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*Attorneys at Law*

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March 31, 2026

**VIA EMAIL:**

Harold "Wayne" [REDACTED]  
[REDACTED]  
[REDACTED]

RE: [REDACTED]'s Public Information Act request to Colorado County dated March 10, 2026 regarding communications

Dear Mr. [REDACTED]:

As you are aware, our office represents Colorado County in this matter. On March 10, 2026, Colorado County received a request pursuant to the Public Information Act (the Act). This request asked for "All communications — including but not limited to emails, text messages, written memoranda, letters, notes, and instant messages — between or among any of the following Colorado County officials:

- County Judge Ty Prause
- County Attorney Jay Johannes
- Sheriff Justin Lindemann
- Commissioner Precinct 1
- Commissioner Precinct 2
- Commissioner Precinct 3
- Commissioner Precinct 4

For the time period of January 19, 2026 through the present, concerning any of the following subjects:

1. [REDACTED]
2. [REDACTED]
3. The January 19, 2026 incident at the Colorado County Jail
4. Lt. Holly Smith
5. Any civil rights claim, notice of claim, or threatened litigation involving the jail
6. Federal grant funds received by Colorado County, including but not limited to State and Local Fiscal Recovery Funds (SLFRF), Homeland Security grants (SHSP), or any other federal funds designated for jail operations or compliance
7. The County's lack of PREA policies, PREA coordinator, PREA training, or Use of Force policies — and any notification to the Commissioners Court regarding the same
8. Civil rights compliance certifications or assurances submitted in connection with any federal grant application

**SCOPE OF REQUEST**

This request includes communications sent or received on both official county accounts and any personal email accounts, personal cell phones, or other personal devices used to conduct county business. Under Texas law, records do not lose their public character simply because they are stored on a personal device or account.

This request specifically includes any communications between or among members of the Commissioners Court (the County Judge and Commissioners from Precincts 1-4) that discuss any of the subjects listed above. I am particularly interested in any communications that may have created a quorum of the Commissioners Court outside of a properly noticed public meeting.”

The purpose of this letter is to notify you that there are certain exceptions to the Public Information Act that apply concerning the release of the requested information. Colorado County seeks to withhold the confidential information involving some of these documents pursuant to sections 552.103 and 552.107 of the Texas Government Code. Colorado County withdraws its request for a confidentiality ruling based on sections 552.101, 552.108, 552.111 and 552.136.

**SPECIAL NOTICE:**

**Also attached to this response is a copy of the Request for Opinion addressed to the Attorney General. The portions of the request that would tend to reveal the nature of the withheld information has been redacted to preserve Colorado County invocation of privilege or exception. TEX. GOV'T CODE ANN. § 552.301(e-1).**

Sincerely,



J. Eric Magee

JEM/jm

Enclosures

cc: Office of the Attorney General, State of Texas

**TAB 1**

Harold "Wayne" [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

March 10, 2026

**VIA EMAIL**

Colorado County Judge  
Attn: Public Information Officer  
400 Spring Street, Suite 100  
[REDACTED]

**RE: PUBLIC INFORMATION REQUEST PURSUANT TO TEXAS GOVERNMENT  
CODE CHAPTER 552**

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, Texas Government Code Chapter 552, I am requesting copies of the following public records:

**RECORDS REQUESTED**

All communications — including but not limited to emails, text messages, written memoranda, letters, notes, and instant messages — **between or among** any of the following Colorado County officials:

- County Judge Ty Prause
- County Attorney Jay Johannes
- Sheriff Justin Lindemann
- Commissioner Precinct 1
- Commissioner Precinct 2
- Commissioner Precinct 3
- Commissioner Precinct 4

**For the time period of January 19, 2026 through the present, concerning any of the following subjects:**

1. [REDACTED]

2. [REDACTED]
3. The January 19, 2026 incident at the Colorado County Jail
4. Lt. Holly Smith
5. Any civil rights claim, notice of claim, or threatened litigation involving the jail
6. Federal grant funds received by Colorado County, including but not limited to State and Local Fiscal Recovery Funds (SLFRF), Homeland Security grants (SHSP), or any other federal funds designated for jail operations or compliance
7. The County's lack of PREA policies, PREA coordinator, PREA training, or Use of Force policies — and any notification to the Commissioners Court regarding the same
8. Civil rights compliance certifications or assurances submitted in connection with any federal grant application

### **SCOPE OF REQUEST**

This request includes communications sent or received on both official county accounts and any personal email accounts, personal cell phones, or other personal devices used to conduct county business. Under Texas law, records do not lose their public character simply because they are stored on a personal device or account.

This request specifically includes any communications **between or among members of the Commissioners Court** (the County Judge and Commissioners from Precincts 1-4) that discuss any of the subjects listed above. I am particularly interested in any communications that may have created a **quorum** of the Commissioners Court outside of a properly noticed public meeting.

### **NOTICE REGARDING TEXAS OPEN MEETINGS ACT**

The Texas Open Meetings Act, Texas Government Code Chapter 551, requires that meetings of a governmental body be open to the public. A "**meeting**" occurs whenever a quorum of a governmental body deliberates public business — including through serial communications (a "walking quorum") where members communicate in sequence to build consensus outside of a public meeting.

The Commissioners Court of Colorado County consists of five members: the County Judge and four Commissioners. A quorum is three members. Any deliberation among three or more of these members, conducted through email, text message, or other communications outside of a noticed public meeting, may constitute a violation of the Open Meetings Act. *See* Tex. Gov't Code § 551.143 (criminalizing conspiracy to circumvent the Open Meetings Act).

I am requesting these communications to determine whether the Commissioners Court has conducted public business in compliance with the Open Meetings Act, particularly with respect to matters involving the Colorado County Jail, civil rights liability, and the use of federal funds.

#### **REQUEST FOR VERIFICATION FROM IT DIRECTOR**

I am requesting that IT Director Charles Schneider provide **written verification** confirming that a diligent search has been conducted of all county email servers, archives, and backup systems for communications responsive to this request. This verification should confirm that all responsive records have been identified and produced, or explain any limitations on the search conducted.

#### **NOTICE REGARDING PENALTIES FOR DESTRUCTION OF PUBLIC RECORDS**

I am placing all county officials and employees on notice that the destruction, deletion, or concealment of public records — including emails, text messages, and other electronic communications — after receiving a request for such records is a **criminal offense** under Texas law.

**Texas Penal Code § 37.10(a)(3)** makes it a **felony** to intentionally destroy, conceal, remove, or otherwise impair the verity, legibility, or availability of a governmental record. This offense is punishable as a state jail felony (180 days to 2 years confinement), and may be elevated to a higher degree felony depending on the intent and circumstances.

**Texas Local Government Code § 202.008** further provides that a person commits an offense if the person knowingly or intentionally violates the Local Government Records Act, including by destroying records without authorization. Violation is a Class A misdemeanor (up to 1 year in jail and \$4,000 fine).

Any county official or employee who deletes, destroys, or conceals communications responsive to this request — or who instructs others to do so — may be subject to criminal prosecution. This includes communications stored on personal devices or accounts if those communications relate to county business.

#### **STATUTORY REQUIREMENTS**

As you are aware, the Texas Public Information Act requires that you respond to this request promptly, and in no event later than ten (10) business days after receiving this request. If you intend to withhold any responsive records, you must seek an Attorney General ruling within that time period and must provide me with written notice as required by § 552.301.

To reduce costs, I request that all responsive records be provided in electronic format via email to [REDACTED]. If any records exist only in paper form, I am willing to pay

reasonable copying costs. If the cost will exceed \$40.00, please contact me with an estimate before proceeding.

Please contact me if you have any questions regarding this request. I look forward to your prompt response.

Sincerely,

/s/ Wayne [REDACTED]

Harold "Wayne" [REDACTED]

**cc:**

Charles Schneider, IT Coordinator  
Colorado County

**TAB 2**

**ALLISON, BASS & MAGEE, L.L.P.**

*Attorneys at Law*

1301 Nueces Street, Suite 201

AUSTIN, TEXAS 78701

(512) 482-0701

FAX (512) 480-0902

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J. ERIC MAGEE  
[e.magee@allison-bass.com](mailto:e.magee@allison-bass.com)

March 24, 2026

**VIA EMAIL:**

Harold "Wayne" [REDACTED]  
[REDACTED]  
[REDACTED]

RE: [REDACTED]' Public Information Act request to Colorado County dated March 10, 2026 regarding communications

Dear Mr. [REDACTED]:

Our office represents Colorado County in this matter. Colorado County received your request pursuant to the Public Information Act (the Act) on March 10, 2026. Specifically, you ask for "All communications — including but not limited to emails, text messages, written memoranda, letters, notes, and instant messages — between or among any of the following Colorado County officials:

- County Judge Ty Prause
- County Attorney Jay Johannes
- Sheriff Justin Lindemann
- Commissioner Precinct 1
- Commissioner Precinct 2
- Commissioner Precinct 3
- Commissioner Precinct 4

For the time period of January 19, 2026 through the present, concerning any of the following subjects:

1. [REDACTED]
2. [REDACTED]
3. The January 19, 2026 incident at the Colorado County Jail
4. Lt. Holly Smith
5. Any civil rights claim, notice of claim, or threatened litigation involving the jail
6. Federal grant funds received by Colorado County, including but not limited to State and Local Fiscal Recovery Funds (SLFRF), Homeland Security grants (SHSP), or any other federal funds designated for jail operations or compliance
7. The County's lack of PREA policies, PREA coordinator, PREA training, or Use of Force policies — and any notification to the Commissioners Court regarding the same
8. Civil rights compliance certifications or assurances submitted in connection with any federal grant application

### SCOPE OF REQUEST

This request includes communications sent or received on both official county accounts and any personal email accounts, personal cell phones, or other personal devices used to conduct county business. Under Texas law, records do not lose their public character simply because they are stored on a personal device or account.

This request specifically includes any communications between or among members of the Commissioners Court (the County Judge and Commissioners from Precincts 1-4) that discuss any of the subjects listed above. I am particularly interested in any communications that may have created a quorum of the Commissioners Court outside of a properly noticed public meeting.”

The purpose of this letter is to timely provide you a response to your request. As you are probably aware, the Public Information Act requires that certain information remain confidential. In circumstances where such exclusions may apply, the governmental entity (Colorado County) is required to submit the documents to the Texas Attorney General for a confidentiality determination. Therefore, the requested documents are being withheld pursuant to those exceptions and are being submitted to the Texas Attorney General for a decision on whether the PIA requires that these documents be withheld. This process is not to interfere with governmental transparency but to protect confidential information that may not be disclosed without approval from the Attorney General.

Specifically, section 552.101 of the Public Information Act provides for an exception to the disclosure of public records when information requested is confidential by law; section 552.103 which provides an exception for pending or threatened litigation; section 552.107 which provides an exception for certain legal matters; section 552.108 which provides an exception for certain law enforcement, corrections, and prosecutorial information; section 552.111 which provides an exception for agency memoranda; and section 552.136 which provides for confidentiality of certain financial information.

### SPECIAL NOTICE(S):

Colorado County will forward its discussion of exceptions regarding the documents being withheld to the Attorney General within fifteen (15) business days from the date of the request. A copy will be forwarded to you at that time. The portions of the discussion that would tend to reveal the nature of withheld information will be redacted to preserve the invocation of privilege or exception. — TEX. GOVT. CODE ANN. § 552.301(d)(2).

Sincerely,

  
J. Eric Magee

JEM/jm

Enclosures

cc: Office of the Attorney General, State of Texas

**TAB 3**

[Documents Withheld]

**TAB 4**

## DISCUSSION OF EXCEPTIONS TO DISCLOSURE UNDER THE TEXAS PUBLIC INFORMATION ACT

The public information request from [REDACTED] seeks “All communications — including but not limited to emails, text messages, written memoranda, letters, notes, and instant messages — between or among any of the following Colorado County officials:

- County Judge Ty Prause
- County Attorney Jay Johannes
- Sheriff Justin Lindemann
- Commissioner Precinct 1
- Commissioner Precinct 2
- Commissioner Precinct 3
- Commissioner Precinct 4

For the time period of January 19, 2026 through the present, concerning any of the following subjects:

1. [REDACTED]
2. [REDACTED]
3. The January 19, 2026 incident at the Colorado County Jail
4. Lt. Holly Smith
5. Any civil rights claim, notice of claim, or threatened litigation involving the jail
6. Federal grant funds received by Colorado County, including but not limited to State and Local Fiscal Recovery Funds (SLFRF), Homeland Security grants (SHSP), or any other federal funds designated for jail operations or compliance
7. The County's lack of PREA policies, PREA coordinator, PREA training, or Use of Force policies — and any notification to the Commissioners Court regarding the same
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### SCOPE OF REQUEST

This request includes communications sent or received on both official county accounts and any personal email accounts, personal cell phones, or other personal devices used to conduct county business. Under Texas law, records do not lose their public character simply because they are stored on a personal device or account.

This request specifically includes any communications between or among members of the Commissioners Court (the County Judge and Commissioners from Precincts 1-4) that discuss any of the subjects listed above. I am particularly interested in any communications that may have created a quorum of the Commissioners Court outside of a properly noticed public meeting.” The following request for Attorney General review and direction is made as the requested documents are protected from disclosure by the following statutory exceptions.

### § 552.103: Exception: Litigation or Settlement Negotiation Involving the State or Political Subdivision

Section 552.103 prevents the use of the Public Information Act as a method of avoiding the rules of discovery used in civil litigation. Specifically, section 552.103 provides that

“[i]nformation is excepted from the requirements of Section 552.021 if it is information relating to litigation of a civil or criminal nature to which the state or a political subdivision is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person's office or employment, is or may be a party” and “[i]nformation relating to litigation involving a governmental body or an officer or employee of a governmental body is excepted from disclosure under Subsection (a) only if the litigation is pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information.” Tex. Gov’t Code §552.103(a) & (c)(emphasis added). This exception allows a governmental body to protect its position in litigation by forcing parties to obtain information through proper discovery procedures. To claim this exception, the governmental body must show that (1) litigation is pending or reasonably anticipated and (2) the information must relate to that litigation. *Univ. of Tex. Law Sch. v. Tex. Legal Found.*, 958 S.W.2d 479, 481 (Tex. App.—Austin 1997); *Heard v. Houston Post Co.*, 684 S.W.2d 210, 212 (Tex. App.—Houston [1st Dist.] 1984, writ ref’d n.r.e.).

In Open Records Decision No. 551 (1990), the Attorney General concluded that the governmental body “need only establish the relatedness of the information to the subject matter of the pending or anticipated litigation.” Open Records Decision No. 551 at 5 (1990). Further, the protections offered by the exception end only while litigation is pending. *See* Tex. Att’y Gen/ OR1990-554, at 4; *see also Thomas v. El Paso Cty. Cmty. Coll. Dist.*, 397 S.W.3d 722, 726 (Tex. App.—El Paso 2001, no pet.). Requests for information related to litigation are determined by the circumstances at the time the request is received by the governmental entity. *See* GOV’T CODE § 552.103(c); *see also* Tex. Att’y Gen. OR2002-677, at 2–3.

[REDACTED]

[REDACTED] Therefore, the request for this information relates to reasonably anticipated litigation between [REDACTED] and Colorado County and should be withheld in its entirety.

**§ 552.107: Exception: Confidential by Law**

Section 552.107 provides an exception for “information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Evidence or the Texas Disciplinary Rules of Professional Conduct.” TEX. GOV’T CODE § 552.107(1). Specifically, this section protects information that falls within the attorney-client privilege. *Id.* Texas Rules of Evidence provides that “[a] client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications

made to facilitate the rendition of professional legal services to the client” between the client and the client’s lawyer.

A governmental body that asserts the attorney-client privilege must provide facts to demonstrate “how and why the information is excepted from required public disclosure.” *See* Open Records Decision No. 676 at 6 (2002). A governmental body must demonstrate the communication/information was created “for the purpose of facilitating the rendition of professional legal services” between the client and attorney. *Id.* at 7. The governmental body must inform the Office of the Attorney General of the identities and capacities (the role) of the individuals to whom each communication at issue has been made. *Id.* “Such explanation should appropriately include a description of the nature of the professional legal services to which each communication pertains and how such legal services are for the client governmental body.” *Id.* at 7-8.



It is clear that these documents were created for the purpose of obtaining and assisting with professional legal services. These documents were not intended to be disclosed to non-privileged parties. For the reasons state above, Colorado County clearly has demonstrated the applicability of the attorney-client privilege to the submitted information. Therefore, these documents should be withheld from disclosure pursuant to section 552.107(1) of the Texas Government Code.

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The following index is an overview of the documents requested and the exception or privilege asserted, except where redaction is necessary to protect the asserted exception or privilege. Pursuant to section 552.301(e)(1)(d) of the Texas Government Code, a governmental body must submit “a copy of the specific information requested, or submit representative samples of the information if a voluminous amount of information was requested.” Colorado County is providing the documents requested, as well as this summary of the exceptions deemed applicable. The following index is offered:

	<b>DESCRIPTION OF DOCUMENTS TO BE WITHHELD</b>	<b>BASIS OF EXCEPTION</b>
Tab 1	Original Request	
Tab 2	Original Response to Requestor	
Tab 3	Copy of all responsive information	§ 552.103 § 552.107
Tab 4	Legal rationale for withholding of documents	
Tab 5	Notice of Claim & Formal Demand for Preservation of Evidence	

Colorado County withdraws its request for a confidentiality ruling based on sections 552.101, 552.108, 552.111 and 552.136.

**TAB 5**

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

DATE: January 29, 2026

**RE: NOTICE OF CLAIM & FORMAL DEMAND FOR PRESERVATION OF EVIDENCE**

**SUBJECT:** [REDACTED] | Incident Date: January 19, 2026

To: **Honorable Ty Prause**, Colorado County Judge

Colorado County Courthouse  
400 Spring Street, Room 107  
[REDACTED]

This letter is a formal Notice of Claim pursuant to Tex. Civ. Prac. & Rem. Code § 101.101 and a Demand for Preservation of Evidence. I am writing on behalf of my wife, [REDACTED], regarding a use-of-force incident involving Colorado County Jail staff.

**NOTICE OF PREVIOUS CONTACT**

This formal notice follows my electronic communications sent on January 19, 2026, and January 28, 2026, to Sheriff Lindemann, Captain Ashley Laake, and others. As of this mailing, no acknowledgment has been received. Copies of these emails are attached as Exhibit A.

**LITIGATION HOLD & "FREEZE" DIRECTIVE**

You are hereby directed to immediately preserve and segregate all electronically stored information (ESI), video, and audio recordings involving [REDACTED] for the period of January 12, 2026 to January 21, 2026. This request specifically includes, but is not limited to:

- All facility surveillance footage (intake, hallways, cells, and housing units where [REDACTED] was housed or present).
- All body-worn camera (BWC) footage of involved jailers and supervisors.
- All audio recordings of jailer communications during this window.
- The Texas Ranger investigative file and all supplemental reports regarding [REDACTED] t.
- All use-of-force incident reports from January 19, 2026.
- Medical Administration Records (MAR) for [REDACTED] t.
- Booking and medical screening forms.
- All grievances filed by [REDACTED] t.
- Duty rosters, shift logs, and assignment sheets for all personnel assigned to areas where [REDACTED] was housed.

*The full 10-day period (January 12–21, 2026) is requested because the use-of-force incident on January 19 was preceded by a pattern of escalating retaliation against [REDACTED] after she filed grievances about jail conditions. Video footage from the days before and after the incident is necessary to document this pattern of retaliatory conduct leading up to the assault.*

### **PROHIBITION AGAINST PURGING**

Be advised that Colorado County has a non-delegable duty to preserve evidence when litigation is reasonably anticipated. If the County intends to contest the scope of this hold as "overly broad," you are strictly prohibited from purging, overwriting, or destroying any data in the interim. You must "freeze" all data until a court-ordered protective order or Rule 202 hearing resolves the scope of discovery.

**Any destruction of records following this notice will be treated as intentional spoliation, and we will seek an adverse inference instruction at trial.**


### **NOTICE OF CLAIM**

On January 19, 2026, at approximately 9:00 PM, [REDACTED] was injured by jail staff at the Colorado County Jail. During medication distribution, after asking to verify her medications due to a prior medication error, Lt. Holly Smith used physical force that resulted in [REDACTED] being tackled to the concrete floor. She lost consciousness and sustained a traumatic brain injury (TBI), which was later diagnosed at the hospital.

Following the incident, [REDACTED] was left without medical attention for approximately 83 minutes until my phone call to dispatch prompted EMS transport. Additional injuries include loss of bowel and bladder control at the time of the incident.

We are investigating claims for excessive force, deliberate indifference to serious medical needs, and First Amendment retaliation under 42 U.S.C. § 1983, as well as claims under the Texas Tort Claims Act. Damages are to be determined pending full medical evaluation and legal consultation.

Respectfully,

  
Harold "Wayne" [REDACTED]  
[REDACTED]  
[REDACTED]

  
[REDACTED] (Plaintiff)

CC:

Sheriff Justin Lindemann, Colorado County Sheriff's Office  
Honorable Ty Prause, Colorado County Judge  
Jay Johannes, Colorado County Attorney  
Captain Ashley Laake, Jail Administrator

**Enclosures:**

Exhibit A: Email correspondence dated January 19, 2026 and January 28, 2026



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**Re: Notice to Preserve Evidence**

1 message

---

[Redacted] <[Redacted]> Wed, Jan 28, 2026 at 7:32 PM  
To: Justin Lindemann <justin.lindemann@co.colorado.tx.us>, eugenia.behrens@co.colorado.tx.us

To date, I have not received an acknowledgement of receipt via email or otherwise.

Please confirm that you have received this notice.

On Mon, Jan 19, 2026 at 11:52 AM [Redacted] <[Redacted]> wrote:

**To:** Sheriff Justin Lindemann

**Attn:** Jail Administrator / Records Division

**Colorado County Sheriff's Office Address:** 2215 Walnut Street, [Redacted]

**Sent via:** [Email: justin.lindemann@co.colorado.tx.us AND Certified Mail]

**DATE:** January 19, 2026

**RE: FORMAL NOTICE TO PRESERVE EVIDENCE – Incident Period Jan 12–19, 2026**

Dear Sheriff Lindemann,

Please consider this formal notice that litigation is reasonably anticipated regarding events occurring at the Colorado County Jail between **January 12, 2026, and January 19, 2026**. This notice is issued to prevent the spoliation (destruction or overwriting) of evidence relevant to a potential claim.

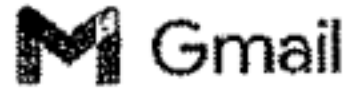
Specifically, you are directed to **immediately suspend all routine deletion or overwriting** and to preserve the following evidence in its original, unaltered format:

- 1. Surveillance Footage:** All 24/7 video recordings from cameras overlooking and inside the **"Overflow" housing unit/area** where [Redacted] was housed. This includes cameras in the housing pods, hallways leading to that unit, and any common areas within that section.
- 2. Personnel Records:** All duty rosters, shift logs, and assignment sheets identifying every correctional officer, jailer, and supervisor assigned to the "Overflow" housing unit and its peripheral stations for all shifts during this period.  
NOTE: Historical records do not jeopardize operational security at the Jail.
- 3. Communication Logs:** All digital or handwritten logs, "round" sheets, and security check records for the Overflow unit.
- 4. Inmate Records:** All medical requests, grievances, and incident reports associated with [Redacted] or other inmates in the Overflow unit during these dates.

Be advised that under Texas law, the duty to preserve arises when a party has notice that evidence is relevant to litigation. Failure to preserve this evidence after receiving this notice may result in legal sanctions. Please confirm receipt and provide written confirmation that the specified evidence has been placed on a litigation hold.

Sincerely,

Harold "Wayne" [Redacted]  
[Redacted]



<wayne.█@gmail.com>

## Fwd: Notice to Preserve Evidence

Wayne █ <wayne.mcknight@gmail.com>  
 To: Jay Johannes <jay.johannes@co.colorado.tx.us>, Ty Prause <ty.prause@co.colorado.tx.us>, Justin Lindemann <justin.lindemann@co.colorado.tx.us>, Ashley Laake <ashley.laake@co.colorado.tx.us>, eugene behrens <loraine.mcknight@gmail.com>

### FORMAL DEMAND FOR PRESERVATION OF EVIDENCE

We previously attempted to contact the Jail via email on January 19, 2026, and again on January 28th, 2026, regarding the preservation of evidence. As of this email, we have received no response. You are hereby directed to preserve all video and audio recordings from the Colorado County Jail from January 12th to January 21st. This includes, but is not limited to: (Expanding the original request)

- Facility surveillance footage (hallways, intake, and cells where █ was housed or present)
- Body-worn camera footage from all involved officers or jailers interacting with █.
- The Texas Ranger investigative file and all supplemental reports, current or future in regards to █.
- and other preservations as previously requested.

Failure to preserve this evidence will be treated as intentional spoliation and may result in a court-ordered adverse inference against Colorado County in future litigation.

Exhibits of requests will be printed and sent via Certified Mail to all parties listed in this email.

Sheriff Justin Lindemann: 2215 Walnut Street, █

Ashley Laake (Jail Captain): 2215 Walnut Street, Columbus TX 78934

Judge Ty Prause: 400 Spring Street, Room 107, █

Jay Johannes (County Attorney): 400 Spring Street, Room 204, Columbus, TX 78934

----- Forwarded message -----

From: █ <wayne.mcknight@gmail.com>  
 Date: Wed, Jan 28, 2026 at 7:32 PM  
 Subject: Re: Notice to Preserve Evidence  
 To: Justin Lindemann <justin.lindemann@co.colorado.tx.us>, <eugene.a.behrens@co.colorado.tx.us>

To date, I have not received an acknowledgement of receipt via email or otherwise.

Please confirm that you have received this notice.

On Mon, Jan 19, 2026 at 11:52 AM █ <█> wrote:

To: Sheriff Justin Lindemann

Attn: Jail Administrator / Records Division

Colorado County Sheriff's Office Address: 2215 Walnut Street, █

Sent via: [Email: justin.lindemann@co.colorado.tx.us AND Certified Mail]

DATE: January 19, 2026

RE: FORMAL NOTICE TO PRESERVE EVIDENCE – Incident Period Jan 12–19, 2026

Dear Sheriff Lindemann,

Please consider this formal notice that litigation is reasonably anticipated regarding events occurring at the Colorado County Jail between January 12, 2026, and January 19, 2026. This notice is for evidence relevant to a potential claim.

Specifically, you are directed to immediately suspend all routine deletion or overwriting and to preserve the following evidence in its original, unaltered format:

1. **Surveillance Footage:** All 24/7 video recordings from cameras overlooking and inside the "Overflow" housing unit/area where █ was housed. This includes camera areas within that section.
2. **Personnel Records:** All duty rosters, shift logs, and assignment sheets identifying every correctional officer, jailer, and supervisor assigned to the "Overflow" housing unit and its per  
 NOTE: Historical records do not jeopardize operational security at the Jail.
3. **Communication Logs:** All digital or handwritten logs, "round" sheets, and security check records for the Overflow unit.
4. **Inmate Records:** All medical requests, grievances, and incident reports associated with Loraine McKnight or other inmates in the Overflow unit during these dates.

Be advised that under Texas law, the duty to preserve arises when a party has notice that evidence is relevant to litigation. Failure to preserve this evidence after receiving this notice may result in a court-ordered adverse inference. Confirmation that the specified evidence has been placed on a litigation hold.

Sincerely,

Harold "Wayne" █  
 █@gmail.com

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Wednesday, March 18, 2026 10:12 PM  
**To:** Ty Prause <ty.prause@co.colorado.tx.us>; Jay Johannes <jay.johannes@co.colorado.tx.us>  
**Cc:** Eric Magee <e.magee@allison-bass.com>  
**Subject:** RE: FORMAL NOTICE OF TORT CLAIM (TEX. CIV. PRAC. & REM. CODE § 101.101)

March 19, 2026

**TO:** Hon. Ty Prause, Colorado County Judge Jay Johannes, Colorado County Attorney 400 Spring Street  
[REDACTED]

**RE: FORMAL NOTICE OF TORT CLAIM (TEX. CIV. PRAC. & REM. CODE § 101.101) Claimant:** Harold "Wayne" [REDACTED] **Incident Date:** January 19, 2026 **Location:** Colorado County Jail

Gentlemen:

Please accept this letter as formal notice of a tort claim against Colorado County, Texas, pursuant to the **Texas Tort Claims Act (TTCA)**.

**I. DESCRIPTION OF INCIDENT** On January 19, 2026, my spouse, [REDACTED], was subjected to a physical "takedown" by Colorado County Jail personnel. This incident resulted in a Traumatic Brain Injury (TBI) and a documented **83-minute delay** in summoning Emergency Medical Services (EMS). The injury was caused by the condition or use of tangible personal or real property (the facility floor and/or restraints) under the control of County personnel.

**II. DESCRIPTION OF INJURY AND DAMAGE** As a direct and proximate result of the County's negligence in the training, supervision, and medical monitoring of its staff, I, Harold "Wayne" [REDACTED], have suffered and continue to suffer a **Loss of Consortium**. This includes the profound loss of companionship, affection, solace, emotional support, and the services of my spouse.

**III. PURPOSE OF NOTICE** This notice is provided within the statutory 180-day period to preserve all state law claims. Because the County continues to withhold the objective audio/video evidence and the identities of the specific jailers involved (including "Jane Doe"), I am currently unable to provide a final valuation of these damages.

Be advised that I intend to move forward with a **Rule 202 Petition for Deposition Before Suit** to investigate these claims and identify all liable parties.

Respectfully,

/s/ [REDACTED]

Harold "Wayne" [REDACTED]