

**7th. Judicial Circuit 707  
Charging Affidavit - Volusia**

Arrest # \_\_\_\_\_ Bk # \_\_\_\_\_ Pg # 1 of 4

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/> ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: <b>2018 304783 CFDB</b>	
(ORI) FL: <u>FL0640000</u>	Agency Name: <u>VOLUSIA COUNTY SHERIFF'S OFFICE</u>		Agency Case Number: <u>180023409</u>
FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OBTS # _____	U.C.R. _____	Date Arrested: <u>10-05-2018</u> Time of Arrest: <u>1834</u>
ADDRESS OF ARREST (Street, City, State, Zip): <u>4024 CALUSA LN ORMOND BEACH FL 32174</u>		Arrested By: <u>Rittenour, Corey</u>	ID Number: <u>7756</u>
<b>DEFENDANT</b>	NAME (Last) <u>PREIS</u> (First) <u>RICHARD</u> (Middle) <u>J</u>	A.K.A.: _____	Sex: <u>M</u> Race: <u>W</u>
DOB: <u>04-26-1954</u>	Age: <u>64</u> Driver's Lic./ ID No.: _____	State: <u>FL</u> Year Expires: _____	S.S.# - _____
Height: <u>5' 06</u>	Weight: <u>200</u> Hair: <u>GRY</u> Eyes: <u>BLU</u>	P.O.B. (City, State, Country): <u>PA</u>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos: _____	Business & Occupation: <u>BCSO</u>	Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address - Mailing/Permanent (STREET, APT. NUMBER) <u>700 S PARK AV</u>		(CITY) <u>TITUSVILLE</u> (STATE) <u>FL</u>	ZIP CODE <u>32780</u> RESIDENCE PHONE <u>(321) 544-9643</u>
Address - Local (STREET, APT. NUMBER) _____		(CITY) _____ (STATE) _____	ZIP CODE _____ RESIDENCE PHONE _____
Address - Other (Employer/School) (STREET, APT. NUMBER) _____		(CITY) _____ (STATE) _____	ZIP CODE _____ BUS/SCHOOL PHONE _____

<b>CHARGES</b>	DOMESTIC VIOLENCE? Yes <input checked="" type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	Total Charges: <b>3</b>
#1 Charge: <u>Harass Witness/Victim/Informant</u>	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>914.22(2)</u>	Citation No.: _____ Bond: <u>NO BOND</u>
#2 Charge: <u>Harass Witness/Victim/Informant</u>	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>914.22(2)</u>	Citation No.: _____ Bond: <u>NO BOND</u>
#3 Charge: <u>Battery Touch/Strike</u>	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>784.03(1)(A)1</u>	Citation No.: _____ Bond: <u>NO BOND</u>

<b>CO-DEFENDANT</b>	Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>
#1 NAME (Last) _____ (First) _____ (Middle) _____	Race: _____ Sex: _____ DOB: _____	Age: _____
#2 NAME (Last) _____ (First) _____ (Middle) _____	Race: _____ Sex: _____ DOB: _____	Age: _____

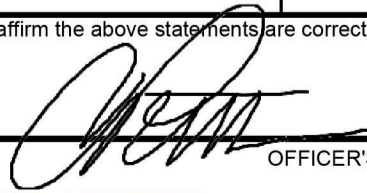
**NARRATIVE** The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 05 day of October, 2018, at approximately 0600  a.m.  p.m. at 4024 CALUSA LN ORMOND BEACH within Volusia County, violated the law and did then and there:

1 Recorded with BWC  
2  
3 On 10-05-2018, at 1806 hours, Deputy Rittenour responded to 4024 Calusa Ln in reference to a domestic disturbance. While responding to the residence, Deputy Rittenour was informed the reporting party, Dawn Preis (V1), advised of a physical altercation between her and her husband. The husband then left the residence in his vehicle.  
4  
5  
6  
7 Upon arrival, Deputy Rittenour met with Dawn Preis and Heith Hays (V2). Dawn advised Richard arrived at the residence just before 1800 hours to pick up his children for the weekend. She was also assisting Richard gather some personal belongings. When she was in the master bedroom closet, Richard approached her from behind without hearing him. Richard grabbed the back of her neck and forced her to engage in a kiss. She then shoved Richard away where he then began yelling at her. During the yelling Richard was "slinging things around" in the closet and swung the closet door off its track. Richard then proceeded into the kitchen where he began yelling at Hays. Richard was "getting in his face" trying to provoke a fight by cursing and name calling. Dawn kept asking Richard to leave the residence, but he refused. Dawn then began recording Richard with her cell phone, which he was aware. Richard stated that he did not care that he was being recorded because he was doing nothing wrong. Richard continued to argue as he was leaving the residence. He entered his vehicle and then stepped back out. He approached Dawn and grabbed her arm. Richard tried to kiss or hug her but she was able to turn away. Dawn called 9-1-1, but hung up because Richard reentered his vehicle and drove away. However,

<b>NOTICE TO APPEAR</b>	MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT: _____
-------------------------	---	--	-------------------------------

I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.

SIGNATURE OF DEFENDANT _____	Date _____	RELATIONSHIP TO JUVENILE _____	JUVE DISP. _____
		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN _____	CITATION No. _____

Sworn to and subscribed before me, the undersigned this <u>05</u> day of <u>October</u> , <u>2018</u> , Name: <u>O. Bello 7928</u>	I swear/affirm the above statements are correct and true	Rt Thumb _____
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	<u>RITTENOUR, COREY T.</u> <u>7756</u>	
Type of Identification: _____	NAME (PRINTED) ID NUMBER	

**Volusia****Notice to Appear Instruction Sheet**

Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- Mandatory Court Appearance -- You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.**
- Court Appearance Not Mandatory -- You MUST comply with EITHER A or B:**

**PAYMENTS SHOULD BE MADE PAYABLE TO:  
CLERK OF THE COURT.**

**A. Pay the Fine:** You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. ***Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court . (DO NOT MAIL CASH.)***

Total fine and costs you must pay: \$ \_\_\_\_\_

**B. Contest the Citation:** You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

**COUNTY CLERK'S OFFICES:**

- Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
- Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
- Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

**I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.**

**DEFENDANT'S SIGNATURE (MANDATORY):** \_\_\_\_\_

**ATTENTION: PERSONS WITH DISABILITIES**

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. **THIS IS NOT A COURT INFORMATION LINE.**

**Plea and Waiver Information**

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

- In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty  or nolo contendere (no contest) .
- In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
- By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

**Defendant's Signature:** \_\_\_\_\_  
(First) (Middle) (Last)

**Date:** \_\_\_\_\_

**Defendant's Name (print):** \_\_\_\_\_

**Defendant's Address:** \_\_\_\_\_


**Narrative Supplement 707-B**

Arrest  
 Affidavit  
 Notice to Appear  
 Adult  
 Juvenile

**Court Case Number:**

Defendant (Last) Name: <b>PREIS</b>	(First) <b>RICHARD</b>	(Middle) <b>J</b>	Agency Case Number: <b>180023409</b>
<b>CHARGES</b>		DOMESTIC VIOLENCE? Yes <input checked="" type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> Total Charges: <b>3</b>
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No.: Bond:

16 she called Richard back to the residence because their children forgot their clothes. Minutes later, Deputy Rittenour arrived at the residence due to  
 17 the 9-1-1 call being placed.  
 18  
 19 Deputy Rittenour then spoke to Hays. He advised that when Richard arrived at the residence he was being extremely loud and was calling Hays a  
 20 "piece of shit" and a "sorry motherfucker." Hays advised Richard was in his face a few times trying to provoke a physical altercation. Later, when  
 21 Richard went outside to leave he saw Richard grab Dawn by the back of the neck to try to force a kiss, but Dawn turned away. Richard then left.  
 22  
 23 Dawn played a cell phone recording of Richard inside the residence. Richard was being verbally aggressive with Hays and pointing his finger at him.  
 24 Dawn confronted Richard about him touching her in the closet, which he responded that he did not touch her and that he only gave her a kiss on the  
 25 lips. Richard followed with "you kissed me back." As Deputy Rittenour continued to observe the cell phone video, Richard returned to the residence in  
 26 his vehicle.  
 27  
 28 Deputy Rittenour approached Richard at his vehicle at the end of the driveway. Richard was confronted on the allegations made by Dawn. Deputy  
 29 Rittenour explained that he was accused of trying to force a kiss on Dawn. Richard stated that he only came up behind her and gave her a "sweet  
 30 little hug." Richard continued the speak about other relationship issues between Dawn, himself, and Hays. Richard was visibly angry.  
 31  
 32 While Deputy Rittenour was speaking with Richard, Richard began yelling at Dawn and Hays standing by the garage and attempting to get Hays'  
 33 attention. Deputy Rittenour then advised Richard to stop speaking to Hays and Dawn. Deputy Rittenour had to step in front of Richard to divert his  
 34 attention away from them and to walk back into the street. Deputy Rittenour warned Richard that he would be physically detained in handcuffs if he  
 35 continued to yell at Dawn or Hays. Seconds later, Richard engaged in another verbal dispute and yelled at Dawn, who was standing approximately  
 36 50 yards away. Richard yelled at Dawn saying that she was going affect their child support situation while he was raising his arms in the air (gesture).  
 37 At that time, Deputy Rittenour determined that Richard was committing an act of witness intimidation towards Dawn and Hays. Deputy Rittenour then  
 38 attempted to place handcuffs on Richard. Richard pulled his arm away from Deputy Rittenour, but Deputy Rittenour was able to settle Richard in a  
 39 handcuffing position. He was then secured in handcuffs.  
 40  
 41 Deputy Rittenour spoke with the Preis' son, Dylan Preis (W1). He advised that he only saw Richard hug Dawn. He denied seeing Richard "grab"  
 42 Dawn while he was at the home. The Preis' daughter, Chelsea Preis (O1), was present during the incident, but was not interviewed.  
 43  
 44 Richard had arrived with a friend, David Olsen (O2). Olson advised that he stayed outside in the vehicle while Richard was inside the home. Olson  
 45 advised Deputy Rittenour that he felt uneasy about Richard showing up to the home with another man present. Olson provided no information  
 46 regarding the incident. He later took custody of Richard's vehicle and drove it back to Brevard County.  
 47  
 48 Based on a totality of circumstances, Deputy Rittenour determined Richard was the primary aggressor to the incident and committed an act of  
 49 domestic battery. He was also placed under arrest for witness intimidation towards Dawn and Hays as he displayed misconduct during the  
 50 investigation.  
 51  
 52 Richard later declined to answer any further questions. Therefore, Deputy Rittenour did not advised him of his Miranda Warning.  
 53  
 54 Deputy Rittenour observed the scene. There were no signs of physical violence and the home appeared in normal disarray. Deputy Rittenour  
 55 photographed the scene. Deputy Rittenour photographed Dawn, but she did not display any apparent injuries. The photos were later submitted as  
 56 digital evidence. Deputy Rittenour was unable to obtain the cell phone video as evidence at this time and will be collected later.  
 57  
 58 Dawn was provided a Rights & Remedies pamphlet, which she understood and accepted. A VCSO Domestic Violence form and Victim Notification  
 59 card were completed. Dawn Preis and Heith Hays provided sworn written witness statements of the incident.  
 60  
 61 A copy of the report will be sent to DCF for their review.  
 62  
 63 Deputy Rittenour informed Sgt. Seaman that an arrest was made of an off-duty law enforcement officer.  
 64  
 65 Richard Preis was transported to VCBJ.  
 66 Case Status: Arrested Adult.

Sworn to and subscribed before me, the undersigned this <u>05</u> day of <u>October</u> , 2018 Name: <u>O. Bello 7928</u>	I swear/affirm the above statements are correct and true 	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	OFFICER'S/COMPLAINANT'S SIGNATURE <b>RITTENOUR, COREY T.</b> 7756 NAME (PRINTED) ID NUMBER	

# Witness/Victim/Evidence Form 707-A

Arrest  
 Affidavit  
 Notice to Appear  
 Adult  
 Juvenile

Court Case Number: 180023409

Page # 4 of 4

Defendant (Last) (First) (Middle) Name: PREIS RICHARD J			Agency Case Number: 180023409			
Name: (Last) (First) (Middle) PREIS DAWN E	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: W	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: 51	DOB: 09-20-1967	SSN:
Address (#, Street, City, State): 4024 CALUSA LN ORMOND BEACH FL			Zip: 32174	Home: (386) 852-2475		Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	
Name: (Last) (First) (Middle) HAYS HEITH A			Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race: W	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: 61 DOB: 07-28-1957 SSN:
Address (#, Street, City, State): 4475 W CR 90 BUNNELL FL			Zip: 32110	Home: (386) 679-3413		Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	
Name: (Last) (First) (Middle) PREIS DYLAN			Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: W	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: 12 DOB: SSN:
Address (#, Street, City, State): 4024 CALUSA LN ORMOND BEACH FL			Zip: 32174	Home: (386) 852-2475		Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	
Name: (Last) (First) (Middle) PREIS CHELSEA			Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: W	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: 8 DOB: SSN:
Address (#, Street, City, State): 4024 CALUSA LN ORMOND BEACH FL			Zip: 32174	Home: (386) 852-2475		Statement: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	
Name: (Last) (First) (Middle) OLSON DAVID R			Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: W	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: 66 DOB: 07-23-1952 SSN:
Address (#, Street, City, State): 2312 RAILROAD AV MIMS FL			Zip: 32754	Home: (321) 243-6730		Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Address (#, Street, City, State):			Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No
Bus/School Address:			Zip:	Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:		Phone:	

## EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
BWC VIDEO & DIGITAL PHOTOS	10-05-2018		
Owner Name (Last) (First) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

RITTENOUR, COREY T.  
Investigating Officer



7756  
ID Number

VCSSO  
Agency