

- (1) While under official police detention and for the convenience of the police I was compelled to drive my Motor Home 10 miles to the Texas Highway Patrol station parking lot where it would be inspected by professional K-9 search dogs for suspected drug transportation activity on 04, MAR, 2001 at 1052 Hrs...
- (2) The police (DPS) failed to identify behavior signals of the K-9 professional search dog where upon opening the refueling access door of my Motor Home the strong wind carried the red shop rag 10-20 feet before it hit the ground and continued to roll, this shop rag the K-9 search dog wanted to follow but the dog operator immediately pulled the dog back in front of witnesses with the leash and required the dog to continue searching in the now open refueling access door where the gas cap was still firmly on the vacuum tight 70 gallon gas tank of the Motor Home. The professional K-9 search dog was visibly less interested in any remnant smells that were still present inside the refueling access door where the red shop rag was previously sitting.
- (3) The police (DPS) failed to collect, tag and bag as evidence the red shop rag clearly signaled by the professional K-9 search dog as suspicious who has alerted to the red shop rag just inside the Motor Home refueling access door even before that door was opened.
- (4) The police (DPS) failed to safeguard the property of the suspect or victim and the plaintiff in this civil rights litigation. The financial damage caused by the four K-9 search dogs as each of them were allowed by their human operators to severely scratch the paint of my Motor Home with their claws near the refueling access door was estimated to be \$2942.50 by Holiday World in Mesquite TX and adjusted by Foremost Insurance to \$2634.80 in Magalia CA for which responsibility has been denied by Texas Department of Public Safety stating "*The state is not liable for property damage unless it is caused by an employee's use or operation of a motor-driven equipment. It appears that your allegation of property damage arises from the use of canines, which are obviously not motor-driven.*" Said so in a letter the Assistant Attorney General, Chief Claims Section Laura L. Messina.
- (5) The police (DPS) mistakenly believed a connection between the K-9 search dog alerting to the smells emanating from the Motor Home refueling access door area and possible contraband inside my Motor Home. Subsequently they conducted a thorough search of the interior of my Motor Home without obtaining the necessary legal authorization in the form of a search warrant depicting the "place", "time", describing the "what" and explaining the "why" a search must be conducted and supported by sworn testimony of witnesses under the penalty of perjury.
- (6) The police (DPS) further made the mistake of failing to identify all persons who set foot inside my Motor Home when asked for by me for my records at the end of the search.