



storing pictures, video, text, caller identification devices and telephone recording equipment, **including the stored data of such devices for the purpose of conducting an on-site or off-site search of these computer materials by any qualified forensic facility for imaging and analysis by experts and to retain all such computer materials within the forensic facility;** and

4. Any logins and passwords for computers, software, file sharing access, telephones, communication devices owned by Jared Ryker Woodfill V and or the Woodfill Law Firm, P.C.

HEREIN FAIL NOT, as the peace officer to whom this warrant is delivered, you shall execute it without delay and within three whole days and due return make by faithfully completing the form attached hereto designated for said purpose.

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS.

SIGNED, ENTERED and ORDERED this the 12 day of November 2018, A.D., 9, at 9:07 o'clock A.M., to attest to which I subscribe my name.

  
\_\_\_\_\_  
Judge, 178 District Court  
Harris County Texas

Printed Name

**FILED**

Chris Daniel  
District Clerk

NOV 13 2018

Time: \_\_\_\_\_  
Harris County, Texas

By \_\_\_\_\_  
Deputy 



monitors, computer printers, modems, digital cameras, any memory devices that work with a digital camera, scanners, computer photographs, and any electronic data storage device, including but not limited to flash memory devices, and other storage media; any input/output peripheral devices, including but not limited to data security devices and related documentation; any and all cellphones, telephones, communication devices that are capable of storing pictures, video, text, caller identification devices and telephone recording equipment, **including the stored data of such devices for the purpose of conducting an on-site or off-site search of these computer materials by any qualified forensic facility for imaging and analysis by experts and to retain all such computer materials within the forensic facility;** and

4. Any logins and passwords for computers, software, file sharing access, telephones, communication devices owned by Jared Ryker Woodfill V and or the Woodfill Law Firm, P.C.

#### **MY BELIEF IS BASED UPON THE FOLLOWING FACTS:**

Affiant is Bryan Vaclavik, a Certified Fraud Examiner, is currently the Chief Fraud Examiner, employed by the Harris County District Attorney's Office. Affiant is assigned to the Financial Crimes Division of the Special Crimes Bureau. Affiant has been employed as a Fraud Examiner for approximately 25 years; has investigated over two hundred criminal cases involving theft, misapplication of fiduciary property, forgery, money laundering, false statement to obtain property or credit, or engaging in organized criminal activity. Affiant has further testified as an expert witness in over 50 financial related criminal cases in state court.

Affiant believes based on his investigation in this case that Jared Ryker Woodfill V engaged in the commission of Felony Misapplication of Fiduciary Property, Felony Theft and Felony Money Laundering and that evidence of such is located at the Woodfill Law Firm, P.C., Three Riverway, Suite 750, Houston, Harris County, Texas 77056.

In February of 2017 an investigator for the Harris County District Attorney's Office talked to Amy Holsworth (Castillo), hereafter called Complainant, a former client of Jared Woodfill V, hereafter Woodfill. She alleged that Woodfill had illegally misapplied funds from her divorce. The Complainant alleged Woodfill misapplied funds by applying funds he had not yet earned and by applying funds for the benefit of third parties for services that were not rendered on her behalf, but on the behalf of other clients. Affiant began to investigate the allegation.

Affiant's reviewed public records which indicate that Jared Ryker Woodfill V is a licensed attorney in the State of Texas representing clients with family related litigation.

Affiant spoke to Holsworth (Castillo), hereafter called Complainant. Complainant told Affiant that she filed for divorce from her husband of 19 years, Juan Castillo, in 2012. Complainant said she changed attorneys during the divorce, hiring Jared Woodfill V in December 2013. She said that during the divorce Mr. Castillo entered in to bankruptcy.

Affiant spoke to Juan Castillo as part of the investigation. Affiant learned from Mr. Castillo that part of the reason he filed for bankruptcy was to protect his assets from the large purported legal fees he was having to pay out of the marital estate on behalf of the Complainant to Woodfill.

Affiant reviewed public records, court orders, transcripts, finding and other documents from the bankruptcy proceedings. From these documents and speaking to Mr. Castillo and the Complainant, Affiant learned that there was a bankruptcy hearing in which significant attention was given to claims for payment by Woodfill and the resulting payments made to Woodfill for his representation, from the marital estate by Mr. Castillo. Affiant noted from the court documents that particular attention was paid to a \$225,000 payment made to Woodfill for his representation of Complainant in her divorce case. Affiant learned from bankruptcy documents and speaking to Ronald Sommers, the Federal Bankruptcy Trustee that Woodfill was forced to return the \$225,000 to the bankruptcy estate but in the end negotiated the return of a lesser amount.

Based, in part, on the above events Affiant obtained and reviewed the Woodfill Law Firm, PC IOLTA bank account records from the Bank of River Oaks. The bank records showed an account which is controlled solely by Mr. Woodfill, his name being the only name on the account. The records showed that the \$225,000.00 payment to Woodfill for services as described above was deposited into his IOLTA account on or about September 8, 2014 leaving the IOLTA account balance at \$236,807.07. In reviewing the account activity after the deposit Affiant found the following:

- The \$225,000 was commingled with other client funds deposited into the IOLTA;
- From September 8<sup>th</sup> through September 30<sup>th</sup> approximately \$77,231.16 in third-party payments not associated with the Castillo matter were made. All but one of the payments indicated the payments were made for other cases showing "Holdback release" and "Avandia settlement" notations on the checks.
- Transfers to Woodfill's operating account totaled \$181,500.00 during the period September 8<sup>th</sup> through September 30<sup>th</sup>.
- The September 30, 2014 ending balance was \$78,570.80; \$66,763.73 more than the ending balance (\$11,807.07) on September 5, 2014 after \$226,500.00 in Castillo related and \$109,004.89 in third-party related deposits.
- The records through October 2014 identifies one known payment made on behalf of the Complainant for \$6,500.00 on October 7<sup>th</sup>. The check was payable to The Andresen Firm, PLLC for RE: Amy Castillo.
- At the end of October 2014 the IOLTA account only had a balance of \$10,298.48, essentially having used the entire \$225,000 payment made on behalf of Castillo.

Affiant spoke to Complainant about what the bank records showed and she said at no time did she know or authorize either funds to any third party not associated with her litigation or to another Woodfill Law Firm account for unearned legal fees or expenditures.

During the course of Affiant's investigation and review of Mr. Woodfill's Bank of River Oaks' IOLTA account another client's funds appeared to be used contrary to a signed attorney-client agreement. Affiant reviewed a "divorce agreement" date June 6, 2013 showing that Ms. Teresa Louise Ribelin Cook hired Woodfill, Woodfill Law Firm, P.C. to represent her in a divorce. The agreement outlined how Woodfill, Woodfill Law Firm, P.C. would be compensated for work done and expenses incurred. The agreement called for an initial retainer, \$75,000.00, to be paid by Ms. Ribelin Cook. Affiant reviewed bank documents indicating the \$75,000.00 retainer, paid by check, was deposited into Woodfill's IOLTA account on June 13, 2013.

Affiant reviewed the IOLTA account and discovered it was overdrawn and had a negative balance of (\$49,679.18) on June 12, 2013, the day before the \$75,000.00 Ribelin Cook check was deposited. Based on Affiant's training, experience and review of Woodfill's bank records, Ms. Ribelin Cook's funds were used to offset the \$49,679.18 negative balance and used to cover a check payable to a third party not related to Ms. Ribelin Cook's representation and litigation. Further, Affiant reviewed Mr. Woodfill's, Woodfill Law Firm, P.C.'s billing invoice to Ms. Ribelin Cook for the period June 6, 2013 through June 12, 2013 the day before the Ribelin Cook check was deposited. Per the billing invoice, Mr. Woodfill, Woodfill Law Firm, P.C. only earned and expended \$1,313.29 of the Ribelin Cook retainer. However, the IOLTA account's ending balance on June 13, 2016 was only \$25,320.82 indicating Woodfill had used more than \$45,000 of Ribelin Cook's retainer for purposes not related to her case.

On or about September 26, 2018, October 8, 2018 and October 9, 2018 Affiant spoke with Kenneth Kennedy who was the Controller for Woodfill and the Woodfill Law Firm, P.C. Kennedy said he had worked for Woodfill for approximate 15 years keeping the books for the firm. Kennedy advised Affiant that Woodfill directed him daily regarding the deposits and disbursements from all banking accounts for Woodfill personally and the Woodfill Law Firm, P.C. Kennedy advised Affiant Woodfill would require him to transfer funds from the IOLTA account which had not been earned by Mr. Woodfill or Woodfill Law Firm, P.C. on numerous occasions. Kennedy said that Woodfill uses his IOLTA account as if it was his personal bank account and described how Woodfill "robbed Peter to pay Paul" using the funds from the IOLTA account. Kennedy also said that sometimes Woodfill would have him transfer funds from the firms OPERATING account into the IOLTA account, something that Affiant saw several times in the bank records.

Kennedy told Affiant that Woodfill, Woodfill Law Firm, P.C. preserves the financial documents, general ledgers, financial statements on a desk top computer located at the offices of Woodfill Law Firm at Three Riverway, Suite 750, Houston, Harris County, Texas 77056. He also said the firm's client files are saved and preserved on a file hosting business called Dropbox Inc.; to which the Woodfill Law Firm, P.C. subscribes. Additionally, Mr. Kennedy advised Affiant there is an external hard drive within the offices of Woodfill Law Firm, P.C. which contains both the Castillo and Cook

client files. Complainant told Affiant that she has tried several times to get her case file from Woodfill but has been unsuccessful.

Kennedy advised Affiant he has periodically provided temporary personal loans to Woodfill and the Woodfill Law Firm, P.C. during his employment. He said these loans were used to assist Woodfill and the Woodfill Law Firm, P.C. in meeting both personal and firm financial obligations.

Affiant spoke with Shannon Saucedo, Assistant Disciplinary Counsel for the Office of the Chief Disciplinary Counsel for the State Bar of Texas (SBOT). Saucedo has been employed by SBOT for the last 13 years. She oversees the investigation of attorneys who have been accused of violating SBOT rules and procedures. Affiant showed Saucedo several summaries of source documents related to the representation of Complainant and Teresa Ribelin Cook by Woodfill and the Woodfill Law Firm, P.C. Based on these summaries, Saucedo said she believes Woodfill has a fiduciary responsibility to his clients. She further stated, based on the summaries, funds deposited into Woodfill's IOLTA account were misapplied thus causing misapplication of fiduciary property and that the Complainant's and Cook's funds were put at great risk of loss. Saucedo also said that if an attorney transfers funds from an IOLTA account for attorney's fees not yet earned, she believes this would constitute theft.

Affiant believes based on his experience and training the money obtain in this scheme was obtained in violation of Texas Penal Code Section 32.45 Misapplication of Fiduciary Property with a value of \$100,000.00 or more but less than \$200,000.00; Texas Penal Code Section 31.03 Felony Theft with a value of \$100,000.00 or more but less than \$200,000.00 and Texas Penal Code Section 34.01 Money Laundering with a value of \$100,000.00 or more but less than \$200,000.00.

  
\_\_\_\_\_  
Affiant


Sworn to and Subscribed before me on this the 11 of November 2018.

  
\_\_\_\_\_  
Magistrate  
Harris County, Texas

**FILED**

Chris Daniel  
District Clerk

NOV 13 2018

Time: \_\_\_\_\_  
Harris County, Texas  
By:  \_\_\_\_\_  
Deputy

THE STATE OF TEXAS

8

RETURN

COUNTY OF HARRIS

8

The undersigned, being a peace officer under the laws of the State of Texas, certifies that the foregoing warrant came to hand on the day it was issued and that it was executed on the 12<sup>TH</sup> day of NOVEMBER A.D., 2018, by making ~~the arrest~~ <sup>SEIZED ITEMS</sup> directed therein and ~~arresting~~ <sup>SEIZING</sup> the following ~~person(s)~~ <sup>ITEMS</sup>

THE SEARCH WARRANT WAS EXECUTED AT 10:20AM ON NOVEMBER 12, 2018

THE FOLLOWING ITEMS WERE SEIZED.

Matthew Gray, HEOAO  
OFFICER EXECUTING

PROCESS

- DELL - DESKTOP - SER# 28969039261 - TAKEN FROM RECEPTION DESK OUTSIDE WOODFILL'S OFFICE <sup>CUBE #4</sup>
- DELL - DESKTOP - SER# 21132347617 - TAKEN FROM RECEPTION DESK OUTSIDE WOODFILL'S OFFICE - CUBE #4
- DELL - DESKTOP - SER# 4600322749 - TAKEN FROM RECEPTION DESK OUTSIDE WOODFILL'S OFFICE - CUBE #4
- DELL - TOWER - SER# D9D6HDI - TAKEN FROM INNER OFFICE - #8
- DELL - TOWER - SER# G9D6HDI - TAKEN FROM INNER OFFICE - #8
- DELL - TOWER - SER# BQDGIJI - TAKEN FROM INNER OFFICE - #8
- WESTERN DIGITAL - EXTERNAL HARD DRIVE - SER# WXCIESSH2SV6 - TAKEN FROM INNER OFFICE <sup>#8</sup> CENTER FILE CABINET
- 1 BOX OF CASE FILES FOR COOK ; CASTILLO TAKEN FROM INNER OFFICE #8
- 1 BOX OF CASE FILES FOR COOK ; CASTILLO TAKEN FROM WOODFILL'S OFFICE #7
- 4 BOXES OF CASE FILES TAKEN FROM INNER OFFICE OF COOK ; CASTILLO FILES - OFFICE #3
- 2 BOXES OF CASE FILES FOR COOK ; CASTILLO TAKEN FROM RECEPTION DESK AREA OUTSIDE WOODFILL'S OFFICE #3 <sup>CUBE</sup>
- 119 BOXES OF CASE FILES FOR COOK ; CASTILLO TAKEN FROM FILE ROOM

THE WOODFILL LAW OFFICE WAS RELEASED TO THE CARE, CONTROL ; CUSTODY OF RYAN FINNEGAN AT 3:25PM ON NOVEMBER 12, 2018.  
DOB: 2-2-1989