

Isaiah Gonzales

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Monday, July 1, 2024

Officer Cassandra Perkins

Pretrial Services

222 South Comal #100

San Antonio, TX 78207

Kassandra.Perkins@bexar.org

(210) 335-7488

**Re: Request for Revocation of Warrant for Isaiah Gonzales (Case # CM111127)**

Dear Officer Perkins,

I hope this message finds you well. I am writing to provide a detailed account of my circumstances and respectfully request the revocation of the warrant issued for my

arrest. I have been under Officer Analey di Leon's supervision in connection with a separate incident, and I have complied with all conditions set forth during this period. I wish to provide a comprehensive account of the circumstances that led to this situation and respectfully request your assistance in having the warrant dropped, considering the severe and coercive conditions I endured.

**Background and Events Leading to Arrest:**

I was living with my boyfriend, Ethan de la Garza, and his mother. Due to conflicts, Ethan's mother asked me to move out, resulting in my becoming homeless and living out of my car. Ethan began sneaking me into the house without his mother's knowledge. While Ethan worked his shifts as a registered nurse, Ethan coerced me into waiting in the trunk of the Tesla for up to 10 hours a day during the extreme Texas heat, without access to food, water, or restroom facilities.

In addition to this, there was an instance where Ethan left me upstairs in his room for four days without food, instructing me not to leave the room to avoid detection by a neighbor who was coming by to feed the cats.

**Illegal Behaviors by Ethan:**

Ethan's actions towards me constitute multiple violations under the Texas Penal Code:

- **Assault** (Texas Penal Code § 22.01): Ethan's coercion and threats, including forcing me to stay in the trunk of the car under extreme conditions and leaving me without food for days, caused me bodily injury and placed me in immediate danger.
- **Unlawful Restraint** (Texas Penal Code § 20.02): By confining me in the Tesla's trunk and his room, restricting my movement, Ethan knowingly and intentionally restrained me without my consent.
- **False Imprisonment** (Texas Penal Code § 20.03): Ethan directed me to stay in confined spaces, preventing me from leaving, which deprived me of my personal liberty.
- **Coercion** (Texas Penal Code § 1.07(a)(9)): Ethan used threats and manipulation to compel me to comply with his demands, creating a significant fear of harm and further coercive actions.

### **Incident Leading to Arrest:**

On April 30, 2024, Ethan and I were travelling somewhere near Colorado County (we live in San Antonio, Texas) and he pulled over at a gas station and asked if I wanted anything to eat. He then left me with Tesla and the keys and then disappeared. About fifteen minutes later, Ethan called me and told me to get out of the car and leave, otherwise, he would call the police. Ethan did not return and in fear of being left abandoned in the middle of nowhere, hours from San Antonio, I drove the Tesla to a

nearby hotel in Columbus, Texas, to charge it with the full intention of returning it to Ethan so that we could go home. However, Ethan reported the car stolen, leading to my arrest. I was charged with theft and resisting arrest. I was held in Colorado County Jail and a \$10,000 PR bond was granted after my state-appointed attorney convinced me to plead guilty to theft, even though I firmly believe I was innocent. The Colorado County courts made an error and did not review an additional charge for resisting arrest, so I was held in jail a lot longer than I should have been.

When I was arrested, I took approximately five minutes to make a phone call to let someone know what was happening to me and take a few moments to breathe before opening the door of the Tesla after the police had surrounded me.

Under Texas law, the definition of "resisting arrest" is found in Texas Penal Code § 38.03. According to this section:

**Resisting Arrest, Search, or Transportation:** A person commits an offense if they intentionally prevent or obstruct a person they know is a peace officer, or a person acting in a peace officer's presence and at their direction, from effecting an arrest, search, or transportation of the actor or another by using force against the peace officer or another.

The key element here is the use of "force" against the peace officer or another person. Simply taking time to make a phone call and breathe before complying with police

orders does not constitute the use of force. Therefore, based on the information provided, I believe my actions do not meet the statutory definition of resisting arrest under Texas law.

Even though I was convinced to plead guilty to theft, I firmly do not believe I am guilty. Under Texas law, the definition of "theft" is found in Texas Penal Code § 31.03.

According to this section:

**Theft:** A person commits an offense if they unlawfully appropriate property with intent to deprive the owner of property.

**Unlawful Appropriation:** Appropriation of property is unlawful if:

1. It is without the owner's effective consent;
2. The property is stolen, and the actor appropriates the property knowing it was stolen by another; or
3. Property in the custody of any law enforcement agency was explicitly represented by any law enforcement agent to the actor as being stolen, and the actor appropriates the property believing it was stolen by another.

In my case, the key elements to consider are:

1. **Intent to Deprive:** I did not have the intent to deprive Ethan of his Tesla permanently. My intention was to charge the car and return it to him so that he could drive us home.

2. **Effective Consent:** Ethan initially left me with the Tesla and the keys, which could be interpreted as giving me consent to use the vehicle, at least temporarily.

Given these points, my actions may not meet the statutory definition of theft under Texas Penal Code § 31.03. Since I was convinced to plead guilty to the theft charge but believe I was innocent, I still have several options to potentially address the situation:

1. **Motion for New Trial:** Grounds for a new trial can include newly discovered evidence, legal errors during the trial, or other factors that might have affected the outcome.
2. **Appeal:** I can appeal the conviction. This involves arguing that there were legal errors in the trial process that justify overturning the conviction.
3. **Post-Conviction Relief:** I can seek post-conviction relief through a writ of habeas corpus. Grounds for habeas corpus can include ineffective assistance of counsel, prosecutorial misconduct, or other violations of my constitutional rights.
4. **Plea Withdrawal:** I may be able to withdraw my guilty plea if I can show that the plea was not entered into voluntarily, knowingly, and intelligently (e.g., since I was misled into pleading guilty).

5. **Pardon or Commutation:** Since this is clear injustice, attempting to obtain this from the Governor of Texas this would be my last resort.

**Request for Revocation of Warrant:**

A new warrant for my arrest was issued in Bexar County due to the arrest in Colorado County, which was considered a violation of my pretrial supervision conditions. I was held in custody until June 20, 2024, when I was released following the submission of a letter by my attorney-in-fact, Matthew Lawlis, to the judge for a speedy trial. I was released within ten hours of the letter being sent. Throughout my pretrial supervision for the original incident, I have complied with all conditions set forth by the court, including regularly checking in with my pretrial officer and attending all required court appearances. I pose no flight risk. I have demonstrated my commitment to complying with court orders and maintaining regular communication with my pretrial officer. I have strong ties to the community. Although I am currently unemployed, I am actively seeking employment and have been engaged in efforts to improve my situation.

Given these circumstances and context of this situation, I respectfully request the revocation of the warrant issued for my arrest. I acted out of desperation and under significant duress, without any intent to commit theft. The coercive and inhumane

treatment I endured greatly influenced my actions. The charges against me are a result of Ethan's manipulation and the dire situation he placed me in.

Allowing me to remain out of custody will enable me to continue supporting myself while responsibly addressing the charges against me.

I sincerely appreciate your understanding and consideration of my request. Thank you for your time and assistance in this matter.

Sincerely,



Isaiah Gonzales who produced  
Texas I.D. card as identification  
Isaiah Gonzales

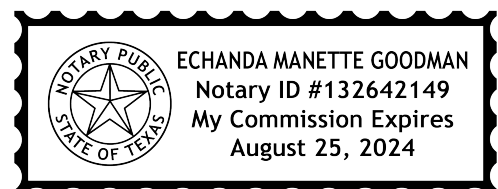
State of Texas  
County of Jefferson

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this 1st  
day of July, 2024.



Notary Public in and for the State of Texas

My Commission Expires: 08/25/2024  
E'Chanda Manette Goodman  
Remote Online Notary Public  
State of Texas, Jefferson County



This notarial act was an online notarization along with multi-factor authentication and using audio/video recording.