KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-363-MJ	Version Type:	ORIGINAL VERSION
Report Date:	3/25/2021 9:00 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Progreso Police Dept.	Agency Address:	PO BOX 699
Agency City:	Progreso	Agency State:	TX
Agency Zip:	78579		

Director Information

Director Salutation:	Chief	Director First Name:	Cesar
Director Middle Name:			
Director Last Name:	Solis		
Reporter Name:	Cesar Solis	Reporter Email:	policechief@cityofprogreso.us

Decedent Information

Identity of Deceased

First Name: JOSHUA

Middle Name: LYMAN

Last Name: STAPELTON

Suffix:

Date of Birth: 3/25/1984 Sex: Male

Race: Anglo or White

Age At Time Of Death: 36

Date/Time of Custody (arrest, incarceration) (mm/dd/yyyy hh:mm AM/PM):

Date/Time of Custody or Incident: 2/26/2021 6:00 PM

Date/Time of Death (mm/dd/yyyy hh:mm AM/PM):

Death Date and Time: 2/27/2021 12:44 AM

Manner / Cause of Death

Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

Medical Examiner/Coroner Evaluation?: Yes, results pending

What was the manner of death? (select only one)

Manner of Death: Pending autopsy results

Medical Cause of Death:

Medical Cause of Death:

UNKNOWN PENDING AUTOPSY RESULTS

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Yes

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?: Not applicable

If a weapon caused the death, what type of weapon caused the death? (Hold CTRL to select all that apply)

Type of weapon that caused death?: Not Applicable

Was the cause of death the result of a pre-existing medical condition or did the decedent develop the condition after admission?

Pre existing medical condition?: Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death: Unknown

Location / Custody Information

Where did the event causing the death occur?

Street Address:	810 N BUSINESS FM 1015	City:	PROGRESO
County:	Hidalgo	Zip:	78579

What location category best describes where the event causing the death occurred?

Location Category:	Law Enforcement Facility

What type of custody/facility was the Decedent in at the time of death:

Type of Custody:	Municipal Jail

Specific type of custody/facility:

Specific Type of Custody/Facility:
Jail - holding cell

What was the time and date of the deceased's entry into the law enforcement facility where the death occurred (mm/dd/yyyy hh:mm AM/PM):

Entry Date Time:	2/26/2021 6:00 PM

Where did the death occur?

Death Location:	Medical facility

General Information

Did any other law enforcement agencies respond to calls for service related to this incident?

Other Agencies Respond?:	Yes

What were the most serious offense(s) with which the deceased was (or would have been) charged with at the time of death?

Offense 1:

DRIVING WHILE INTOXICATED

Offense 2:

POSSESSION OF A CONTROLLED SUBSTANCE

Offense 3:

Were the Charges::	Not filed at time of death

What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of Offense:	Alcohol / drug offense

At any time during the incident and/or entry into the law enforcement facility, did the decedent display or use a weapon?

Decedent display/use of weapons:	No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Attempt to Injure Others?:	No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or drugs):	Yes	Make suicidal statements?:	No
Exhibit any mental health problems?:	No	Exhibit any medical problems?:	No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Barricade self or initiate standoff?:	No	Resist being handcuffed or arrested?:	No

Physically attempt/assault officer(s):	No	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	No
Attempt gain possession officer's weapon:	No		

Was the deceased under restraint in the time leading up to the death or the events causing the death?

Under Restraint: No

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

On Friday 02/26/21, at 5:40 pm, Progreso Police Officer Ernesto Lozano conducted a traffic stop on a vehicle for traffic violations. Two male subjects were arrested without incident. The driver, Joshua Lyman Stapleton d.o.b. 03/25/1984, was charged with driving while intoxicated and the passenger, Michael Guerrero d.o.b. was charged with public intoxication. A search of the vehicle incident to arrest resulted in the discovery of narcotics and both driver and passenger were charged with possession of a controlled substance. Both male subjects were transported to the police department, booked in and placed in a holding cell without incident at 6:10 pm. On this same date, at about 8:30p, Officer Justin Lee Becerra of the Progreso Police Department, conducted a welfare check, to include body temperature checks, of all prisoners in Progreso PD custody. Officer Becerra found all prisoners, to include Joshua Lyman Stapleton, alert, conscious and displaying no signs of distress. At 9:45pm, Officers checked on prisoners in custody after being alerted by other prisoners that one of the male prisoners, Joshua Lyman Stapleton was unresponsive. Officers found Joshua Lyman Stapleton in a seated position inside the cell. Officer Justin Becerra immediately requested EMS and with the assistance of the Progreso Fire Department began to administer CPR to include the deployment of an ammonia pack, and a dose of narcan. EMS arrived and took over care of the Joshua Lyman Stapleton. EMS transported Joshua Lyman Stapleton to the hospital where he was later declared deceased. The Hidalgo County Sheriff's Office was called in for the in custody death investigation and the scene was turned over to them.