

United States Court
Southern District of Texas
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UNITED STATES DISTRICT COURT

for the

Southern District of Texas

NOV 20 2017

David J. Bradley, Clerk of Court

United States of America)

v.)

Don Kentrell Gaines)

Case No.)

H17-1791

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 11, 2017 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------|----------------------------|
| 18 U.S.C §1201 | Kidnapping |

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Complainant's signature

Sophia M. Curtis, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: November 20, 2017

Judge's signature

City and state: Houston, Texas

Frances Stacy, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Sophia Curtis, being duly sworn, depose and state the following:

I am a United States Postal Inspector with the Postal Inspection Service, and have been since February 2014. I am currently assigned to the Violent Crimes Team in Houston, Texas. As part of my official duties, I investigate robberies of United States Postal Service ("USPS") employees, including mail carriers; burglaries of USPS vehicles and facilities; work place violence incidents to include assaults, sexual assaults, threats, and harassment; and other violations of federal and state laws affecting the USPS and/or the United States Mails.

I am making this Affidavit in support of Criminal Complaint to be presented to the United States District Court for the Southern District of Texas in the matter of United States v. **Don GAINES**, DOB: 11/05/1987

VIOLATION:

This complaint charges that Don GAINES, the defendant, did unlawfully seize, confine, kidnap, abduct, and carry away Gayla Roy, without her consent, from Texas to Louisiana for a purpose, namely, to dispose of her body or to kill her, in violation of 18 U.S.C. Title 18 U.S.C. §1201 (Kidnapping).

I base this information in part on my personal investigation and upon facts provided by witnesses, which have proven to be true and correct through independent investigation. The evidence also includes a detailed statement provided

to agents by Mr. GAINES during which he confessed to kidnapping and killing Ms. Roy.

PROBABLE CAUSE

SUMMARY:

On or about September 19, 2017, Don GAINES gave a voluntary recorded statement to Federal agents about the kidnapping and murder of Gayla Roy, who was reported missing on or about September 12, 2017. According to the statement of GAINES, on or about Monday, September 11, 2017, in or around Houston, Southern District of Texas, he choked Ms. Roy in her car (a black Lincoln MKZ). GAINES believed she was dead and then, either in transit to Louisiana or in Louisiana, Ms. Roy regained consciousness. At that time, GAINES continued to transport her against her will. During this trip, GAINES claimed that he stopped the car along the feeder road of Interstate 10 and took Ms. Roy into the woods where he shot her in the head with a firearm and abandoned her body.

DETAILS OF THE INVESTIGATION:

On or about Wednesday, September 13, 2017, Houston Division Postal Inspectors were notified by United States Post Office ("USPS") management that employee, Gayla Roy, was reported missing by her family. According to USPS management, Ms. Roy is employed at the USPS Houston plant and distribution