

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

Arrest # \_\_\_\_\_ Bk # \_\_\_\_\_ Pg # 1 of 3

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>2016 311115 MMDB</b>	
(ORI) FL: <u>FL0641200</u>	Agency Name: <u>PORT ORANGE POLICE DEPARTMENT</u>	Agency Case Number: <u>160007186</u>	
FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OBTS # _____	U.C.R. _____	Date Arrested: <u>08-14-2016</u> Time of Arrest: <u>0059</u>
ADDRESS OF ARREST (Street, City, State, Zip): <u>5952 KATONA PORT ORANGE FL 32127</u>		Arrested By: <u>Mandese, Angelo</u>	ID Number: <u>PO4078</u>
<b>DEFENDANT</b>	NAME (Last) <u>DALLAROSA</u> (First) <u>WENDELL</u> (Middle) <u>RAY</u>	A.K.A.: <u>NONE</u>	Sex: <u>M</u> Race: <u>W</u>
DOB: <u>01-21-1965</u>	Age: <u>51</u> Driver's Lic./ ID No.: _____	State: <u>FL</u> Year Expires: <u>2022</u>	S.S.#: _____
Height: <u>5' 11</u>	Weight: <u>185</u> Hair: <u>GRY</u> Eyes: <u>BRO</u>	P.O.B. (City, State, Country): <u>FL USA</u>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos: _____	Business & Occupation: _____	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>5952 KATONA DRIVE</u>		(CITY) <u>PORT ORANGE</u> (STATE) <u>FL</u>	ZIP CODE <u>32127</u> RESIDENCE PHONE <u>(386) 212-5005</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 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: <u>1</u>
#1 Charge: <u>Misuse of 911 or E911 System</u>	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>365.172(14)</u>	Citation No.: _____	Bond: <u>2500</u>				
#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: _____				

<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 14 day of August, 2016, at approximately 0022  a.m.  p.m.

at 5952 KATONA DRIVE PORT ORANGE within Volusia County, violated the law and did then and there:

1 Committed the offence of misuse of 911 by using emergency communications to report a false alarm or complaint that could result in the emergency  
 2 response of any public safety agency.  
 3  
 4 On August 14, 2016 I responded to the McDonalds located at 1676 Taylor Road in reference to a suspicious incident. Upon my arrival at the location I  
 5 was flagged down by, Wendell Dallarosa, who advised that his brother, Michael Dallarosa, was suicidal. I then made contact with Michael Dallarosa  
 6 who advised he was not suicidal and did not wish to harm himself or others. Michael's son Matthew Dallarosa was also on scene and advised his  
 7 father was not suicidal and was having issues that mirrored dementia due to the medications he was taking to treat cancer.  
 8  
 9 Michael advised he would go to his house and relax for the remainder of the evening and would allow his son Matthew to drive him to his residence in  
 10 his vehicle. The only stipulation was that Michael did not wish his brother Wendell to return to the residence. I advised Michael that I would convey  
 11 that message to Wendell before I left the scene. Michael and Matthew then left the scene in Michael's vehicle.  
 12  
 13 I then advised Wendell of the outcome of my investigation and also advised him that Michael wished him not to return to the residence. Wendell then  
 14 became very irate and began yelling advising he was going to return to the residence. Wendell advised he would return to the residence and POPD  
 15 would be out there in approximately 15 minutes. Wendell also advised that when POPD responded to 5952 Katona Drive he would be armed and we

<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>14</u> day of <u>August</u> , <u>2016</u> Name: <u>MANDESE, ANGELO</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 checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: _____	OFFICER'S/COMPLAINANT'S SIGNATURE <u>MANDESE, ANGELO</u> NAME (PRINTED)	<u>PO4078</u> ID NUMBER
<b>OFFICIAL USE ONLY</b>	Inmate Number & Facility: _____	

**Narrative Supplement 707-B**

Arrest  
 Affidavit  
 Notice to Appear  
 Adult  
 Juvenile

Court Case Number:

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Defendant (Last) Name: <b>DALLAROSA</b>	(First) <b>WENDELL</b>	(Middle) <b>RAY</b>	Agency Case Number: <b>160007186</b>
<b>CHARGES</b>	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"/>	Total Charges: 1
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FSORD: Citation No.: Bond:
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16 should bring AR-15s.

17

18 At approximately 0021 Hrs. VCSO dispatch received a 911 call from phone number 386-212-5005. During the call the male advised the address of

19 5952 Katona Drive and advised to send police because shots had been fired immediately after making this statement the male hung up the phone.

20 VCSO dispatch attempted to call phone number back but only received voicemail.

21

22 Multiple units responded code3 to the address with emergency lights and sirens activated. Upon arrival on scene Officer Long observed a male later

23 identified as, Wendell Dallarosa, on the sidewalk waving his arms. Wendell was then detained for his and our safety. After being detained and patted

24 down a small Taurus.380 firearm was located in his waist band. The firearm was made safe and later placed into my patrol vehicle. Wendell advised

25 there had been shots fired at the residence and he was the one who made the 911 call. Contact was made with Matthew Dallarosa who was at the

26 residence. Matthew advised there were no shots fired and agreed to allow officers to check the residence. Upon checking the residence there were

27 no signs that a firearm had been discharged inside the residence. All of the occupants of the residence advised there had not been any firearms

28 discharged in the residence.

29

30 After returning to Officer Long's vehicle where Wendell had been detained I advised him he was being placed under arrest for misuse of 911. Wendell

31 then asked if I had checked the back yard of the residence for shell casings. I advised Wendell I had not checked the rear of the residence for any

32 shell casings. While speaking with Wendell the residents of 5954 Katona Drive exited their residence because they heard the commotion the incident

33 had caused. I then approached the residence and asked how long they had been awake,the male advised they had been awake the entire evening. I

34 asked if they had heard any loud noises that sounded like gun fire. They advised they only heard the commotion which caused their dogs to bark.

35 Wendell was then transported to POPD for processing. Wendell was later transported to VCBJ with \$2500.00 Bond.

36

37 While I was completing Wendell's paperwork his sister Tressa requested a phone call. I made contact with Tressa via phone who advised she would

38 like to speak with a supervisor about her brother's arrest. Lt. Swetz and I went to the lobby of POPD and contacted Tressa. Tressa just request we

39 ask Wendell if there was anything he needed. Wendell requested his property be turned over to his sister. A hat, watch, car keys, and holster were

40 turned over to Tressa.

41

42 The firearm that was found on Wendell's person was later submitted for safe keeping into POPD evidence.

43

44 Body camera footage of the entire incident was later submitted into POPD evidence.

45

46

Sworn to and subscribed before me, the undersigned this <u>14</u> day of <u>August</u> , 2016 Name: <u>[Signature]</u>	I swear/affirm the above statements are correct and true <u>[Signature]</u>	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	OFFICER'S/COMPLAINANT'S SIGNATURE <b>MANDESE, ANGELO</b> NAME (PRINTED)	<b>PO4078</b> ID NUMBER