

THE STATE OF TEXAS
VS.
MANUEL PONCE
20111 TEAL SHADOW CT
CYPRESS TX 77429

SPN: 03180614
DOB: W M 09/07/1977
DATE PREPARED: 02/10/2023

D.A. LOG NUMBER: 2915338
CJIS TRACKING NO.:
AGENCY: HIS
O/R NO: 2211100012
ARREST DATE: TO BE

NCIC CODE: 3605 01

RELATED CASES:

MISDEMEANOR CHARGE: INDECENT EXPOSURE *Child*

CAUSE NO:
HARRIS COUNTY CRIMINAL COURT AT LAW NO:
FIRST SETTING DATE:

COURT ORDERED BAIL: TO BE SET AT
MAGISTRATION
PRIOR CAUSE NO:
CHARGE SEQ NUM: 1

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, **MANUEL PONCE**, hereafter styled the Defendant, heretofore on or about **February 1, 2020**, did then and there unlawfully, with the intent to arouse and gratify the sexual desire of the Defendant, cause M.L., a child younger than seventeen years of age, to expose the genitals of M.L., by pulling the Complainant's pants and underwear and looked inside her underwear at her exposed vagina.

Probable Cause

BEFORE ME, appeared Detective German Martinez, hereafter the Affiant, a certified Peace Officer with the Houston Independent School District Police Department, who after being by me duly sworn, on oath deposes and says that he has good reason to believe, and does believe that Manuel Ponce (Hispanic Male, Date of Birth September 07, 1977, Texas DL # 38759250), in Harris County, State of Texas, on or about February 1, 2020, did then and there unlawfully commit the criminal offense of Indecency With a Child by Exposure as described in section 21.11 of the Texas Penal Code.

Affiant's investigation revealed the following facts:

On November 09, 2022, Affiant was contacted by Child Protective Services and Affiant was advised that a 10-year-old female student, identified by her initials M.L., hereinafter referred to as the Complainant, from Sutton Elementary made an outcry to a teacher named Marta Paz (hereafter, "Ms. Paz"), Affiant contacted Ms. Paz on 11/09/2022 and Ms. Paz stated that she spoke to the Complainant after learning that a teacher named Manuel Ponce, hereinafter referred to as the Defendant, who taught at Sutton Elementary, is being investigated by police regarding him touching and looking at several girl students in their private parts. Ms. Paz stated she has been concerned about what is going on with the Defendant, so on 11/09/22 at about 0800 hours, she spoke to the Complainant, who was once in Mr. Ponce's class. Ms. Paz stated she asked the Complainant if the Defendant ever did anything to her when she was in his 2nd-grade class. Ms. Paz stated that the Complainant said that the Defendant would unbutton her pants and look down inside to her private part. Ms. Paz stated she asked the Complainant if the Defendant ever touched any of her private parts and the Complainant stated "no". Ms. Paz stated that the Complainant told her that the Defendant would only look inside her pants.

On 12/01/22, Affiant attended the Complainant's forensic interview at the Children's Assessment Center (CAC) located at 2500 Bolsover, Houston, Harris County, Texas. During the forensic interview, Affiant learned that the Complainant was capable of distinguishing the truth from a lie. Complainant was able to identify her private parts (Vagina, Buttocks, and Breast) by pointing at them, when she was asked by the interviewer, where her private parts were located. Complainant stated that when she was in the 1st and 2nd grade, her teacher, who she identified by name as Mr. Ponce, the Defendant, would un-button her pants and look down inside her pants and her underwear to look at her vagina. Complainant stated she is currently in the 5th grade. Complainant stated that one day the Defendant told her to sit on the desk and take her skirt off and he pulled on her underwear and looked inside her underwear to look at her vagina. Complainant stated that the Defendant would look down her pants almost every day in school. Complainant stated that the Defendant would tell everyone to take a restroom break and he would tell her to stay in the classroom as everyone else went to the restroom. The Complainant stated that as everyone was using the restroom, she would be alone in the classroom with the Defendant and he would look at her vagina. The Complainant stated that she does not remember the exact dates and times when the Defendant would look at her vagina.

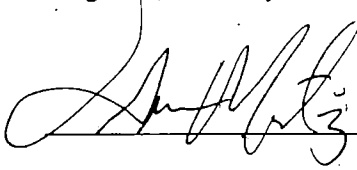
Affiant checked with school records and the Complainant was in the Defendant's second grade class for the 2019 through 2020 school year. The Complainant was clear that the offense occurred when she was in the Defendant's classroom at Sutton Elementary School, which Affiant knows

to be located in Harris County, Texas.

Based on the facts listed above, Affiant has reason to believe and does believe that: in Harris County, State of Texas, on or about February 1, 2020, Manuel Ponce (Hispanic Male, Date of Birth September 07, 1977, Texas DL # 38759250) did then and there unlawfully commit the criminal offense of Indecency with a Child by exposure, as described in section 21.11 of the Texas Penal Code.

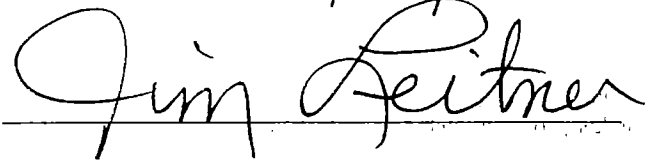
AGAINST THE PEACE AND DIGNITY OF THE STATE.

Signed and sworn by me on 02/10/23



AFFIANT

Duly attested by me on 2/10/23



Assistant District Attorney
Harris County District Attorney's Office
TBC No. 12187900



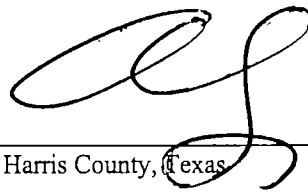
Witness (Peace Officer)

Det Mathieu 410

Witness Printed name & Badge or Payroll number

Probable Cause found 2/10/2023 Capias to issue _____

Magistrate, Harris County, Texas



COMPLAINT

**Andrew J. Smith
Felony Associate Judge
Harris County Criminal District Courts**