

**7th. Judicial Circuit 707
Charging Affidavit – St. Johns**

Arrest # _____

Bk # 14-0668

Pg #1 of _____

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input checked="" type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: _____	
(OR) FL: <u>012090</u> <u>550800</u>		Agency Name: <u>Florida Department of Law Enforcement</u>		Agency Case Number: <u>JA-20-0068</u>	
FCIC/NCIC Check? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		OBTS# <u>180140800</u>		UCR: _____	Date Arrested: <u>03/25/14</u>
ADDRESS OF ARREST: <u>1002 Justice Lane, Bonnell, FL</u>		Arrested By: <u>V. EDWARDS</u>		Time of Arrest: <u>1853</u>	
DEFENDANT		Name (L,F,M): <u>Stavris, II, Michael, Gerard</u>		A.K.A.: _____	
DOB: <u>3/9/84</u>		Age: <u>30</u>		Sex: <u>M</u>	
Height: <u>63</u>		Weight: <u>400</u>		Race: <u>W</u>	
Driver's Lic/ID No.: _____		State: <u>FL</u>		Year Expires: <u>2020</u>	
Hair: _____		Eyes: <u>Bru</u>		POB (City, St, Country): <u>New York</u>	
Scars, Marks, Tattoos: _____		Business & Occupation: <u>Law Enforcement Officer</u>		Statement: Yes <input type="checkbox"/> No <input checked="" 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 _____		Address-Local _____		Address-Other(Employer/School) _____	
Address-Mailing/Permanent (STREET, APT. NUMBER) _____		Address-Local (STREET, APT. NUMBER) _____		Address-Other(Employer/School) (STREET, APT. NUMBER) _____	
City: _____		City: _____		City: _____	
State: _____		State: _____		State: _____	
ZIP CODE: _____		ZIP CODE: _____		ZIP CODE: _____	
RESIDENCE PHONE: _____		RESIDENCE PHONE: _____		BUS/SCHOOL PHONE: _____	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachment: 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"/>	
#1 Charge: <u>Computer Pornography and Child Exploitation Prevention Act</u>		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: <u>847.013(2)(a)</u>	
#2 Charge: <u>Computer Pornography and Child Exploitation Prevention Act</u>		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: <u>847.013(2)(a)</u>	
#3 Charge: <u>Criminal use of Personal Identification Information</u>		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: <u>817.36(2)(a)</u>	
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: _____	
#2 NAME(L,F,M): _____		Race: _____		Sex: _____	
DOB: _____		DOB: _____		DOB: _____	
Age: _____		Age: _____		Age: _____	
NARRATIVE					
The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the <u>21</u> day of <u>November</u> , 2013, at approximately <u>6:00</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ within <u>Essex</u> County, violated the law and did then and there:					
Two (2) Counts of Computer Pornography and Child Exploitation Prevention Act and One (1) Count of Criminal use of Personal Identification Information.					
See attached affidavit.					
NOTICE TO APPEAR					
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 HERIN 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		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN		Juv. Disp. CITATION No.	
DATE		RELATIONSHIP TO JUVENILE		CITATION No.	
Sworn to and subscribed before me, the undersigned		I swear/affirm the above statements are correct and true.		Rt Thumb	
This <u>24</u> day of <u>March</u> , 2014		Name: _____		Name: _____	
Notary Public <input type="checkbox"/> Law Enforcement or Correctional Officer <input type="checkbox"/>		Notary Public <input type="checkbox"/> Law Enforcement or Correctional Officer <input type="checkbox"/>		ID NUMBER	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		ID NUMBER <u>1149</u>	
Type of Identification: _____		Type of Identification: _____		ID NUMBER	
OFFICIAL USE ONLY		Mailing Number & Facility:		ID NUMBER	

FLAGLER County Warrant Number: _____

FELONY WARRANT

STATE OF FLORIDA

VS.

MICHAEL GERARD STAVRIS, II

IN THE CIRCUIT COURT FOR
FLAGLER COUNTY, FLORIDA
CASE NUMBER:
AGENCY: FLORIDA DEPARTMENT OF LAW
ENFORCEMENT ST AUGUSTINE
AGENCY REPORT NO. JA200068

CHARGE(S):

- COMPUTER PORNOGRAPHY AND CHILD EXPLOITATION PREVENTION ACT
- COMPUTER PORNOGRAPHY AND CHILD EXPLOITATION PREVENTION ACT
- FRAUDULENT USE OF PERSONAL IDENTIFICATION INFORMATION

W/M: DOB: 03/09/1984; SSN [REDACTED]

HGT.: 603 / WGT.: 400

In the name of the State of Florida, to All and Singular the Sheriffs of the State of Florida:

WHEREAS, Special Agent [REDACTED] has made oath before Special Agent [REDACTED] A Law Enforcement Officer, that one, MICHAEL GERARD STAVRIS, II, on or between April 27, 2013 and June 10, 2013, in the County of FLAGLER and State of Florida, did knowingly compile, enter into, or transmit, by use of a computer any notice, statement, or advertisement of [REDACTED] a minor, name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with [REDACTED] a minor, or the visual depiction of such conduct, contrary to Florida Statute 847.0135(2)(a). (3 DEG FEL)

COUNT II: MICHAEL GERARD STAVRIS, II, on or between June 10, 2013 and October 22, 2013, in the County of FLAGLER and State of Florida, did knowingly compile, enter into, or transmit, by use of a computer any notice, statement, or advertisement of [REDACTED] a minor, name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with [REDACTED] a minor, or the visual depiction of such conduct, contrary to Florida Statute 847.0135(2)(a). (3 DEG FEL)

COUNT III: MICHAEL GERARD STAVRIS, II, on or between November 25, 2012 and November 28, 2013, in the County of FLAGLER and State of Florida, did willfully and without authorization fraudulently use, or possess with the intent to fraudulently use, personal identification information concerning [REDACTED] without first obtaining the consent of [REDACTED] contrary to Florida Statute 817.568 (2)(a). (3 DEG FEL)

These are, therefore, to command you to arrest instanter the above named accused and bring him/her before the CIRCUIT Court, FLAGLER County, Florida, at the next scheduled 24-hour appearance hearing following his/her arrest, unless he/she shall first post bond in the amount of

Count 1: \$ 50,000.00

Count 2: \$ 50,000.00

Count 3: \$ 25,000.00

Special conditions: No contact with any victim or any other minor. No contact with [REDACTED] and any member of her family.

Given under my hand and seal this 25th day of March, 2014.


CIRCUIT JUDGE
ST. JOHNS COUNTY, FLORIDA

EXTRADITION INFORMATION:

ENTER INTO NCIC/FCIC
NATIONWIDE

Received this 25th
March, 2014 and
served same March 25, 2014
by arresting the within named
Mahel Starks, Defendant
James Mangle
Sheriff
By [Signature]
Deputy Sheriff

PROBABLE CAUSE FOR ARREST AFFIDAVIT

FDLE CASE NO.: JA-20-0068
Florida Department of Law Enforcement

JUDGE:

SAO No.:
Division:

STATE OF FLORIDA)
COUNTY OF FLAGLER)

Before me the undersigned Judge of the Seventh Judicial Circuit, in and for Flagler County, Florida, personally came Special Agent [REDACTED] who, being duly sworn deposes and says that she has reason to believe and does believe that:

MICHAEL GERARD STAVRIS, II, described as follows:
Race: White; Sex: Male; DOB: 03/09/1984; Ht: 6'03";
Wt: 400 ; Hair: Brn; Eyes: Brn ; Scars: Unk. Marks: Unk.
L.K. Address: [REDACTED]

committed the following crimes in Flagler County, Florida, from November 25, 2012 to November 28, 2013:

- 847.0135(2)(a) Computer Pornography and Child Exploitation Prevention Act**
817.568(2)(a) Criminal use of Personal Identification Information

Affiant's reasons for so believing are set forth hereinafter.

Your Affiant, Special Agent [REDACTED] has been employed as a Sworn, Special Agent, with the Florida Department of Law Enforcement for over two years and is currently assigned to the Cyber/High Tech Unit. Prior to working for the Florida Department of Law Enforcement, your Affiant was employed with the Office of the Attorney General's Child Predator Cybercrime Unit for over three and a half years. Your Affiant has over 16 total years of law enforcement experience and holds a Bachelor of Science degree in criminology from Florida State University. Your Affiant is a member of the North Florida Internet Crimes Against Children (ICAC) Task Force and served on the Federal Bureau of Investigation's Child Exploitation Task Force, previously known as the Computer Crimes Task Force, for six years.

Your Affiant has received training and attended seminars in the areas of specialized investigative techniques, including but not limited to: ICAC Investigative Techniques, ICAC Undercover Chat Investigations, Online Grooming, Interview and Interrogation Techniques, Child Victim Interviews, Facebook for Law Enforcement, Basic Data Recovery and Acquisition and Intermediate Data Recovery and Acquisition. Your Affiant has conducted and participated in investigations involving undercover chat sessions, child sexual solicitation, the receipt, transportation, distribution, and possession of child pornography, and identity theft.

On December 3, 2013, your Affiant was assigned to investigate a complaint regarding the use of a fictitious Facebook profile of a 16 year old girl to contact teenage boys and request nude pictures.

On that date, your Affiant spoke with [REDACTED] stated that on November 28, 2013 [REDACTED] learned that Michael Stavris [REDACTED] had created a fictitious Facebook profile using [REDACTED] and image. The fictitious Facebook profile was [REDACTED] herein referred to as the "Facebook profile" [REDACTED] daughter's name is [REDACTED] date of birth [REDACTED] a minor, herein referred to as [REDACTED]

On November 28, 2013, [REDACTED] met with Stavris, who admitted [REDACTED] that he created the Facebook profile. At [REDACTED] request, Stavris provided [REDACTED] the login email and password for the Facebook profile.

According to [REDACTED] logged onto the Facebook profile using the information provided by Stavris. [REDACTED] observed the Facebook profile had communicated with classmates of [REDACTED] saw a picture of a penis and noticed in the conversation that the Facebook profile had requested the penis picture. In this conversation, pretending to be [REDACTED] the Facebook profile said he would skip class and meet behind the school to perform oral sex on the student if he would send a picture of his penis. After the penis picture was sent, the Facebook profile asked for a picture of the student "jerking off" in the mirror.

On December 5, 2013, your Affiant met with [REDACTED] and [REDACTED] at their residence in Flagler County. [REDACTED] stated she reviewed the Facebook profile and recognized at least 30 to 40 people under the age of 18 which were Facebook friends with the fictitious Facebook profile. [REDACTED] later stated she did not create the Facebook profile nor did she authorize Stavris to create it.

[REDACTED]
Stavris acknowledged he sent one picture of naked breasts to someone through the Facebook profile. [REDACTED] commented to Stavris that he posed as [REDACTED] and asked her classmate for a picture

of his penis, then received the picture of the penis. Stavris' response was that "people never said nothing to her [REDACTED] Ever."

On December 11, 2013, based on the investigation, your Affiant obtained a search warrant for the Facebook username [http://Facebook.com/\[REDACTED\]](http://Facebook.com/[REDACTED]) from November 2012 to November 2013. The search warrant was reviewed and signed by Flagler County Circuit Court Judge Dennis Craig. Your Affiant then executed the search warrant on Facebook Inc. per Facebook's law enforcement records request protocol.

On December 19, 2013, your Affiant received from Facebook Inc. the results of the search warrant on Facebook username [http://Facebook.com/\[REDACTED\]](http://Facebook.com/[REDACTED]) from November 2012 to November 2013.

Upon reviewing the results, your Affiant saw that the Facebook account was created on November 25, 2012 and the following information was used in creating it:

Name: [REDACTED]

City/State [REDACTED]

DOB: [REDACTED]

Email address [REDACTED]

In addition, your Affiant also made note of the following information from the Facebook search warrant results:

On April 27, 2013 at 03:59 hours UTC, the Facebook profile and [REDACTED] became Facebook friends. On that date, the Facebook profile and [REDACTED] began messaging through Facebook. During these messages, the Facebook profile asked if [REDACTED] knew who he was messaging. [REDACTED] replied that he did not, but [REDACTED] looked familiar. The Facebook profile messaged that [REDACTED] was [REDACTED] (Your Affiant was able to confirm [REDACTED] [REDACTED] and they have been dating [REDACTED] then said he remembered [REDACTED] and referenced seeing [REDACTED] in the lunch line.

On June 10, 2013 beginning at 16:35 hours UTC, the following messages were exchanged between the Facebook profile and Facebook account [REDACTED]

Facebook profile: Sent a digital image of what appeared to be adult breasts. No message was included. The image was labeled [REDACTED].n.jpg".

[REDACTED] "Let me see the face and the tits"

Facebook profile: "When we hang out"

[REDACTED] "Alright we're you stay at"

Facebook profile [REDACTED] section"

[REDACTED] "Where that's at"

Facebook profile: "By bunnell"

██████████ "Ight let me come over"
Facebook profile: "I'm at the beach lol"
██████████ "I'm talking about later lol"
Facebook profile: "Maybe"
██████████ "Ight and let me see you in a thong or sum"
Facebook profile: "I don't wear thongs"
██████████ "What you wear"
Facebook profile: "Boy shorts"
██████████ "Let me get one in those"
Facebook profile: "Later" "I can't now"
██████████ "Gigot" "Ight"
Facebook profile: "Show me ur dik"
██████████ "Later when you show me your stuff"
Facebook profile: "Maybe"
██████████ "Alright so if I come would your people let us"
Facebook profile: "Ya"

The above message exchange ended on June 10, 2013 at 17:58 hours UTC. It should be noted the above message exchange is only a part of the messages exchanged between the Facebook profile and ██████████

On March 4, 2014, your affiant met with the ██████████ at Flagler Palm Coast High School (FPC) ██████████ confirmed a student named ██████████ ██████████ attended FPC.

On that date, your affiant met with ██████████ and his father ██████████ at their home located Palm Coast, Flagler County, Florida. ██████████ confirmed he has a Facebook account in the name ██████████ which he created approximately five years ago. ██████████ is unaware of anyone else with a Facebook account utilizing the same name as his. ██████████ was 15 years old at the time the above Facebook messages were exchanged.

On June 10, 2013 at 14:37 UTC, the Facebook profile and ██████████ became Facebook friends. On that date, the Facebook profile and ██████████ began messaging through Facebook. During these messages, the Facebook profile asked if ██████████ knew who he was messaging. ██████████ replied that he did and that they had previously had science class together.

On October 22, 2013 beginning at 23:42 UTC, the following messages were exchanged between the Facebook profile and Facebook account ██████████

Facebook profile: "I wanna see a pic of u getting head"
██████████ "whos gonna give me the head?"
Facebook profile: "I will when we hang out but I'm sure you've taken a pic

before”

██████████ “ohkaay. and what you wanna pic of my dick ?”

Facebook profile: “Ya and a girl”

██████████ “idk if i can get a girl that would let me take a pic doin that to me lol
but your bi ?”

Facebook profile: “Ya and I know u got pics in your phone of other giels”

██████████ “thats wassup, and used to i deleted them”

Facebook profile: “U don’t have any”

██████████ “not no moree”

The above message exchange ended on October 22, 2013 at 23:49 UTC. It should be noted the above message exchange is only a part of the messages exchanged between the Facebook profile and ██████████

On March 4, 2014, your Affiant met with the ██████████ at Flagler Palm Coast High School (FPC) ██████████ confirmed a student named ██████████ attended FPC.

On that date, your Affiant met with ██████████ and his mother ██████████ at their home located in Palm Coast, Flagler County, Florida. ██████████ confirmed he has a Facebook account in the name ██████████ which he created approximately four or five years ago. ██████████ is unaware of anyone else with a Facebook account utilizing the same name as his. ██████████ was 16 years old at the time the above Facebook messages were exchanged.

On March 26, 2013 at 01:28 hours UTC, the Facebook profile and ██████████ became Facebook friends. On that date, the Facebook profile and ██████████ began messaging through Facebook. During these messages, ██████████ asked the Facebook profile if ██████████ went to Buddy Taylor Middle School (BTMS). The Facebook profile stated ██████████ was a ██████████ at Flagler Palm Coast High School (FPC).

On June 10, 2013 beginning at 15:23 hours UTC, the following messages were exchanged between the Facebook profile and Facebook account ██████████

Facebook profile: “So have you ever gotten head before”

██████████ “it depends” “have you given it before”

Facebook profile: “Ya”

██████████ “ohh”

Facebook profile: “So have u”

██████████ “yeah”

Facebook profile: “So send me a pic a girl sent you I’m bi”

██████████ “no”

Facebook profile: “Y”

██████████ "thats weird"

The above message exchange ended on June 10, 2013 at 15:42 hours UTC. It should be noted the above message exchange is only a part of the messages exchanged between the Facebook profile and ██████████

On March 4, 2014, your Affiant met with the ██████████ at Flagler Palm Coast High School (FPC), ██████████ confirmed a student named ██████████ ██████████ attended FPC.

On that date, your Affiant met with ██████████ and his mother ██████████ at their home located in Palm Coast, Flagler County, Florida. ██████████ confirmed he has a Facebook account in the name ██████████ which he created approximately two and a half years ago ██████████ is unaware of anyone else with a Facebook account utilizing the same name as his ██████████ was 14 years old at the time the above Facebook messages were exchanged.

Your Affiant also found in the Facebook search warrant results that between December 1, 2012 and December 3, 2012, the Facebook profile exchanged messages with the Facebook account ██████████ During this message exchange, the Facebook profile stated "Can I see ur dik" and "Can u take a pic of it now". The Facebook profile stated "she" might give "some head" if he sent the picture. ██████████ sent a picture of a black male's post-pubescent erect penis. The Facebook profile directed ██████████ on how to send the picture through Facebook. Upon receiving the picture, the Facebook profile then asked him to "Take a pic of u jerking it". No other pictures were exchanged. It should be noted that these message exchanges are only a part of the messages exchanged between the Facebook profile and ██████████

Pursuant to the investigation, ██████████ was identified as ██████████ ██████████ At the time of the above message and picture exchanges ██████████ had turned 18 years of age on ██████████ and was enrolled at FPC.

Your Affiant spoke with ██████████ who affirmed she did not send or authorize any of the above stated messages sent from the Facebook profile.

Based on the foregoing, your Affiant believes there is probable cause to believe that the suspect did knowingly compile, enter into, or transmit by use of a computer, any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any minor, or the visual depiction of such conduct, a violation of Florida State Statute 847.0135(2)(a). Your Affiant also believes

there is probable cause to believe that the suspect did willfully and without authorization fraudulently use, or possess with intent to fraudulently use, personal identification information, to wit: [REDACTED] concerning an individual without first obtaining that individual's consent, a violation of Florida State Statute 817.568(2)(a).

Affiant: [REDACTED]

[REDACTED] Special Agent

Agency: Florida Department of Law Enforcement