

THE STATE OF TEXAS

VS.

LEE MONGERSON GILLEY

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§IN THE 497TH

DISTRICT COURT

HARRIS COUNTY, TEXAS

**STATE'S NOTICE OF INTENTION TO USE EVIDENCE OF PRIOR CONVICTIONS AND
EXTRANEOUS OFFENSES**

COMES NOW, the undersigned Assistant District Attorney, **Janna Oswald**, and files this Notice of Intention to Use Evidence of Prior Convictions and Extraneous Offenses and would show the Court the following:

The above-mentioned Cause is presently pending in this Court and is set for jury trial on 5/29/26. Pursuant to Rules 404(b) and 609 of the Texas Rules of Criminal Evidence, section 37.07, section 38.37, and section 38.371 of the Texas Rules of Criminal Procedure, the undersigned Assistant District Attorney hereby gives notice to the Defendant, his Counsel, and the Court that the State intends to offer evidence of Prior Convictions and Extraneous Offenses of this Defendant to establish the nature of the relationship between the Defendant and the Complainant, impeach the testimony of the Defendant, and/or enhance the range of punishment of the Defendant as such become admissible. Such evidence may further be admissible for other purposes, including but not limited to proving motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

On or about 2019, the Defendant sent an inappropriate direct message via Instagram to [REDACTED] a friend of the Complainant's cousin, [REDACTED]

On or about 12/2021, the Defendant contacted K.S.M., who had recently opened up a physical therapy clinic. The Defendant made K.S.M. uncomfortable by refusing to participate in a physical therapy evaluation and instead bringing food and alcoholic beverages into the clinic. Later, the Defendant went to a bar with K.S.M. and a mutual friend, L.N. While at the bar, the Defendant expressed a desire to go to L.N.'s apartment and repeatedly kept eyeing L.N.'s keys. After leaving the bar, the Defendant attempted to contact L.N. by phone and text message, asking about L.N.'s whereabouts. (Defense Counsel has a copy of this in their interviews).

On or about May 1, 2023, the Complainant became ill after consuming a meal prepared by the Defendant that evening. The Defendant stated the Complainant appeared fine; however, the Complainant's father and medically trained neighbor observed that she did not appear fine. The Complainant was subsequently treated at hospital, where she was diagnosed with a rare condition known as Methemoglobinemia (MetHb). Doctors ruled out any genetic predisposition or known underlying cause. Doctors were unable to determine the cause of the condition.

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On or about March 18, 2024, the Defendant published a post on the social media platform Reddit stating that he was in a “bored” marriage and was seeking a college-aged female for a friends-with-benefits arrangement.

On or about October 7, 2024, the Defendant purchased a 2025 Kia Telluride from Archer Kia without the knowledge or consent of the Complainant.

On or about October 6, 2024, [REDACTED] and [REDACTED] encountered the Defendant at The Walking Stick, during which the Defendant made a derogatory statement about his own son, referring to him as “a fucking faggot.” During the same encounter, the Defendant made an additional derogatory remark about another child to [REDACTED]

On or about October 5, 2024, members of the [REDACTED] family observed the Defendant engaging in unusual behavior, in that he appeared distant and quiet while at a party with the [REDACTED] family.

On or about October 8, 2024, the [REDACTED] family observed the Defendant engaging in unusual behavior and making inconsistent statements. The Defendant indicated that he intended to flee or leave the country. The Defendant further stated the situation was a “setup,” that he was being targeted, and that he needed to take care of himself by leaving. The Defendant reiterated his intent to leave the country while also expressing concern for his children.

On or about October 10, 2024, the [REDACTED] family observed the Defendant express a desire to leave Harris County, TX, and flee to South Carolina, stating that he planned to depart on October 12, 2024. The [REDACTED] family further observed that the Defendant was reluctant to provide a key to the residence to his in-laws. When the [REDACTED] family attempted to have the children speak with the in-laws by phone, the Defendant ordered them to leave the residence.

On or about 2023, in San Diego, California, the Defendant had a sexual affair with [REDACTED]

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On or about April 2025 to May 2025, the Defendant communicated with [REDACTED] via numerous apps on the phone. In these communications, the Defendant discussed plans to flee to Mexico and other countries. The Defendant stated that he could remove his GPS monitor and provided a detailed plan to do so. The Defendant also discussed the possibility of marriage in order to obtain a new identity. The Defendant also inquired as to whether she knew of a Mexican identity he could acquire to facilitate his departure from the country.

Respectfully submitted,

/s/Janna Oswald

JANNA OSWALD
Assistant District Attorney
Harris County District Attorney's Office

CERTIFICATE OF SERVICE

I, the undersigned Assistant District Attorney, hereby certify that a true and correct copy of the foregoing was delivered to the attorney for the Defendant on or by **April 13, 2026**, by e-file.

/s/ Janna Oswald

JANNA OSWALD
Assistant District Attorney
Harris County District Attorney's Office