KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-445-UF	Version Type:	AMENDED
Report Date:	10/24/2023 1:41 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Desoto Police Dept.	Agency Address:	714 E. Beltline Rd.
Agency City:	Desoto	Agency State:	TX
Agency Zip:	75115		

Director Information

Director Salutation:	Chief	Director First Name:	Joe
Director Middle Name:	W.		
Director Last Name:	Costa		
Reporter Name:	Ryan Jesionek	Reporter Email:	rjesionek@desototexas.gov

Decedent Information

Identity of Deceased

First Name: Michael

Middle Name: Christopher

Last Name: Nunez

Suffix:

Date of Birth: 10/27/1975 Sex: Male

Race: Anglo or White

Age At Time Of Death: 47

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

Date/Time of Custody or Incident: 3/27/2023 11:43 AM

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

Death Date and Time: 3/27/2023 11:51 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:

Dallas County (Southwest Institute of Forensic Science) Medical Examiner's Cause of Death Report states the cause of death as "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:	Not Applicable

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:	360 N. Polk St.	City:	Desoto
County:	Dallas	Zip:	75115

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

Location Category: Roadway/highway/street/sidewalk

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:

Entry Date Time N/A: ☑

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:

PC 30.02(D) | F1
BURGLARY HABITATION INTEND OTHER FELONY

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; Crime Against Property

Type of Offense, Other:

The deceased had burglarized the complainant's residence by making entry while both the complainant and her 10 year-old child were present. The deceased made entry while holding a piece of metal that the complainant described as a blade.

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 other weapon, specify:

Specify Weapon Displayed:

A long, thin piece of metal that appeared to witnesses to be some type of knife or other bladed object.

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):	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?:	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:	N/A
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:

At approximately 1138 hours on March 27, 2023, there was a burglary in progress with occupants at the residence located at 360 North Polk Street in DeSoto, Texas. There was information via Dispatch that the suspect (a white male wearing a gray shirt and blue shorts moving toward Polk Street) was running from the residence in the alleyway, and the involved officer (hereafter referred to as "the officer") observed a male jogging in the area near the end of their driveway. As the officer got closer to the area, he observed the suspect, a white male wearing a gray shirt and blue shorts moving toward the sidewalk. The officer continued past the suspect and stopped his fully marked DeSoto Police Department vehicle with the emergency lights still activated ahead of the suspect's location. Prior to exiting his vehicle, the officer glanced at the computer call notes to confirm the description matched.

Upon the officer exiting the vehicle, the suspect was in the driveway exit to the roadway and walking north bound on the east sidewalk approaching the location where the officer's vehicle was positioned. The officer was moving toward the rear of his marked police vehicle along the driver's side and rounded the corner toward the suspect. The officer asked the male, "are you alright". The officer then observed that the white male suspect had a bladed weapon in his right hand. Upon observing the suspect, the officer saw that the suspect's arms were cut. The officer immediately pulled the department issued duty weapon, fearing for his safety. The officer commanded the suspect several times "put it down," referring to the bladed weapon in his right hand.

The suspect turned toward the officer and spread both his arms out away from his sides with the bladed weapon still in his right hand. The suspect seemed to bend forward at the waist and charged at the officer. The officer was backing away from the suspect and rounded the driver's side rear corner of his marked DeSoto Police Department vehicle, attempting to gain distance between himself and the suspect. The suspect continued coming after the officer with the bladed weapon in his right hand. Fearing for his life, the officer fired three (3) shots at the suspect from the department issued duty weapon toward the suspect as the officer backed away from the suspect charging in his direction with the bladed weapon. The officer observed the suspect fall to the roadway and that the bladed weapon remained in his right hand.

The officer called out "shots fired" over the radio and other police officers were arriving on the scene. As the other officers were approaching the suspect's position, the officer yelled out something to the effect of "he's got a knife in his hand." The officer moved to his vehicle and retrieved his medical kit from the front passenger seat for use to assist with medical care for the suspect. Officers continued to provide medical assistance to the suspect until a Desoto med unit arrived and pronounced the suspect deceased at approximately 1151 hours. Very soon after that, the officer was removed from the immediate area to another vehicle.