Conflict Attachments

MPPD Case No. [redacted] (Child Grooming — Tex. Penal Code § 15.032(b))

Enclosure to Request for Conflict Review and Voluntary Recusal

This packet contains the following materials:

Referral Memorandum (6 pages) — Request for Conflict Review, Records-Integrity Review, and Public Information Act Review, dated April 5, 2026. The conflict issue is addressed in Section IV and the Conclusion.

Exhibit 01 — DA-Produced Incident Report (Unredacted), including Detective Odom's narrative and January 22, 2026 supplement (6 pages).

Exhibit 02 — Case Dismissal Form, signed by [redacted] on January 22, 2026 (1 page).

Exhibit 12 — Titus County District Clerk Docket for Case [redacted] — [redacted], showing January 22, 2026 docket setting and DA Bailey's office as prosecutor (4 pages).

Additional materials previously submitted to the District Attorney's office and to the Office of the Attorney General remain available upon request.

Prepared April 7, 2026 | Kyle Douglas Moring

Referral Memorandum – Request for Conflict Review, Records-Integrity Review, and Public Information Act Review

MPPD Case No. [redacted] (Child Grooming – Tex. Penal Code § 15.032)

April 5, 2026 | Prepared by Kyle Douglas Moring

I. Purpose and Basis for Referral

This memorandum documents a series of record discrepancies, apparent policy departures, and a potential conflict of interest in MPPD's handling of Case [redacted] The matters documented here fall within the Criminal Prosecutions Division's stated functions: **(1)** cases where a conflict may prevent the local prosecutor from acting; **(2)** possible Public Information Act violations in TPIA responses; and **(3)** potential criminal conduct by public officials in their handling of the case file.

The OAG Criminal Prosecutions Division assists local district attorneys in complex cases or where conflicts prevent local prosecution. It handles public official corruption and criminal matters arising under the Public Information Act. This referral is submitted as a documented request for conflict review, records-integrity review, and possible Public Information Act review of Case [redacted] in which the District Attorney's office was consulted on the underlying investigation while simultaneously prosecuting the felony case of the individual who later signed the case dismissal form.

I.A. Prior Texas Rangers Routing History

Before submitting this referral, I sought Texas Rangers routing regarding MPPD Case [redacted] I sent an initial case-specific request for review on January 20, 2026 (Ex. 42), a status inquiry on February 9, 2026 (Ex. 44), and a supplemental submission on February 23, 2026 (Ex. 45). Although the January 20 submission followed earlier broader correspondence concerning related City and MPPD issues, it was the first request directed specifically to Case [redacted] I did not receive a clear written status update, routing confirmation, or reference number for that submission. On March 12, 2026, the Rangers Administrative Office directed me to the Tyler office for status (Ex. 47). During a recorded March 27, 2026 telephone call, Ranger David Stewart advised that Rangers action would require referral from another agency and did not provide a substantive status update on my January 20 submission. (Exs. 48, 48A) The audio recording of the March 27 call is maintained in the Box repository and is available upon request. This is included solely as routing history.

II. Case Background

[redacted] (Exs. 01, 03) The [redacted] The current record does not show a Walmart-initiated report to law enforcement before September 2, 2025. (Exs. 03, 04)

On September 2, 2025, I reported the matter by email to MPPD Detective Cody Odom and Lt. Mark Miller. (Ex. 04) MPPD took the report on September 9–10, 2025. The case was cleared exceptionally on November 3, 2025 with the rationale 'Victim Refused to Cooperate,' approved by Supervisor Christopher Durant on November 20, 2025, and audited by Records Manager April Nipp on November 21, 2025. (Exs. 01, 22)

III. The January 20–22, 2026 Chronology

The following timeline documents a sequence of communications and official actions occurring across 48 hours:

January 20, 2026

Time	Event	Duration/Notes
2:27 PM	Nipp calls Odom	4 seconds
2:47 PM	Odom calls Nipp	1 minute 44 seconds
2:49 PM	Odom calls Nipp	6 seconds
2:49 PM	Odom calls Nipp	4 seconds
2:51 PM	Odom calls Nipp	39 seconds
2:53 PM	Odom calls [redacted] / [redacted]	46 seconds
2:58 PM	[redacted] calls Odom back	1 minute 3 seconds
3:17 PM	Nipp sends TPIA response email to Moring	States "no supplements exist"

January 22, 2026

Time	Event	Details
9:00 AM	[redacted] scheduled docket appearance	Titus County District Court, Case [redacted]
9:35 AM	[redacted] calls Odom	1 minute 24 seconds
10:37 AM	Odom creates Supplement [redacted] 1	[redacted] signs Case Dismissal form at CID

Sources: Exs. 02, 07, 12, 26A.

The call pattern on January 20 is consistent with coordination between Nipp and Odom regarding the pending TPIA response, followed immediately by contact with [redacted] (Exs. 07, 26A) Within 48 hours, [redacted] arrived at CID to sign a form for a case that had been closed for 80 days. (Ex. 02) The proximity of these events is difficult to reconcile with routine file management and warrants independent explanation.

IV. The [redacted] Conflict of Interest

[redacted] was simultaneously: **(a)** a defendant in active F3 felony case [redacted] prosecuted by DA Bailey's office (Ex. 12); **(b)** the father of [redacted] who was already an adult by January 22, 2026; and **(c)** scheduled on January 22, 2026 for a docket setting in his own felony case, the same date he later signed the case dismissal form in MPPD Case [redacted] (Exs. 02, 12)

Odom's narrative reflects that, after speaking with [redacted] he consulted District Attorney Charles Bailey and then spoke with [redacted] and [redacted] Odom further wrote that, on October 24, 2025, [redacted] advised he had spoken with [redacted] and [redacted] and that they did not want to pursue charges. (Ex. 01.) Even so, the file does not identify any written declination by [redacted] himself, and by January 22, 2026 [redacted] was already an adult. Under Tex. Fam. Code § 101.003, [redacted] was an adult on that date, and Tex. Fam. Code § 151.001(a)(7) speaks in terms of a child. The file therefore

does not identify any legal basis for treating [redacted] January 22, 2026 signature as the victim's dispositive declination. (Exs. 01, 02)

This issue is heightened by the fact that the same District Attorney's office consulted on the underlying investigation while prosecuting [redacted] felony case. The file also reflects that MPPD possessed screenshot evidence of the message exchange and obtained [redacted] confirmation of those messages. (Ex. 01) Whether or not any explicit communication occurred, the structural conflict warranted identification and management. The file does not indicate that it was recognized.

[redacted] Felony Case Summary

Item	Details
Case Number	[redacted]
Charge	[redacted]
Statute	
Grade	Felony 3
Court	Titus County District Court
Prosecutor	DA Bailey's office
Indictment Date	[redacted]
Docket Date (relevant)	1/22/2026

V. Missing Evidence and Investigative Gaps

Records Manager April Nipp confirmed that no evidence or property records exist for this case. (Ex. 07) The produced record does not show any property or evidence entry for the Moring Statement or its referenced media. (Exs. 03, 07, 40) Likewise, although Odom's narrative states that [redacted] later emailed him two screenshot photographs of messages between [redacted] and [redacted] those images are not separately preserved in the produced file, and no evidence or property log reflecting their preservation has been produced. (Exs. 01, 07)

The produced record also does not reflect interviews of several witnesses identified in the Moring Statement, including [redacted] and the [redacted] referenced in that statement. (Ex. 03) In addition, there is a 42-day gap between the September 10, 2025 intake interview and the first documented witness contact on October 22, 2025. (Exs. 01, 40) Taken together, these omissions raise substantial questions regarding evidence preservation, investigative completeness, and the reliability of the file as produced.

VI. The [redacted] Outcry Date and Apparent Reporting Gap

The incident report lists Date Occurred as [redacted] (Ex. 01) The Case Dismissal form references [redacted] (Ex. 02) Odom entered this date in the system but did not discuss it in his narrative. The narrative begins with Odom's September 2025 contact and does not address the approximately five-month period between the outcry and law enforcement notification.

Under Tex. Fam. Code § 261.101(a), a person having cause to believe a child's welfare has been adversely affected by abuse or neglect shall immediately make a report. Section 261.109 makes knowing failure to report a Class A misdemeanor. Multiple Walmart management personnel—including [redacted] and [redacted]—had knowledge during

this March-to-August 2025 period. (Ex. 03) The record presents a serious apparent reporting gap and raises a substantial question whether § 261.101 was triggered and, if so, whether it was satisfied.

The narrative's omission of the outcry date and the five-month timeline has the practical effect of removing from the official record the factual basis on which this question could be evaluated.

VII. MPPD Policy Compliance Assessment

The following assessment evaluates Case [redacted] against express provisions of MPPD Policy 313 (Investigative Protocol for Crimes Against Children) and Policy 602 (Sexual Assault Investigations) as documented in Exhibits 14 and 15.

A. Express Policy Provisions

Policy Ref.	Requirement	Finding
313.3 / 313.3.1	Mandatory DFPS notification and immediate notification procedure	DFPS notification received by MPPD on 9/6/2025 (Intake # [redacted] , but no outgoing MPPD notification to DFPS documented
313.4(a)	Child-appropriate interview facilities	Victim interviewed at high school, not at child advocacy center referenced in policy MOU
313.4(c)	Present child-abuse cases to the prosecutor	Odom narrative states DA Bailey was consulted; no written documentation of that consultation in the file
313.4(d)	Coordination with other agencies	The produced file does not reflect documented coordination with DFPS or the child advocacy center.
313.5(h)	Review prior related reports	The produced file does not reflect review of prior related reports.
313.5(j)	Interview other potential witnesses not yet interviewed	Multiple identified witnesses [redacted] never interviewed
602.2	Aggressively investigate sexual assaults	42-day gap between initial report (9/10) and first witness contact (10/22); all witness interviews compressed into 10/22–24
602.3	Preservation of evidence	No evidence/property log; screenshots described in narrative not preserved as exhibits
602.4.2	Juvenile victim interviewing through Child Advocacy Center	Victim interviewed at high school by detective rather than through CAC

B. Additional File-Management Concerns

- The Moring Statement was provided to MPPD on September 10, 2025, but no property or evidence entry for it has been produced. (Exs. 03, 40)
- The attached excerpt from the Report Log reflects supervisory approval and audit activity in November 2025 and later access activity in December 2025 and January 2026; it does not, by itself, resolve the earlier report-shell timeline. (Ex. 22)

- The exceptional clearance was documented on November 3, 2025, but the supplement documenting the dismissal form was not created until January 22, 2026—80 days later. (Exs. 01, 02)

VIII. Public Information Act Response Issues

The Criminal Prosecutions Division handles Public Information Act violations by public officials. Records Manager April Nipp's January 20, 2026 TPIA responses contain statements that warrant review against records in MPPD's possession.

TPIA Item	Response Stated	Observation
Item 5	No supplements exist for this report (stated 1/20/2026)	Supplement [redacted] 1 was created on 1/22/2026. City phone logs show the [redacted] call sequence began on 1/20, the same day as this response.
Item 2(a)	No DA correspondence records exist	Odom's narrative describes an oral consultation with DA Bailey. The response may reflect a narrow interpretation limited to written correspondence but raises a question about the scope of the search for responsive records.
Item 2(b)	No communication between Detective Odom and DFPS or CPS	DFPS sent a Notification to Law Enforcement to an MPPD email address on 9/6/2025 (Intake #[redacted] . (Exs. 03, 11) This creates a tension between the response and an MPPD-received notification, raising a question about search scope, record location, or the absence of documented detective-side follow-up.

Sources: Exs. 03, 07, 11, 26A.

Item 5 is the most significant: the statement that no supplements existed was made on January 20 (Ex. 07), and the supplement was created two days later following the documented call sequence. (Exs. 02, 26A) The question is not only whether the January 20 responses were accurate as phrased, but whether they reflect an incomplete search, a narrow interpretation of requested categories, or a broader failure to maintain or locate responsive records. That question warrants review under Tex. Gov't Code § 552.353, which addresses failure or refusal to provide access to public information.

VIII.A. Supplemental Chronology: February 5–6, 2026 DA File Request

Separate from the January 20–22 sequence, DA Bailey requested the case materials directly from Records Manager April Nipp on February 5, 2026. (Ex. 49) On February 6, 2026, Nipp responded that she was transmitting the "complete report and attachments," and offered to provide videos as well. (Ex. 49) Contemporaneous department call logs reflect four Odom-to-Nipp calls on February 5 between 10:13 AM and 10:42 AM, following Bailey's 9:53 AM request email, and a six-minute call on February 6 from the Senior Officer line to the publicly listed Titus County DA office number, (903) 577-6726. (Exs. 50, 51) This is included only as supplemental chronology regarding later file handling and transmission; it does not replace the January 20–22 core sequence documented in Section III.

IX. Legal Authority

- **Tex. Fam. Code § 101.003** (Definition of "adult"; definition of "child")
- **Tex. Fam. Code § 151.001(a)(7)** (Right to represent the child in legal action)
- **Tex. Fam. Code § 261.101** (Duty to report suspected abuse or neglect)
- **Tex. Fam. Code § 261.109** (Failure to report; criminal penalty)

- **Tex. Fam. Code § 261.301 (**Investigation of Report)
- **FBI UCR Handbook:** Exceptional clearance four-condition test
- **Tex. Gov't Code § 552.353 (**Failure or refusal to provide access to public information)
- **MPPD Policy 313:** Investigative Protocol for Crimes Against Children
- **MPPD Policy 602:** Sexual Assault Investigations

X. Ancillary Record Inconsistencies

The following discrepancies are documented but do not rise to the level of the policy departures and potential conflicts outlined above. They are noted for completeness:

- **DOB Discrepancy:** Kyle Moring's date of birth appears as both [redacted] (narrative) and [redacted] (involved-persons section) in the incident report. (Ex. 01)
- **Report Date Variance:** The incident report is dated 9/9/2025, while the initial written report email was sent on 9/2/2025 and Odom's narrative states he made telephone contact on 9/10/2025. (Exs. 01, 04)

XI. Conclusion

The attached records document a sequence that warrants independent review: a January 20 call pattern preceding a January 22 retroactive dismissal-form supplement (Exs. 02, 07, 26A); a dismissal form signed by the father of an adult victim while that father had a pending felony matter before the same district attorney's office consulted in the underlying case (Exs. 02, 12); and substantial gaps between the evidence reported to MPPD and the evidence preserved or described in the official file. (Exs. 01, 03, 07, 40)

At minimum, the record raises substantial questions regarding conflict management, file integrity, investigative completeness, the basis for the exceptional-clearance decision, and the accuracy of prior TPIA responses.

I respectfully request review of whether these issues warrant referral or further investigative action.

Respectfully submitted,



Kyle Douglas Moring

April 5, 2026

Exhibit 01

DA-Produced Incident Report (Unredacted)

6 pages

Mount Pleasant Police Department

501 N Madison Avenue, Mount Pleasant, TX 75455

ORI: TX2250100 **Incident No:** [redacted] **Date:** 02/06/2026

Incident

CAD NO.

Other No.
N/A

Date Occured:
[redacted]

Incident Type:
Criminal

Incident Status:
Clear Exceptionally

Report Type:
Other Criminal Offense

Report By:
Odom, Cody (#)

Report Date:
09/09/2025

Approved By:
Durant, Christopher (#)

Approved Date:
11/20/2025

Audited by:
Nipp, April (#)

Audited Date:
11/21/2025

Clear Date:
11/03/2025

Exc Clear:
Victim Refused to Cooperate

Family Violence:
No

Investigator:
Odom, Cody (#)

Inv Status:
Cleared Exceptionally

Description:
A known person committed the offense of child grooming.

Incident OFFENSE Report

Offense No: 1 **Offense Recording Date:** 10/22/2025

Offense Begin Date:
[redacted]

Offense End Date:
[redacted]

Entry Method:

Attempt/Complete:
Completed

Drug Seized:

Gang Related:

Hi-Speed Pursuit:

Weapons Used:
N/A

Offense Code:
15.032(b)

Offense:
CHILD GROOMING

No. of Premises:

Bias Motivation:
None

Agg Asslt/Homic. Circumst.:

Supplement:

Offense Address:
2311 S JEFFERSON Ave, Mount Pleasant TX 75455

Remarks:

Suspect(s)

Name:	DOB:	Race:	Sex:	DL:	SSN:
[redacted]	[redacted]	[redacted]		[redacted]	

Residence: [redacted]

Cell Phone: [redacted]

Victim(s) (Persons)

Name:	DOB:	Race:	Sex:	DL:	SSN:
[redacted]	[redacted]	[redacted]		[redacted]	

Residence: [redacted]
Home Phone: [redacted]
Cell Phone: [redacted]

Incident INVOLVED PERSONS/ORGANIZATIONS Report

Name:	DOB:	Race:	Sex:	DL:	SSN:
[redacted]	[redacted]	[redacted]		[redacted]	

Role(s): Victim
Residence: [redacted]
Home Phone: [redacted]
Cell Phone: [redacted]

[redacted]	[redacted]	[redacted]		[redacted]	

Role(s): Complainant
Residence: [redacted]
Last Known: [redacted]
Cell Phone: [redacted]

[redacted]	[redacted]	[redacted]		[redacted]	

Role(s): Complainant
Residence: [redacted]
Cell Phone: [redacted]

[redacted]	[redacted]	[redacted]		[redacted]	

Role(s): Involved Person
Work: 2311 S JEFFERSON, Mount Pleasant TX 75455
Residence: [redacted]
Work Phone: (903) 572-0018
Home Phone: [redacted]
Cell Phone: [redacted]

[redacted]	[redacted]	[redacted]			

Role(s): Involved Person
Residence: [redacted]
Cell Phone: [redacted]

Moring, Kyle Douglas	[redacted]	White	Male	[redacted]	(TX)

Role(s): Reportee
Work: 2311 S JEFFERSON Ave, Mount Pleasant TX 75455
Residence: , Mount Vernon TX 75457
Cell Phone:
Work Phone: (903) 572-0018

[redacted]

Role(s): Suspect
Residence: [redacted]
Cell Phone: [redacted]

[redacted]

Role(s): Involved Person
Work: 2311 S Jefferson, Mount Pleasant TX 75455
Residence: [redacted]
Work Phone: (903) 572-0018
Home Phone: [redacted]
Cell Phone: [redacted]

Walmart Supercenter 01/01/1900
Role(s): Business
Physical: 2311 S JEFFERSON, Mount Pleasant TX 75455
Last Known: 2311 S JEFFERSON Ave, Mount Pleasant TX 75455
Last Known: 2311 S JEFFERSON St, Mount Pleasant TX 75455
Work Phone: (903) 572-0018

Other Involved Organization(s)

Name:	Phone:	Address:
Walmart Supercenter	**Work Phone:**	**Last Known:** 2311 S JEFFERSON St, Mount Pleasant TX 75455

Mount Pleasant Police Department
Narrative

Date of report: 2025-09-09 Case Number: [redacted]

Incident number: [redacted]

On September 10, 2025, I made contact with the complainant in this case identified as Kyle Moring ( ) in reference to a subject trying to solicit a minor to have sex. I spoke with Kyle via telephone and our conversation was recorded. I know Kyle to be a former employee at Walmart.

[redacted]

On October 22, 2025, I called and spoke with [redacted] I asked [redacted] if she had the photos of the

Mount Pleasant Police Department
Narrative

Date of report: 2025-09-09 Case Number: [redacted]

messages between [redacted] and [redacted] [redacted] advised she did and advised she would email them to me. I provided [redacted] with my email and later emailed me two photos of screenshots. I observed the phone number texting [redacted] was [redacted] I previously searched [redacted] in our database and found that phone number [redacted] was linked to him.

[redacted]

On October 23, 2025, I went and spoke with [redacted]

[redacted]

After speaking with [redacted] I went and spoke with District Attorney Charles Bailey and he advised to file the case as Child Grooming. I have also spoken with [redacted] ( ) and [redacted] ( ). I asked both [redacted] and [redacted] if they wanted to pursue with the charges and I was told they wanted to speak with each other first.

On October 24, 2025 [redacted]

want to pursue charges. Due to [redacted] and [redacted] not wanting to pursue charges, this case is being closed.

Mount Pleasant Police Department
Supplement

Date of report: 2025-09-09 Case Number: [redacted] 1

Incident number: [redacted] 1

Supplement created by: Odom, Cody

Created on: 01/22/2026 10:37

On January 22, 2026, [redacted] arrived at CID and signed a Case Dismissal form.

Exhibit 02

Case Dismissal Form

1 page

Mount Pleasant Police Department **Dismissal of Complainant**

I, [redacted], do hereby this date voluntarily, and without compulsion or persuasion by any person or persons whomsoever, request that case number, [redacted] entitled, CHILD GROOMING, and dated th[redacted] eing reported to Officer(s) DETECTIVE SIDOM, a police officer(s) with the Mount Pleasant Police Department, **BE DISMISSED**;

If so making this request for dismissal, I [redacted], further request that **NO FURTHER POLICE ACTION BE TAKEN** regarding the complaint or offense report I have reported. **I DO NOT INTEND TO FILE CHARGES** relating to this particular incident against the person or persons named in the offense report, and **DO NOT WISH TO BE A WITNESS CONCERNING** the same.

[redacted] [redacted]

Signature Address

[redacted]

Exhibit 12

Titus District Clerk Docket — [redacted]

4 pages

Case Number	Name	Date of Birth	Case Status
[redacted]	[redacted]	[redacted]	A

File Date	Disposition Date	Offense	Statute
[redacted]		[redacted]	

Degree	Offense Date	Offense Time
F3	[redacted]	

Arrest Date	Arrested By	Agency	Agency Case No.
	[redacted]		

Indict Date	Arraign Date	Guilty Plea	Trial Date
[redacted]			

Fine Due Date	Capias Pro Fine Issued	Returned Executed	Sentence Date

Jury Voir Dire	Jury Sworn

Court Action	Date/Time
DOCKET	[redacted]
DOCKET	
DOCKET	
DOCKET	

DOCKET	[redacted]
DOCKET	
DOCKET	01/22/2026 09:00
DOCKET	[redacted]
DOCKET	

Party Name	Date	Description	Pages
	[redacted]		1
[redacted]			1
			1
			1
[redacted]			2
			1
[redacted]			2

[redacted]	[redacted]	3
[redacted]		3
[redacted]		3
[redacted]		3
		1
		1
		1
		1
		1
		1

	[redacted]	1

No records found.

Court	Book	Volume	Page
276T			

Judge	Prosecutor	Reporter
MICHAEL P. KOPECH	CHARLES C. BAILEY	AMANDA LEIGH

Name	Defendant/Plaintiff	Attorney
[redacted]	DEFENDANT	[redacted]

Bond Date	Amount	Name	Date Bond Relieved
[redacted]			

Date Forfeit Order	Date Forfeited	New Bond Amount	Judgment Nisi
		0	

Civil Case No.