#### CAUSE NUMBERS

0969815D, 0969816D, 0969817D, 0969818D 2005 JUL - 3 FM 1: 1 0

0974197D, 0983620	D, 0983625D, (	0983628D, 0983630D.
THE STATE OF TEXAS	{}	1983628D, 0983630D, COURT IN THE DISTRICT COURT
VS.	{}	TARRANT COUNTY, TEXAS
TERRY HORNBUCKLE	{}	372 <sup>ND</sup> JUDICIAL DISTRICT

# STATE'S NOTICE OF INTENT TO INTRODUCE EVIDENCE OF EXTRANEOUS OFFENSES

COMES NOW, the State of Texas by and through her Criminal District Attorney, of Tarrant County, Texas, and files this Notice of Intent to Offer Evidence of Extraneous Offenses under Rule 404(b) and Rule 609 of the Texas Rules of Evidence and Art. 37.07, 38.36 and 38.37 of the Code of Criminal Procedure.

I.

That the Defendant is not truthful, peaceful, or law-abiding.

II.

That the Defendant, on or about the 27<sup>TH</sup> Day of July, 2003, in Tarrant County, Texas, did commit the offense of Sexual Assault against

III.

That the Defendant, on or about the 31<sup>ST</sup> Day of July, 2004, in Tarrant County, Texas, did commit the offense of Sexual Assault agains

IV.

That the Defendant, on or about the 26<sup>TH</sup> Day of July, 2004, in Tarrant County, Texas, did commit the offense of Sexual Assault against

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That the Defendant, on or about the 20<sup>TH</sup> Day of July, 2004, in Tarrant County, Texas, did

commit the offense of Sexual Assault against

VI.

That the Defendant, on or about the 1<sup>ST</sup> Day of February, 2002, in Tarrant County, Texas, did commit the offense of Sexual Assault against Jane Doe (A pseudonym).

VII.

That the Defendant, on or about the 1<sup>ST</sup> Day of September, 2004, in Tarrant County, Texas, did commit the offense of Sexual Assault against Kate Jones (A pseudonym).

VIII.

That the Defendant, on or about the 15<sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did commit the offense of Sexual Assault against

IX.

That the Defendant, on or about the 16<sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did commit the offense of Sexual Assault against

X.

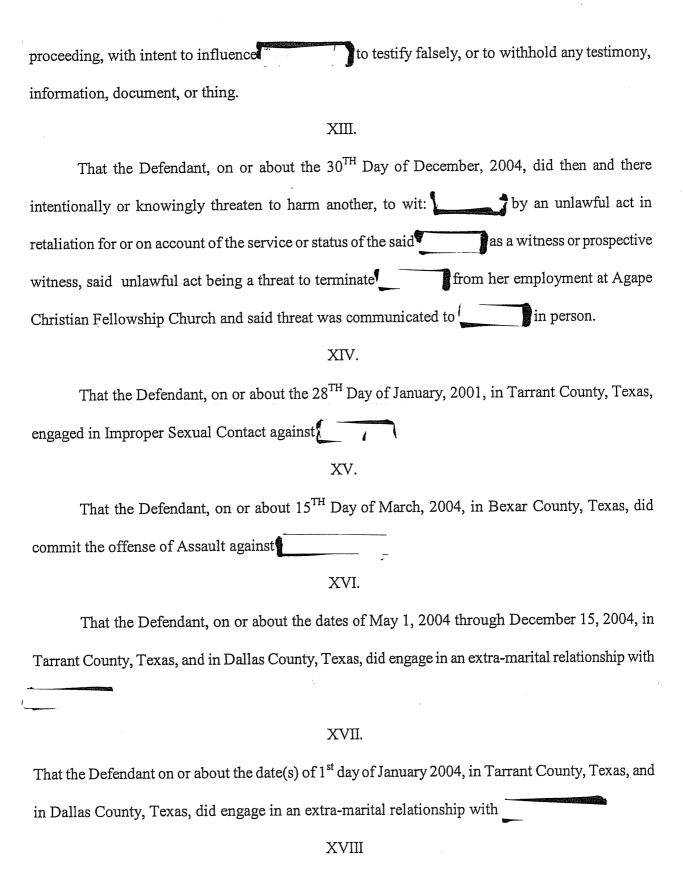
That the Defendant, on or about the 16<sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did administer a drug or controlled substance to

XI.

That the Defendant, on or about the 11<sup>TH</sup> Day of March, 2005, did then and there intentionally or knowingly possess a controlled substance, namely: methamphetamine, of one gram or more but less than four grams, including any adulterants or dilutants.

XII.

That the Defendant, on or about the 29<sup>TH</sup> Day of December, 2004, did then and there offer, confer, or agree to confer a benefit on a witness or prospective witness in an official



That the Defendant, on or about the dates of May 1, 2004 through December 15, 2004, in

Tarrant County, Texas, and Dallas County, Texas, did deliver drugs, controlled substances, and marijuana to and the Defendant did engage in the use of drugs, controlled substances, and marijuana.

#### XIX

That the Defendant, on or about the 1<sup>ST</sup> day of July, 2004, in Tarrant County, Texas, did engage in an act of Sexual Harassment against a person who was his employee, to wit: by asking her if his conversation made her panties wet, and by telling her that he had an erection from talking to her.

#### XX.

That the Defendant, on or about the 1<sup>ST</sup> day of June, 2003, in Tarrant and/ or Dallas County,

Texas did engage in an act of Sexual Harassment against

#### XXI

That the Defendant, on or about the 1<sup>ST</sup> day of June, 2003, in Tarrant and/ or Dallas County,

Texas, did engage in an act of Sexual Harassment against

#### XXII

That the Defendant, on or about the 1<sup>ST</sup> Day of September, 2004, in Tarrant County, Texas, did transmit the sexually transmitted disease, Herpes, to Kate Jones (A pseudonym).

#### XXIII.

That the Defendant, on or about the 1<sup>ST</sup> Day of February, 2002, in Tarrant County, Texas, did transmit the sexually transmitted disease, Herpes, to Jane Doe (A pseudonym).

#### XXIV.

That the defendant, on or about the 17<sup>TH</sup> Day of November, 2004, in Tarrant County, Texas,

did attempt to obtain information about what transpired in the Grand Jury from and said
information by law is secret, and had taken an oath to keep said information secret.
XXV.
That the Defendant, on or about the 18 <sup>TH</sup> Day of November, 2004, in Tarrant County, Texas,
did attempt to obtain information about what transpired in the Grand Jury from and said
information by law is secret, and had taken an oath to keep said information secret.
XXVI.
That the Defendant, on or about the 15 <sup>TH</sup> Day of May, 2004, in Tarrant or Dallas County,
Texas, did commit the offense of Assault against
XXVII.
That the Defendant, on or about the 17 <sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did
commit the offense of Sexual Assault against
XXVIII.
That the Defendant, on or about the 15 <sup>TH</sup> Day of June, 2002, in Tarrant County, Texas,
did engage in Improper Sexual Contact against
XXIX.
That the Defendant, on or about the dates of May 1, 2002 through December 15, 2004, in
Tarrant County, Texas, and Dallas County, Texas, did engage in an extra-marital relationship with
XXX.
That the Defendant, on or about the 1 <sup>ST</sup> Day of May, 1994, in Tarrant County, Texas, and
Dallas County, Texas, did engage in an extra-marital relationship with

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#### XXXI.

That the Defendant, on or about the 11<sup>TH</sup> day of March, 2005, in Tarrant, Texas, was in possession of numerous business cards from Massage parlors and one from a drug paraphernalia shop called Hostile Pipes.

#### XXXII.

That the Defendant did make routine threats that he was connected to people who could harm anyone on his command.

# XXXIII.

That the Defendant, on or about the 15<sup>TH</sup> Day of December, 2003, and up to the present, in Tarrant County, Texas, did fraudulently represent and hold himself out to others to be Terry Lee (First Name, Last Name), when actually the Defendant's true name is Terry Lee Hornbuckle.

### XXXIV.

That the Defendant, on or about the 15<sup>TH</sup> Day of December, 2003, and up to the present, in Tarrant County, Texas, and/or Dallas County, Texas, and/or Denton County, Texas, did fraudulently represent and hold himself out to others to be a member or a former member of the Dallas Cowboys, the Washington Redskins, and the University of Texas football teams.

#### XXXV.

That the Defendant, on or about the 15<sup>TH</sup> Day of December, 2003, and up to the present, in Tarrant County, Texas, and/or Dallas County, Texas, and/or Denton County, Texas, did fraudulently represent and hold himself out to others to be the spiritual adviser for the Dallas Cowboys professional football team.

# XXXVI.

That the Defendant, on or about the 27 <sup>TH</sup> Day of July, 2003, in Tarrant County, Texas, did
commit the offense of Sexual Assault against and did not inform that
he had a sexually transmitted disease, namely Herpes.
XXXVII.
That the Defendant, on or about the 31 <sup>ST</sup> Day of July, 2004, in Tarrant County, Texas, did
commit the offense of Sexual Assault against and did not inform
that he had a sexually transmitted disease, namely Herpes.
XXXVIII.
That the Defendant, on or about the 1ST Day of February, 2002, in Tarrant County, Texas, did
commit the offense of Sexual Assault against Jane Doe (A pseudonym), and did not inform Jane Doe
(A pseudonym)that he had a sexually transmitted disease, namely Herpes.
XXXIX.
That the Defendant, on or about the 1 <sup>ST</sup> Day of September, 2004, in Tarrant County, Texas,
did commit the offense of Sexual Assault against Kate Jones (A pseudonym), and did not inform
Kate Jones (A pseudonym) that he had a sexually transmitted disease, namely Herpes.
Kate Jones (A pseudonym) that he had a sexually transmitted disease, namely Herpes.  XL.
XL.
XL.  That the Defendant, on or about the 15 <sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did
XL.  That the Defendant, on or about the 15 <sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did commit the offense of Sexual Assault against and did not inform that he
That the Defendant, on or about the 15 <sup>TH</sup> Day of March, 2004, in Bexar County, Texas, did commit the offense of Sexual Assault against and did not inform that he had a sexually transmitted disease, namely Herpes.

had a sexually transmitted disease, namely Herpes.

#### XLII.

That the Defendant, on or about the 26<sup>TH</sup> Day of July, 2004, in Tarrant County, Texas, did commit the offense of Sexual Assault against , and did not inform that he had a sexually transmitted disease, namely Herpes.

## XLIII.

That the Defendant, on or about the 20<sup>TH</sup> Day of July, 2004, in Tarrant County, Texas, did commit the offense of Sexual Assault against and did not inform that the had a sexually transmitted disease, namely Herpes.

#### XLIV.

That the Defendant, on or about the 16<sup>TH</sup> & 18<sup>TH</sup> Days of March, 2005, in Tarrant County, Texas, did violate condition of Bond, namely: defendant did not successfully complete court-ordered breath alcohol tests.

#### XLV.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely: Defendant went out of range of Trakmate GPS system on or about the 18<sup>TH</sup>, 19<sup>TH</sup>, & 20<sup>TH</sup> Days of March, 2005, the 3<sup>RD</sup> and 4<sup>TH</sup> Days of June, 2005, and the 5<sup>TH</sup> & 7<sup>TH</sup> Days of August, 2005.

### XLVI.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely: Defendant tampered with Trakmate GPS bracelet on or about 18<sup>TH</sup> Day of May, 2005.

#### XLVII.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely:

Defendant took unapproved leave of residence, with or without Trakmate bracelet, on or about

the 15<sup>TH</sup> Day of June, 2005, the 23<sup>RD</sup>, 24<sup>TH</sup> & 25<sup>TH</sup> Days of July, 2005, and the 7<sup>TH</sup> & 19<sup>TH</sup> Days of August, 2005.

#### XLVIII.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely: Defendant left from residence early and/or returned late to residence while under curfew on or about the 24<sup>TH</sup> & 25<sup>TH</sup> Days of July, 2005, and the 7<sup>TH</sup>, 18<sup>TH</sup>, & 19<sup>TH</sup> Days of August, 2005.

# XLIX.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely:

Defendant had detectable Methamphetamine/Amphetamine level in urine sample on or about the

27<sup>TH</sup> Day of April, 2005, the 4<sup>TH</sup> Day of May, 2005, and the 27<sup>TH</sup> Day of December 2005.

L.

That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely:

Defendant had dilute urine sample on or about the 27<sup>TH</sup> Day of April, 2005 and the 4<sup>TH</sup> & 20<sup>TH</sup>

Days of May, 2005.

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That the Defendant, in Tarrant County, Texas, did violate condition of Bond, namely: Defendant had detectable Benzodiazepine level in urine sample on or about the 23<sup>RD</sup> Day of May, 2005, and the 6<sup>TH</sup> & 9<sup>TH</sup> Days of June, 2005.

TIM CURRY

CRIMINAL DISTRICT ATTORNEY

TARRANT COUNTY, TEXAS

SEAN D. COLSTON, Assistant

Criminal District Attorney

Tarrant County, Texas

# CERTIFICATE OF SERVICE

> SEAN D. COLSTON, Assistant Criminal District Attorney