

STATE OF INDIANA)
)
TIPPECANOE COUNTY)

SS: IN THE TIPPECANOE

SUPERIOR

COURT *II*

STATE OF INDIANA

CAUSE NO. 79

DD2-0811-MC-20

VS.

FILED

NOV 25 2008

JOSEPH L. WELCH
1012 5th
Galena, TX 77547
DOB: 11/28/1978
OLN: 19177407 TX

Chick Phillips

Clerk Superior Court No. 2 Tippecanoe Co.

AFFIDAVIT OF PROBABLE CAUSE

Comes now Affiant, and being duly sworn upon oath, deposes and states that Affiant is a law enforcement officer in Tippecanoe County, State of Indiana, and in said capacity is familiar with the records of said defendant. Further, Affiant is familiar with the reports of Deputies Couch and Miller regarding their involvement in this investigation. On November 23, 2008, at approximately 11:43 P.M., Couch was at the Village Pantry located at 1800 U.S. 52 West, when he heard a noise that he realized was the impact from a vehicle crash. Couch proceeded south on Morehouse Road to 52, and observed 2 severely damaged vehicles. One vehicle was found to be a Dodge Nitro, and the second vehicle was a Buick LeSabre. Couch observed a white male get out of the driver's seat of the Nitro, who was later identified with a Texas license as Joseph Welch. Couch approached the driver's side of the LeSabre, where he observed severe damage. Couch noted a female was pinned inside the vehicle. Medics arrived at the scene and confirmed that the female was deceased. She was later identified as Katherine Baker, age sixteen (16). Couch spoke with Welch, and observed that he had red watery eyes, and was chewing gum with a strong citrus odor. When asked if he had been drinking, Welch denied consuming any alcohol. Welch submitted to a PBT, with a result of .29%BAC. Welch was transported to the Saint Elizabeth Hospital, where blood and urine samples were obtained. Deputy Miller was subsequently advised that the hospital laboratory had analyzed Welch's blood, and it showed that the alcohol concentration was .21% BAC. A check of Welch's prior criminal history also showed that he was previously convicted of Operating While Intoxicated in the State of Iowa in 2007.

Affiant believes the Saint Elizabeth toxicology report to be reliable and credible as it was prepared in the ordinary course of business, and is commonly relied upon by law enforcement officers in the performance of their duties as such.

Affiant believes Deputy Couch and Deputy Miller to be reliable and credible as they were acting in their capacities as law enforcement officers in Tippecanoe County, State of Indiana.

Further Affiant saith not.

Affiant does swear or affirm, under penalties of perjury as specified under Indiana Code 35-44-2-1, that the foregoing representations are true to the best of Affiant's knowledge and belief.

Executed on November 25, 2008

Signed: _____

Affiant

Joseph Welch