

TY CLEVINGER

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April 6, 2015

Ms. Sherry Cook, Executive Director  
Texas Alcoholic Beverage Commission

*Via facsimile*  
(512) 206-3203

Re: Captain Andy Pena / Sgt. Marcus Stokke

Ms. Cook:

I wish to file misconduct complaints against Captain Any Pena and Sgt. Marcus Stokke, both of whom are employed by TABC. I have enclosed a April 1, 2015 letter to state and federal prosecutors that outlines the evidence of Sgt. Stokke's misconduct. As you can see from that letter, Trooper Billy Spears of the Texas Department of Public Safety originally filed a misconduct complaint against Sgt. Stokke.

According to records that I obtained via the Texas Public Information Act, Captain Pena did not investigate Trooper Spears's complaint because, he said, it was not signed. I find this hard to believe. TABC's own policies (*see* HR – 3.06) provide for the investigations of unsigned or even anonymous complaints. Moreover, Trooper Spears's complaint alleged a violation of the Texas Penal Code, thus Captain Pena had a duty to take action under the Texas Code of Criminal Procedure (*see* Art. 2.13).

I respectfully request that you ask an outside agency to investigate my complaint. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ty Clevenger', with a long horizontal flourish extending to the right.

Ty Clevenger

cc: Texas Alcoholic Beverage Commissioners