KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1659-UF	Version Type:	AMENDED
Report Date:	3/18/2024 5:35 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	McAllen Police Dept.	Agency Address:	PO Box 220
Agency City:	McAllen	Agency State:	TX
Agency Zip:	78505		

Director Information

Director Salutation:	Chief	Director First Name:	Victor
Director Middle Name:			
Director Last Name:	Rodriguez		
Reporter Name:	Victor Rodriguez	Reporter Email:	vrodriguez@mcallenpd.net

Decedent Information

Identity of Deceased

First Name: Jeovany

Middle Name: Pinto

Last Name: Delwyn

Suffix:

Date of Birth: 7/6/1986 Sex: Male

Race: Anglo or White

Age At Time Of Death: 37

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

Date/Time of Custody or Incident: 12/12/2023 3:32 AM

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

Death Date and Time: 12/12/2023 4:10 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 are available

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

Manner of Death: Homicide (includes Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

Gunshot wound of neck into right chest.

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

Medical Treatment: Unknown

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

Who caused the death?: Law enforcement/correctional personnel

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?: Handgun

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?: Not Applicable; cause of death was accidental injury, intoxication, suicide or homicide

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

Means of Death: Firearm

Location / Custody Information

Where did the event causing the death occur?

Street Address:	4000 Block N. 23rd Street	City:	McAllen
County:	Hidalgo	Zip:	78504

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

Location Category: Parking lot/garage

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

Type of Custody: Pre-Custodial Use of Force

Specific type of custody/facility:

Specific Type of Custody/Facility:

Custody of Law Enforcement Personnel during/fleeing arrest

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:

Entry Date Time N/A: ☑

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?: No

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:

Attempted Capital Murder.

Offense 2:

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: Other, specify

Type of Offense, Other:

Suspect waived-down officers.

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: Yes, mark all that apply

Decedent Display or Use Weapon Details: Used other weapon, specify:

Specify Weapon Used:

Knife.

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

Attempt to Injure Others?:	Yes (select all that apply)
Ways Decedent Attempted To Injure Others:	Attempted to injure law enforcement personnel

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

Appear intoxicated (alcohol or drugs):	Unknown	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?:	N/A
Physically attempt/assault officer(s):	Yes	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:

Nature of CFS: Waive Down/In-Progress.
Date: 12/12/2023.
Time: 3:32 AM.
Location: 4000 Block N. 23rd Street, McAllen, Texas

CFS (generally): Responding Officer(s), while on patrol, report being “waved down by …a male [and] approaching him [Responding Officer(s)] with a knife” at the (McAllen Public Library) parking lot at 4000 Block of N. 23rd Street. Responding Officer(s) immediately report that the “male with knife …coming at me”.

The suspect threatened Responding Officer(s) and charged at Responding Officer(s) knife in hand. One (1) Responding Officer discharged his duty weapon once at the suspect when the suspect charged at him directly with knife in hand.

The suspect suffered a wound to his upper body. Responding Officer(s) provided first aid and summoned emergency medical care. The suspect was transported to local hospital for emergency medical care. The suspect passed away at 4:10 AM.

The suspect was identified as Jeovany Pinto Delwyn, 37 years of age with last known address at Pomona, California.

The suspect in this incident was been identified as the suspect in the following stabbing incident. This stabbing incident occurred approximately seven (7) hours earlier.

Nature of CFS: Disturbance/In-Progress.
Date: 12/11/2023.
Time: 8:09 PM.
Location: 1000 Block HWY (Business) 83, McAllen, Texas

CFS (generally): The Reporting Person(s) (RP) reported “there’s a male bleeding on the ground …covered in blood …someone stabbed him …asking for help …stabbed eye and on the face …[and that] it was a male who stabbed”. The victim in this incident suffered multiple stab wounds and was transported to local hospital for emergency medical care. The victim reported the suspect and reason for assault is unknown.

The responding Officer that discharged his duty weapon is Officer Manuel Puente. Officer Puente is a 2-year Officer at the McAllen Police Department.

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