



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 21-1812-UF

Version Type: ORIGINAL
VERSION

Report Date: 1/15/2021 3:49 PM

Status: Submitted

Agency/Facility Information

Agency Name: Cherokee County
Sheriff's Dept.

Agency Address: 272 Underwood St.

Agency City: Rusk

Agency State: TX

Agency Zip: 75785

Director Information

Director Salutation: Sheriff

Director First Name: Brent

Director Middle Name:

Director Last Name: Dickson

Reporter Name: Brent Dickson

Reporter Email: bdickson@cocherokee.org

Decedent Information

Identity of Deceased

First Name: Justin

Middle Name: Lewis

Last Name: Pegues

Suffix:

Date of Birth: 4/19/1994

Sex: Male

Race: Anglo or White

Age At Time Of Death: 26

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

Date/Time of Custody or
Incident: 1/14/2021 6:44 PM

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

Death Date and Time: 1/14/2021 10:45
PM

Manner / Cause of Death

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

Medical Examiner/Coroner Yes, results
Evaluation?: pending

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

Manner of Death: Homicide (includes
Justifiable

Homicide)

Medical Cause of Death:

Medical Cause of Death:

unknown

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: 147 County Road
1111

City: Rusk

County: Cherokee

Zip: 75785

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

Location Category: Other, specify

Other Location Category:

Private Property with storage buildings, woods, and gate.

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: Scene of incident

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:

aggravated assault with a deadly weapon against a police officer

Offense 2:

Criminal trespass

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:

Subject was discovered on private property where recent burglaries have been reported. Deputies were conducting patrol in the area and observed a vehicle on the property committing the act of criminal trespass.

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 vehicle as weapon

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

Attempt to Injure Others?: Unknown

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?: Unknown

Exhibit any mental health problems?: Unknown

Exhibit any medical problems?: Unknown

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): Yes

Gain possession of officer's weapon: No

Verbally threaten other(s) including law: Unknown

Escape or attempt to escape/flee custody: Yes

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 14, 2021 while on routine patrol Cherokee County Sheriff Office patrol deputies encountered a vehicle on a property located off of Cr 1111. The deputies were patrolling the property due to reoccurring burglaries. Deputies attempted to make contact with the individuals on the property. Prior to making contact

with the individuals the suspect used a vehicle to attempt to flee the scene. The suspect charged toward the deputy on scene with the suspect vehicle. The suspect drove through a partially open gate almost hitting the deputy with the vehicle and the gate. The deputy discharged his weapon fatally wounding the suspect driver of the vehicle. A second suspect on in the vehicle was taken into custody. The deputies involved were not injured. The deceased suspect has been identified as 26 year old Justin Pegues of Jacksonville.