then gave Antonio an additional warning and informed him that if he interfered again he was going to be arrested. SGT. Dear then walked away in an effort to diffuse the situation.

A few minutes went by and I then asked Antonio to step back at least an arm's length as he was now focused on recording CPL. Sebek. Antonio had his recording device approximately 6 inches away

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from CPL. Sebek race. I asked Antonio to step back, he took a step back but then extended his arm and began recording me. A few minutes went by again, and Antonio kept arguing with us getting closer and closer every time attempting to distract and engage in conversation. I explained to Antonio that he was interfering with Public duties and pointed exactly to him where he needed to be for a safe distance. Antonio kept getting closer and closer, rallying up his crew as he was being loud trying to get attention from the 6th street crowds and his crew quickly becoming a hostile situation. This was becoming an officer safety issue. It is imperative that officers have a clear view of their surroundings since an assault and attack can happen from any direction and our duty was to monitor and observe the crowds for any potential fights.

Antonio again refused to maintain a safe distance, again standing very close to officers placing camera phone into the faces of officers trying to watch the large 6th street crowd. Sgt Dear approached Antonio and notified him to turn around he was under arrest for interference with public duties.

Antonio turned around was walking away I reached for his right arm in an attempt to place it behind his back. Antonio pulled away and was attempting to hand over his recording device to one of his crew members who consequently got arrested. During the struggle Antonio was taken down to ground, once he was lying on his stomach he kept resisting by attempting to put his right arm under him. I was able to maintain control of his right hand and eventually placed it behind his back. SGT. Dear had control of Antonio's left side and he was secured in handcuffs safely.

A. Garibay # 6155
Affiant

Sworn and subscribed to before me by the said Affiant on this 2nd day of August, 2015.
Stephanie Schaefer #3779
Austin Police Department
Peace Officer in the State of Texas

On this, the 2nd day of Aug, 2015, I hereby acknowledge that I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.
[Signature]
Magistrate, Magistrate Court, Austin, Travis County, Texas \$ 2500 Bond



Austin Police Incident #: 152140167

Officer: A. Garibay #6155

Call Sign: G307

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