KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-1152-CJ	Version Type:	AMENDED
Report Date:	3/28/2023 2:50 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Carson County Sheriff's Dept.	Agency Address:	PO BOX 972
Agency City:	Panhandle	Agency State:	TX
Agency Zip:	79068		

Director Information

Director Salutation:	Chief Deputy	Director First Name:	Tam
Director Middle Name:			
Director Last Name:	Terry		
Reporter Name:	Tam Terry	Reporter Email:	tam.terry@co.carson.tx.us

Decedent Information

Identity of Deceased

First Name: Nicholas

Middle Name:

Last Name: Whatley

Suffix: Jr

Date of Birth: 10/23/1980 Sex: Male

Race: Black or African American

Age At Time Of Death: 41

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

Date/Time of Custody or Incident: 8/9/2022 6:02 AM

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

Death Date and Time: 8/9/2022 10:00 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: Alcohol/Drug Intoxication

Medical Cause of Death:

Medical Cause of Death:

Acute cocaine intoxication

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: No

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?: Not applicable

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?: Not Applicable

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?: Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death: Not applicable, cause of death was illness/natural cause

Location / Custody Information

Where did the event causing the death occur?

Street Address:	201 US 60	City:	Panhandle
County:	Carson	Zip:	79068

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

Location Category:	Law Enforcement Facility

What type of custody/facility was the Decedent in at the time of death:

Type of Custody:	County Jail

Specific type of custody/facility:

Specific Type of Custody/Facility:
Jail - detox cell

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:	8/9/2022 6:02 AM

Where did the death occur?

Death Location:	Medical facility

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:

Public Intoxication

Offense 2:

Offense 3:

Were the Charges:: Filed

What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of Offense: Alcohol / drug offense

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: No

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

Attempt to Injure Others?: No

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

Appear intoxicated (alcohol or drugs): Yes

Make suicidal statements?: No

Exhibit any mental health problems?: No

Exhibit any medical problems?: Yes

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

Gain possession of officer's

officer(s):	No	weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	No
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:

I, Deputy Colton Daniels was dispatched to I40 to assist Potter County in locating a vehicle that was described as a Gray Cadillac. Dispatch stated the vehicle was operated by an intoxicated driver. While enroute to I40 I noticed the vehicle parked on 2373 facing north near County Road 5. Upon approach to the vehicle I noticed the driver seat was empty and the occupant later identified as Nicholas Whatley was sitting in the front passenger seat. Whatley then exited the vehicle and walked to the rear side of his vehicle. I asked Whatley what was going on and Whatley stated that he was fighting with his girlfriend and he just needed to leave the house. During this encounter I could smell an odor of alcohol coming from him so I then requested Whatley to have a seat in the front right passenger seat of my patrol car. Once inside my patrol I then asked him if he knew where he was and Whatley stated that he knew he exited I40 but no idea where he is. At this time, CCSO Deputy Lonny Leinenweaver arrived on scene to assist. As I continued to talk to Whatley, the odor of alcohol became stronger. I then advised Whatley that do to him being a danger to himself and others due to the circumstances that he is going to be arrested for Public Intoxication. I then transported Whatley to the Carson County Jail to be booked. Whatley was booked with no incidents. Vehicle was released to the other registered owner. (This is the arresting deputies affidavit) Whatley was booked into jail at 6:02 AM. I, Sheriff Tam Terry arrived at approximately 07:45 am and observed Whatley standing in a detox cell. He seemed to be functioning and not in any distress. I looked at his medical/suicide screens and all appeared to be good. Later while I was in court the on duty jailer discovered Whatley laying in the floor having what appeared to be a seizure. EMS was called and promptly arrived and treated Whatley and transported him to the Panhandle Airport where he was transferred to Life Star. He was flown to North West Texas Hospital in Amarillo. I drove to the hospital and observed Whatley being treated. He was pronounced at 10:00 AM. I contacted Texas Ranger Scott Swick who arrived at the hospital a short time later and initiated an investigation.