

7th. Judicial Circuit 707 E/5 10-24/16-54
 Charging Affidavit - Volusia

Arrest # _____

Bk # _____

994489

Pg #1 of 1

| | | | | | |
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| 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: 2017303751 MMDS | |
| (ORI) FL: 640100 | | Agency Name: Daytona Beach Police Dept. | | Agency Case Number: 170005591 | |
| FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | OBTS# | | UCR: _____ Date Arrested: 3/19/17 Time of Arrest: 0305 hrs. | |
| ADDRESS OF ARREST: 500 Blk. Main Street | | | | Arrested By: Ofc. S. Clark ID Number: 73143 | |
| DEFENDANT | | Name (L,F,M): Smith, Lewis A. | | A.K.A.: None Sex: M Race: W | |
| DOB: 12-25-79 Age: 36 | | Driver's ID No.: | | State: FL Year Expires: 2019 S.S.: | |
| Height: 5-11 Weight: 190 | | Hair: brn Eyes: blue | | POB (City, St, Country) Georgia | |
| Scars, Marks, Tattoos: | | Business & Occupation: | | Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 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"/> | |
| Address-Mailing/Permanent (STREET, APT. NUMBER) 401 NW Archer Ave. | | (CITY) Port Saint Lucie (STATE) FL | | ZIPCODE 34983 RESIDENCE PHONE | |
| Address-Local (STREET, APT. NUMBER) | | (CITY) | | (STATE) ZIPCODE RESIDENCE PHONE | |
| Address-Other(Employer/School) (STREET, APT. NUMBER) | | (CITY) | | (STATE) ZIPCODE BUS/SCHOOL PHONE | |

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|----------------|----------------------------|-------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------|--|
| CHARGES | | DOMESTIC VIOLENCE? YES <input 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: 1 | |
| #1 | Charge: Disorderly Conduct | FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: 877.03 | | Citation No.: | | Bond: 500.00 | |
| #2 | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: | | Citation No.: | | Bond: | |
| #3 | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD: | | Citation No.: | | Bond: | |

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|---------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| CO-DEFENDANT | | 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(L,F,M): | Race: | Sex: | DOB: | Age: | |
| #2 NAME(L,F,M): | Race: | Sex: | DOB: | Age: | |

NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the 19 day of March, 2017, at approximately 3:00 a.m. at 500 Blk. Main Street within Volusia County, violated the law and did then and there:

On the above date and time I was working bar closing in the 500 Blk Main Street, during the BikeWeek 2017 event. During this time I observed the Def. and three other subjects standing on the City sidewalk arguing. I watched this for approximately 1 minute. During the argument several people in the area were watching. I yelled over to the Def. and other subjects to start walking and to take it some where else. The Def. stated he did not need to and he told me to get moving. The Def. was then causing several other subjects to jump into the argument, the Def. was being held back by two females as he was yelling and causing a disturbance. The Def. advised this will not hold up in court.

NOTICE TO APPEAR MANDATORY APPEARANCE YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY 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 JUVENILE PARENT OR CUSTODIAN | | Juve Disp. MAR 19 2017 | |
| SIGNATURE OF DEFENDANT | | CITATION No. Clerk Circuit Court | |
| Sworn to and subscribed before me, the undersigned This 19 day of March 17. | | I swear/affirm the above statements are correct and true. | |
| Name: Sgt. B. M. P. Morford | | Officer's/Complainant's Signature: Ofc. Shawn M. Clark 73143 | |
| Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: | | NAME(PRINTED) ID NUMBER | |
| OFFICIAL USE ONLY | | Inmate Number & facility: | |

STATE VS.

Name(L,F,M):

DOB:

Court Case Number:

FIRST APPEARANCE DATE: _____

The defendant was advised of his/her rights and furnished a copy of the complaint.

Defendant () requested and was appointed a Public Defender after being found indigent.

Defendant () not indigent, has or will retain _____ as counsel.

The Court has examined the sworn complaint and finds:

| | | | | | |
|----------------------|--|--|--|--|--|
| CHARGE | | | | | |
| Probable Cause Found | | | | | |
| PC Undet. - 72 hours | | | | | |
| PC Undet. - 96 hours | | | | | |
| Insufficient PC | | | | | |
| BOND SET AT | | | | | |
| ROR | | | | | |
| PTR | | | | | |
| Other | | | | | |

ASA: _____ PD: _____

Plea: _____

Sentence: _____

Notes: _____

CONDITIONS OF RELEASE

Type Of Supervision:

- () Supervised Release
- () Electronic Monitoring - May require defendant to pay for use of monitoring equipment

Special Conditions:

- () No contact with the alleged victim(s), witness(es), & co-defendant(s)
- () No violent contact with the alleged victim(s) _____
- () Do not consume illegal drugs
- () Do not consume alcohol
- () Submit to urinalysis tests for illegal drugs and/or alcohol
- () Substance abuse assessment
- () Participation in appropriate substance abuse treatment
- () _____

Judge