

**COMPLAINT – PC. 19.03 CAPITAL MURDER**

THE STATE OF TEXAS

COUNTY OF ANDERSON

IN AND BY THE AUTHORITY OF THE STATE OF TEXAS

BEFORE ME, appeared the undersigned AFFIANT, who after being duly sworn, deposes and says that ROBERT LESLIE ROBERSON III A WHITE MALE, D.O.B. NOVEMBER 10, 1966, hereinafter styled DEFENDANT, on or about JANUARY 31, 2002, and before the making and filing of this complaint, in the County of Anderson, and State of Texas, did then and there;

INTENTIONALLY OR KNOWINGLY COMMITTED A FELONY AND IN THE COURSE OF AND IN FURTHERANCE OF THE COMMISSION HE COMMITTED AN ACT CLEARLY DANGEROUS TO HUMAN LIFE THAT CAUSED THE DEATH OF AN INDIVIDUAL THAT IS TWO YEARS OF AGE.

YOUR AFFIANT HAS PROBABLE CAUSE to believe and does believe based on the following facts:

January 31, 2002 the Palestine Police Department received a report from Palestine Regional Medical Center employee, Andrea Sims R.N. that DEFENDANT brought his two year old female child, Nikki Michelle Curtis, d.o.b. October 20, 1999 to the Emergency Room because the child was not breathing.

Family members were identified and interviewed. Grandparents Larry and Verna Bowman reported DEFENDANT brought Nikki to their home on Monday, January 28, 2002 to babysit while DEFENDANT'S girlfriend has surgery. Nikki stayed with them until Wednesday, January 30, 2002. Verna Bowman became ill and contacted DEFENDANT who picked up Nikki around 9:30 P.M. and he took her home. Vera Bowman reported DEFENDANT telephoned her on January 31, 2002 reporting he took Nikki to the Emergency Room because she had fallen during the night and would not wake up.

This Detective responded and spoke with attending physicians and was shown the brain scan of Nikki's head. There is trauma to the right rear of Nikki's skull causing internal bleeding. Since arriving at the Hospital, Nikki has been placed on a breathing apparatus because she cannot breath on her own. Attending physicians reported that Nikki needs immediate brain surgery to sustain life. Further he stated, should Nikki survive she may be in a vegetative condition the remainder of her life. Other injuries to Nikki's skull revealed swelling to the exterior of the back of her head. There is recent damage to her lips and bruising to her chin and jaw. There is a bruise to the center of her throat below the chin.

Nikki was transferred, via emergency helicopter ambulance, to the Pediatric Intensive Care Unit at Childrens Medical Center of Dallas.

During the DEFENDANT'S interview, he reported going to the Bowman's to pick up Nikki. He stated that at that time he did not see any injuries on Nikki. DEFENDANT stated that he and Nikki went straight home where they remained, alone, for the remainder of the night. Sometime after 11:00 P.M. Nikki fell asleep while in his arms. At around 5:00 A.M. he heard Nikki crying and he jumped up to see what was wrong. DEFENDANT saw Nikki at the foot of the bed crying. He said " I saw blood around her lips, I saw a bruise or something under her chin and a spot on her face." DEFENDANT took a warm wash cloth to put on her mouth. DEFENDANT kept Nikki awake for two hours to make sure she was alright. DEFENDANT stated that Nikki talked about kids and family. DEFENDANT checked her heart as she was acting funny. He thought she was fine and let her go back to sleep. DEFENDANT said he "woke up when the alarm went off and noticed Nikki was not moving". He checked her and said "she was a little blue and was breathing and he heard a heartbeat just like last night."

On January 31, 2002, Officers went to the reported location of occurrence, 902 N Perry Palestine, Anderson County, Texas. Officers photographed the scene including the DEFENDANT'S bedroom. Officers found the the bed from which Nikki reportedly fell was a full size mattress and box springs positioned atop gray masonry blocks. The top cover of the mattress measured 1 foot 9 1/2 inches (21 1/2 inches) from the carpeted wooden floor.

February 1, 2002, during an interview with Miss Teddie Cox, who currently lives with the DEFENDANT. Miss Cox reports that she was a patient in Palestine Regional Medical Center and received a telephone call from DEFENDANT. DEFENDANT inquired when she would be released from the hospital. DEFENDANT during that conversation told about Nikki falling out of bed at 5:30 A.M. and hitting her head on a table. DEFENDANT reported Nikkie had a blue spot on her chin, nose and that her lips were bleeding a little bit. DEFENDANT kept her up for two hours and she was alert and talking about family members. He thought Nikki was was ok and she went back to sleep. This morning he could not get Nikki to wake up. He shook her head and slapped her a couple of times on the face and she would not wake up. He said Nikki was limp and she was not breathing and her face had turned blue. He sounded pretty calm. Miss Cox told him to hurry and get off the phone and get Nikki to the hospital.

Miss Cox waited five minutes and returned DEFENDANT'S telephone call. He was still home and Miss Cox told him to hurry and get Nikki to the hospital. DEFENDANT said he first had to dress Nikki. Miss Cox met DEFENDANT at the hospital. When DEFENDANT got out of the car, he looked at Miss Cox, shook his head from side to side and bowed down his head. Miss Cox told him to hurry and get Nikki into the Emergency Room.

Miss Cox was discharged from the hospital the evening of January 31 2002. That night she received a telephone call from DEFENDANT. He then told her a second version of what had occurred. Defendant stated that Nikki went to bed and when he woke up the next morning he then found Nikki unconscious on the floor. He had not heard any crying but she had fallen from the bed and hit her head on the table.

February 1, 2002 Janet Squires M.D. telephoned from The University of Texas Southwestern Medical Center at Dallas, Texas reporting she is the Director of General Pediatrics at Children's Medical Center of Dallas and the Physician administration director of the REACH (child maltreatment) program at Children's Medical Center of


Dallas, Texas. Dr. Squires reported that Nikki is a victim of child physical abuse and said "it is unlikely that the child will live." Further, "Massive rotational forces were the mechanism to cause this brain injury, and the pattern is indicative of a shaken impact syndrome. It is very likely that the child will die of inflicted injuries and Police and CPS involvement is strongly indicated."

See attached AFFIDAVIT by Dr. Janet Squires.


On February 02, 2002, at approximately 7:22 PM, Dr. Andrew Gormley of Childrens Medical Center of Dallas contacted investigators via telephone stating that Nikki Curtis had been removed from life support and has been pronounced deceased at 7:04 PM this date.


AGAINST THE PEACE AND DIGNITY OF THE STATE OF TEXAS

WHEREFORE, the AFFIANT requests the issuance of a warrant of arrest and detention for the accused in accordance with the law of this State.

  
\_\_\_\_\_  
AFFIANT  
Det. Joe Berreth

SWORN AND SUBSCRIBED BEFORE ME THIS 2 DAY OF February, 2002

  
\_\_\_\_\_  
District Judge  
369th Judicial District  
Anderson County, Texas

Bond: \$ 1 million  
1,000,000.00  


WARRANT OF ARREST AND DETENTION

No. \_\_\_\_\_

THE STATE OF TEXAS vs. ROBERT LESLIE ROBERSON

RACE - WHITE SEX - MALE DATE OF BIRTH – NOVEMBER 10, 1966

RESIDENCE: 902 NORTH PERRY, PALESTINE, TEXAS

EMPLOYMENT: NONE

SOCIAL SECURITY NUMBER: 452-55-7721

TEXAS DRIVER'S LICENSE: 06582876

PALESTINE P.D. CASE NUMBER: 02-1157

OFFENSE: CAPITAL MURDER

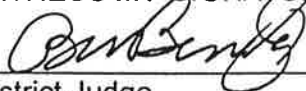
IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:

YOU ARE HEREBY COMMANDED to take instanter the body of ROBERT LESLIE ROBERSON , hereinafter called the accused to safety keep so that HE may be dealt with according to the law, and to hold the accused to answer to the State of Texas for an offense against the laws of the State, namely:

CAPITAL MURDER

Of which ROBERT LESLIE ROBERSON is accused by written complaint made under oath, that has been presented to me and that is by this reference incorporated herein for all purposes.

WITNESS MY SIGNATURE on this the 1 day of FEBRUARY, 2002

  
\_\_\_\_\_  
District Judge  
3694 Judicial Dist.  
Anderson County, Texas

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RETURN

Came to hand the \_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ and executed the \_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ by arresting and detaining above named accused and \_\_\_\_\_

By: \_\_\_\_\_  
Peace Officer, State of Texas

RETURN TO: ANDERSON COUNTY CLERK

Bond: \$ 1 million  
\$1,000,000.00