KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1844-UF	Version Type:	ORIGINAL VERSION
Report Date:	12/30/2024 2:40 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Smith County Sheriff's Office	Agency Address:	227 N. Spring Ave.
Agency City:	Tyler	Agency State:	TX
Agency Zip:	75702		

Director Information

Director Salutation:	Sheriff	Director First Name:	Larry
Director Middle Name:	R		
Director Last Name:	Smith		
Reporter Name:	Robert Strickland	Reporter Email:	rstrickland@smith-county.com

Decedent Information

Identity of Deceased

First Name: Brandon

Middle Name: Addison

Last Name: Duvall

Suffix:

Date of Birth: 4/6/1990 Sex: Male

Race: Anglo or White

Age At Time Of Death: 32

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

Date/Time of Custody or Incident: 1/28/2023 9:29 PM

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

Death Date and Time: 1/28/2023 9:34 PM

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:

Multiple gunshot wounds

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

Medical Treatment: No

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:	23362 CR 459	City:	Mineola
County:	Smith	Zip:	75773

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

Location Category: Residence/Home

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:

N/A

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: 1/28/2023 9:34 PM

Where did the death occur?

Death Location: Scene of incident

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:

AGG Assault Against Public Servant 22.02 (b)(2)(b) 22.02b2b F1

Offense 2:

AGG Assault Against Public Servant 22.02 (b)(2)(b) 22.02b2b F1

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:	Violent Crime Against Persons

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:	Displayed firearm without discharge

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	Attempted to injure law enforcement

Injure Others:	personnel; Injured civilian(s) or other inmate(s)

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

Appear intoxicated (alcohol or drugs):	No	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?:	Yes
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Yes	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 January 28, 2023, Deputies were dispatched to 23362 CR 459 in Mineola, Texas in reference to an assault in progress. When Deputies arrived, they spoke with the victim of the assault and learned that the actor left prior to their arrival. Deputies coordinated with an organization and provided a hotel for the victim to stay in for the night. Ultimately, even after first agreeing to leave, the victim decided to stay at the residence. Deputies searched the area for the suspect and failed to locate him.

A short time later, Deputies received a call that the male subject was back at the residence assaulting the victim again. Deputies responded to the residence and upon entry, announced "Sheriff's Office". Deputies then observed a male subject, later identified as Brandon Duvall standing in a bedroom with the victim, armed

with a handgun.

Immediately upon entry, Duvall points his firearm at Deputy Fitzpatrick. Deputy Fitzpatrick and Deputy Ortiz respond by discharging their duty weapons at Duvall. Duvall was struck and fell to the ground. Deputies immediately summoned EMS assistance and were able to get the victim out of the residence at which time they began life-saving measures on Duvall. EMS arrived on scene and determined that Duvall was deceased.