

IP09-08-0310

State of Ohio
City of Hamilton
Butler County

FILED
AUG 26 AM 9:42
BUTLER COUNTY
CLERK OF COURTS

In the Common Pleas Court
Butler County State of Ohio
Affidavit for Search Warrant

The undersigned, being duly sworn, says that he/she believes and has good cause to believe that certain articles, bodies, and/or substances, to wit: overall scene photos, pink and green artificial flowers, a bouncy baby seat that is supposed to be by the refrigerator,

are present upon the person and/or premises located within the territorial jurisdiction of the Butler County Common Pleas Court and described as follows: 1341 Shuler Avenue Apartment #3 which is described as a 2 story red brick multi-unit building on the west side of Shuler Avenue in the middle of the 1300 block. The entrance to the steps to apartment 3 is off the porch on the south side of the building, and the numbers 1341 are plainly visible above the porch. Apartment 3 is on the second floor, on the right as you come up the stairs, and the number 3 is plainly visible on the door.


Contrary to the following laws and ordinances: 2903.02 O.R.C. titled Murder .

Affiant's belief is based on the following facts: On 08/24/2009 at approximately 1:33pm Asuncion Avlla Villa called the Hamilton Police to her apartment at 1341 Shuler Avenue #3 Hamilton Ohio to report that her 1 month old son Israel Santos had been taken by his father and not returned. She reported that Eric Estrena was the father and he picked the baby up at 9:00pm on 08/23/2009. On 08/25/2009 at approximately 3:45am detectives from the Hamilton Police Department located the body of Israel Santos in the garbage located behind the garage at 1341 Shuler Avenue. Eventually Asuncion admitted that the baby was in a bouncy seat in the bedroom of 1341 Shuler #3 crying for an extended period of time and she became upset and grabbed him by the face with both her hands and shook him. After she shook him he became quiet and then quit breathing.

Affiant requests that a Warrant be issued forthwith to permit the search of the above person or premises and says that there is no urgent necessity for the search to be made at night.


Affiant

Sworn to before me and subscribed in my presence this 25th of August , 2009


Judge

State of Ohio
City of Hamilton
Butler County

FILED
2009 AUG 26 AM 9:42
"MAUD L. SMITH"
BUTLER COUNTY
CLERK OF COURTS

In the Common Pleas Court
Butler County
Search Warrant

To: **Detective Jim Calhoun 203** or any other Hamilton Police Officer:

For probable cause shown and supported by the Affidavit in the attached page, such Affidavit is incorporated herein and made part of this Warrant by reference thereto, you are hereby commanded in the name of the Butler County Common Pleas Court, Hamilton, Butler County, Ohio to enter and search within three days the premises and/or persons described here: **1341 Shuler Avenue Apartment #3 which is described as a 2 story red brick multi-unit building on the west side of Shuler Avenue in the middle of the 1300 block. The entrance to the steps to apartment 3 is off the porch on the south side of the building, and the numbers 1341 are plainly visible above the porch. Apartment 3 is on the second floor, on the right as you come up the stairs, and the number 3 is plainly visible on the door.**

for the articles, bodies, and/or substances alleged to be present in said affidavit, and bring a written inventory of said articles, bodies, and/or substances, together with any person named therein to be seized, before the Judge of the **Butler County Common Pleas Court**, and to make return of this Warrant according to law to said Judge.

Signed this 25th day of August, 2009 at 7:30 AM.
Time



Judge

State of Ohio
City of Hamilton
Butler County

FILED
2009 AUG 26 AM 9:42
BUTLER COUNTY
CLERK OF COURTS

In the Common Pleas Court
Butler County
Return of Search Warrant
And
Inventory of Property Taken

This warrant is returned this 25 day of August, 2009. Search was made as directed in the foregoing Warrant and the following described objects were found:

- ① Vase with artificial flowers - N.E. Bedroom
- ② Bouncey Seat - Hall closet

[Signature]

Officer making search

The undersigned officer does swear that the above is a true and complete inventory of the property taken pursuant to the warrant.

[Signature]

Officer making return

Sworn to before me and subscribed in my presence this 26th day of August, 2009.

[Signature]

Judge or Clerk

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO

STATE OF OHIO,

CASE NO: CR 09-08-1435

Plaintiff,

vs.

ASUNCION AVILA-VILLA

Defendant.

ENTRY REGARDING BOND

Upon application of the defendant, and for good cause shown, the defendant shall be released upon the execution of his own personal recognizance.

Upon application of the defendant, and for good cause shown, the defendant shall be released upon execution of an unsecured appearance bond in the sum of _____ dollars.

→ IN LIEU OF AND/OR IN ADDITION TO THE METHODS OF RELEASE STATED ABOVE, THE FOLLOWING CONDITIONS OF RELEASE ARE IMPOSED:

The custody and supervision of the defendant are placed with _____, who agrees to such supervision.

The travel, association or place of abode of the person during the period of release is restricted as follows:

REMAIN IN BUTLER COUNTY UNDER EMMA

Other conditions: Defendant assumes the obligation of determining date, time and place of arraignment, and all subsequent appearances from attorney and to appear at such time. Maintain contact with attorney; immediately respond to all calls or correspondence from attorney. DO NOT CHANGE ADDRESS OR TELEPHONE NUMBER WITHOUT TELLING ATTORNEY.

Other conditions: Pre-trial Supervision

The defendant is required to execute an appearance bond in the sum of _____ dollars and to deposit either \$25.00 or a sum of money equal to ten percent (10%) of the amount of the bond, whichever is greater, with the Clerk of Courts.

The defendant is required to execute a bail bond in the sum of \$1,000,000 dollars with sufficient sureties or a bond secured by real estate in the county, or deposit cash or securities allowed by law in lieu thereof.

ENTER 