

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.: 2008 - CF - 1177

Plaintiff,

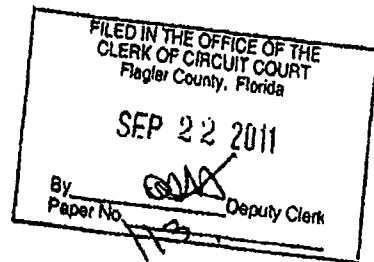
vs.

BRANDON WASHINGTON,

Defendant.

Fourth
~~THIRD~~ AMENDED INFORMATION FOR:

- COUNT 1: RACKETEER INFLUENCE AND CORRUPT ORGANIZATION ACT (RICO)
F.S. §§ 895.03(3) and 874.04(2)(c)
Life Felony
- COUNT 2: CONSPIRACY TO COMMIT RICO
F.S. §§ 895.03(4) and 874.04(2)(c)
Life Felony
- COUNT 3: SECOND DEGREE FELONY MURDER
Florida Statutes §§ 782.04(3) & 777.011
1st Degree Felony Punishable by Life
- COUNT 4: BURGLARY OF DWELLING WHILE ARMED
Florida Statutes §§ 810.02(1) & (2)(b) & 777.011
1st Degree Felony Punishable by Life
- COUNT 5: ATTEMPTED HOME INVASION ROBBERY
Florida Statutes §§ 812.135(1) & (2)(a), & 777.011 & 777.04(1)
2nd Degree Felony



R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT 1

RACKETEERING

IN THAT BRANDON WASHINGTON, on or about January 1, 2004, and continuing through and including October 28, 2008, in the County of Flagler and the State of Florida, while employed by or associated with an enterprise as defined in Section 895.02(3), Florida Statutes, to-wit: a group of individuals associated in fact although not a legal entity, known as the Bloods Gang, aka "nine-tec grenades" aka "Brick Mafia" did conduct or participate in such enterprise, directly or indirectly, through a continuous pattern of racketeering activity, as defined in Section 895.02(4), Florida Statutes, by engaging in at least two incidents of racketeering activity which had similar intents, results, accomplices, victims, or methods of commission, or were otherwise related by distinguishing characteristics and were not isolated incidents, including at least two of the following predicate incidents, and Brandon Washington committed the charged offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang, contrary to Sections 895.03(3) and 874.04(2)(c), Florida Statutes.

Predicate Incident 1

On or about August 4, 2004, in Flagler County, BRANDON WASHINGTON did after being found guilty of a felony or being found to have committed a delinquent act that would be a felony if committed by an adult in the courts of this State, another State, the United States, a territory, or other country pursuant to Florida Statute 790.23(1)(c) or (d), unlawfully owned or had care, custody, possession, or control, of a firearm or an electric weapon or device, or carried a concealed weapon, including any tear gas gun or chemical weapon or device, contrary to Florida Statute 790.23(1).

Predicate Incident 2

2A

On or about October 11, 2005, in Flagler County, BRANDON WASHINGTON was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

2B

On or about October 11, 2005, in Flagler County, BRANDON WASHINGTON did unlawfully resist, obstruct or oppose Deputy G. Ditolla, a law enforcement officer of the Flagler County Sheriff's Office, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02.

Predicate Incident 3

On or between May 29, 2006 and May 30, 2006, in Flagler County, **BRANDON WASHINGTON** did knowingly obtain or use, or endeavor to obtain or use an automobile which was the property of Catherine Combs, with the intent to permanently or temporarily deprive Catherine Combs of the property or a benefit therefrom or to appropriate the property to the use of **BRANDON WASHINGTON** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1)(a).

Predicate Incident 4

4A

On or about March 12, 2008, in Flagler County, **BRANDON WASHINGTON** did actually and intentionally touch or strike Ritchy Bien-Aime against the will of Ritchy Bien-Aime or did intentionally cause bodily harm to Ritchy Bien-Aime, contrary to Florida Statute 784.03(1).

AND

4B

On or about March 12, 2008, in Flagler County, **BRANDON WASHINGTON** did intentionally cause, encourage, solicit, or recruit another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 874.05(1) and 777.011.

Predicate Incident 5

On or about March 15, 2008, in Flagler County, **BRANDON WASHINGTON** did by force, violence, assault, or putting in fear, knowingly take away personal property, of some value, from the presence or custody of William Tinsley, with the intent to permanently or temporarily deprive William Tinsley or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

Predicate Incident 6

On or about March 15, 2008, in Flagler County, **BRANDON WASHINGTON** did knowingly obtain or use, or endeavor to obtain or use money or U.S. Currency, which was the property of Sub Base and/or Christina Ratliff or any other person not the defendant(s), with the intent to permanently or temporarily deprive Sub Base and/or Christina Ratliff or any other person not the defendant(s) of the property or benefit therefrom or to appropriate the property to

the use of BRANDON WASHINGTON or to the use of any person not entitled thereto, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.014(1) and (3)(A) and 777.011.

Predicate Incident 7

On or between January 1, 2006, and March 19, 2008, in St. Johns County, BRANDON WASHINGTON did, after having been convicted of a felony in the courts of Florida, unlawfully own or have care, custody, possession, or control of a firearm, contrary to Florida Statute 775.087(2) and 790.23(1)(a), (c), (d), and (e).

Predicate Incident 8

8A

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON did unlawfully threaten by word or act to do violence to the person of BRADLEY SANGUINETTI, coupled with an apparent ability to do so which created a well founded fear in BRADLEY SANGUINETTI that such violence was imminent, contrary to Florida Statute 784.011.

AND

8B

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON, did unlawfully and knowingly enter or remain in a dwelling, the property of BRADLEY SANGUINETTI, with the intent to commit a ROBBERY, THEFT, ASSAULT or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

8C

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of BRADLEY SANGUINETTI, with the intent to permanently or temporarily deprive BRADLEY SANGUINETTI or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 9

9A

On or about December 18, 2007, in Flagler County, **BRANDON WASHINGTON** did unlawfully perpetrate or attempt to perpetrate a **BURGLARY** and/or **ROBBERY**, and in the course of perpetrating or attempting to perpetrate said **BURGLARY** and/or **ROBBERY**, **RASHAUN PUGH**, a human being, was killed by a person other than **BRANDON WASHINGTON**, or did commit such crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 782.04(3) and 777.011, Florida Statutes.

AND

9B

On or about December 18, 2007, in Flagler County, **BRANDON WASHINGTON**, did unlawfully and knowingly enter or remain in a dwelling, the property of **SEAN CHRISTOPHER ADAMS**, with the intent to commit a **ROBBERY**, **THEFT**, **ASSAULT** or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and (2)(a) and 777.011, Florida Statutes.

AND

9C

On or about December 18, 2007, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **SEAN CHRISTOPHER ADAMS**, with the intent to permanently or temporarily deprive **SEAN CHRISTOPHER ADAMS** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 10

10A

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON** did unlawfully threaten by word or act to do violence to the person of **JOSHUA FORTNEY AND/OR MEAGAN GANEM**, coupled with an apparent ability to do so which created a well founded fear in **JOSHUA FORTNEY AND/OR MEAGAN GANEM** that such violence was imminent, contrary to Florida Statute 784.011.

AND

10B

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON**, did unlawfully and knowingly enter or remain in a dwelling, the property of **JOSHUA FORTNEY AND/OR MEAGAN GANEM**, with the intent to commit a **ROBBERY, THEFT, ASSAULT** or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

10C

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **JOSHUA FORTNEY AND/OR MEAGAN**, with the intent to permanently or temporarily deprive **JOSHUA FORTNEY AND/OR MEAGAN** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 11

11A

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON** did unlawfully threaten by word or act to do violence to the person of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, coupled with an apparent ability to do so which created a well founded fear in **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA** that such violence was imminent or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statute 784.011 and 777.011.

AND

11B

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON**, did unlawfully and knowingly enter or remain in a dwelling, the property of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, with the intent to commit a **ROBBERY, THEFT, ASSAULT** or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

11C

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, with the intent to permanently or temporarily deprive **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 12

On or about November 4, 2005, in Flagler County, **BRANDON WASHINGTON** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

Predicate Incident 13

On or about March 5, 2008, in Flagler County, **BRANDON WASHINGTON** did unlawfully resist, obstruct or oppose Deputy J. Welker, a law enforcement officer of the Flagler County Sheriff's Office, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02.

COUNT 2

CONSPIRACY TO COMMIT RACKETEERING

IN THAT **BRANDON WASHINGTON**, on or about January 1, 2004, and continuing through and including October 28, 2008, in the County of Flagler and the State of Florida, did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to violate the laws of Florida, to-wit: section 895.03(3), Florida Statutes, prohibiting racketeering, and as part of said conspiracy, the above-named defendant was employed by or associated with an enterprise as defined in Section 895.02(3), Florida Statutes, to-wit: a group of individuals associated in fact although not a legal entity, known as the Bloods Gang, aka "nine-tec grenades" aka "Brick Mafia," did conduct or participate in such enterprise,

directly or indirectly, through a continuous pattern of racketeering activity, as defined in Section 895.02(4), Florida Statutes, either by intending to personally engage in at least two incidents of racketeering activity or by intending to participate in the affairs of the enterprise with the knowledge and intent that one or more members of the conspiracy would engage in at least two incidents of racketeering activity, including but not limited to the following predicate acts, which had similar intents, results, accomplices, victims, or methods of commission or which were otherwise interrelated by distinguishing characteristics and were not isolated incidents, and in furtherance of said conspiracy, and Brandon Washington committed the charged offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang, contrary to Sections 895.03(4) and 874.04(2)(c), Florida Statutes.

Predicate Incident 1

On or about August 4, 2004, in Flagler County, BRANDON WASHINGTON did after being found guilty of a felony or being found to have committed a delinquent act that would be a felony if committed by an adult in the courts of this State, another State, the United States, a territory, or other country pursuant to Florida Statute 790.23(1)(c) or (d), unlawfully owned or had care, custody, possession, or control, of a firearm or an electric weapon or device, or carried a concealed weapon, including any tear gas gun or chemical weapon or device, contrary to Florida Statute 790.23(1).

Predicate Incident 2

On or about October 11, 2005, in Flagler County, BRANDON WASHINGTON and/or MICHAEL GILBERT, GERRELL SMITH, and ANDRE McCARTHY were unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

Predicate Incident 3

On or between May 29, 2006 and May 30, 2006, in Flagler County, BRANDON WASHINGTON did knowingly obtain or use, or endeavor to obtain or use an automobile which was the property of Catherine Combs, with the intent to permanently or temporarily deprive Catherine Combs of the property or a benefit therefrom or to appropriate the property to the use of BRANDON WASHINGTON or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1)(a).

Predicate Incident 4

4A

On or about March 12, 2008, in Flagler County, BRANDON WASHINGTON and/or ROBERTO BRAVO and/or GERRELL SMITH and/or JOEL ORTIZ and/or ANCIL OLIVER did actually and intentionally touch or strike Ritchy Bien-Aime against the will of

Ritchy Bien-Aime or did intentionally cause bodily harm to Ritchy Bien-Aime, contrary to Florida Statute 784.03(1).

AND

4B

On or about March 12, 2008, in Flagler County, BRANDON WASHINGTON and/or ROBERTO BRAVO and/or GERRELL SMITH and/or JOEL ORTIZ and/or ANCIL OLIVER did intentionally cause, encourage, solicit, or recruit another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 874.05(1) and 777.011.

Predicate Incident 5

On or about March 15, 2008, in Flagler County, BRANDON WASHINGTON did by force, violence, assault, or putting in fear, knowingly take away personal property, of some value, from the presence or custody of William Tinsley, with the intent to permanently or temporarily deprive William Tinsley or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

Predicate Incident 6

On or about March 15, 2008, in Flagler County, BRANDON WASHINGTON did by force, violence, assault, or putting in fear, knowingly take away U.S. Currency, of some value, from the presence or custody of Sub Base and/or Christina Ratliff, with the intent to permanently or temporarily deprive Sub Base and/or Christina Ratliff or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

Predicate Incident 7

On or between January 1, 2008, and March 19, 2008, in St. Johns County, BRANDON WASHINGTON did, after having been convicted of a felony in the courts of Florida, unlawfully own or have care, custody, possession, or control of a firearm, contrary to Florida Statute 775.087(2) and 790.23(1)(a), (c), (d), and (e).

Predicate Incident 8

8A

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON did

unlawfully threaten by word or act to do violence to the person of BRADLEY SANGUINETTI, coupled with an apparent ability to do so which created a well founded fear in BRADLEY SANGUINETTI that such violence was imminent, contrary to Florida Statute 784.011.

AND

8B

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON, did unlawfully and knowingly enter or remain in a dwelling, the property of BRADLEY SANGUINETTI, with the intent to commit a ROBBERY, THEFT, ASSAULT or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

8C

On or about August 7, 2006, in Flagler County, BRANDON WASHINGTON by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of BRADLEY SANGUINETTI, with the intent to permanently or temporarily deprive BRADLEY SANGUINETTI or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 9

9A

On or about December 18, 2007, in Flagler County, BRANDON WASHINGTON did unlawfully perpetrate or attempt to perpetrate a BURGLARY and/or ROBBERY, and in the course of perpetrating or attempting to perpetrate said BURGLARY and/or ROBBERY, RASHAUN PUGH, a human being, was killed by a person other than BRANDON WASHINGTON, or did commit such crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 782.04(3) and 777.011, Florida Statutes.

AND

9B

On or about December 18, 2007, in Flagler County, BRANDON WASHINGTON, did unlawfully and knowingly enter or remain in a dwelling, the property of SEAN CHRISTOPHER ADAMS, with the intent to commit a ROBBERY, THEFT, ASSAULT or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and (2)(a) and 777.011, Florida Statutes.

AND

9C

On or about December 18, 2007, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **SEAN CHRISTOPHER ADAMS**, with the intent to permanently or temporarily deprive **SEAN CHRISTOPHER ADAMS** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 10

10A

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON** did unlawfully threaten by word or act to do violence to the person of **JOSHUA FORTNEY AND/OR MEAGAN GANEM**, coupled with an apparent ability to do so which created a well founded fear in **JOSHUA FORTNEY AND/OR MEAGAN GANEM** that such violence was imminent, contrary to Florida Statute 784.011.

AND

10B

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON**, did unlawfully and knowingly enter or remain in a dwelling, the property of **JOSHUA FORTNEY AND/OR MEAGAN GANEM**, with the intent to commit a **ROBBERY, THEFT, ASSAULT** or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

10C

On or between October 1, 2005 and February 24, 2006, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **JOSHUA FORTNEY AND/OR MEAGAN**, with the intent to permanently or temporarily deprive **JOSHUA FORTNEY AND/OR MEAGAN** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 11

11A

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON** did unlawfully threaten by word or act to do violence to the person of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, coupled with an apparent ability to do so which created a well founded fear in **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA** that such violence was imminent or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statute 784.011 and 777.011.

AND

11B

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON**, did unlawfully and knowingly enter or remain in a dwelling, the property of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, with the intent to commit a **ROBBERY, THEFT, ASSAULT** or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b) and 777.011, Florida Statutes.

AND

11C

On or between December 13, 2007 and December 15, 2007, in Flagler County, **BRANDON WASHINGTON** by force, violence, assault, or putting in fear, did knowingly attempt to take away property, of some value, from the person or custody of **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA**, with the intent to permanently or temporarily deprive **SCOTT SAWYER AND/OR KAYLEIGH LACERTOSA** or any other person not the defendant(s) of the property, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Florida Statutes 812.13(1) and (2)(c), 777.04(1) and 777.011.

Predicate Incident 12

On or about November 4, 2005, in Flagler County, **BRANDON WASHINGTON** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

Predicate Incident 13

13A

On or about August 3, 2008, in Flagler County, **MICHAEL GILBERT** and/or **ANCIL OLIVER** and/or **CHRISTOPHER KEE** and/or **TERRANCE LEEKS** and/or **ALEX DECOSTA** and/or **BIANCA DORISMOND** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit Battery against Manual Cabral, a misdemeanor, contrary to Florida Statutes 777.04(3) and 784.03.

AND

13B

On or about August 3, 2008, in Flagler County, **MICHAEL GILBERT** and/or **ANCIL OLIVER** and/or **CHRISTOPHER KEE** and/or **ALEX DECOSTA** and/or **TERRANCE LEEKS** and/or **BIANCA DORISMOND** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit Witness Tampering against Manual Cabral, a felony, contrary to Florida Statutes 777.04(3) and 914.22.

Predicate Incident 14

On or about March 5, 2008, in Flagler County, **BRANDON WASHINGTON** did unlawfully resist, obstruct or oppose Deputy J. Welker, a law enforcement officer of the Flagler County Sheriff's Office, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02.

COUNT 3

IN THAT **BRANDON WASHINGTON** on or about December 18, 2007, in the County of Flagler and the State of Florida, did unlawfully perpetrate or attempt to perpetrate a **BURGLARY** and/or **ROBBERY**, and in the course of perpetrating or attempting to perpetrate said **BURGLARY** and/or **ROBBERY**, **RASHAUN PUGH**, a human being, was killed by a person other than **BRANDON WASHINGTON**, or did commit such crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 782.04(3) and 777.011, Florida Statutes.

COUNT 4

IN THAT **BRANDON WASHINGTON** on or about December 18, 2007, in the County of Flagler and the State of Florida, did unlawfully and knowingly enter or remain in a dwelling, the

property of SEAN CHRISTOPHER ADAMS, with the intent to commit a ROBBERY, THEFT, ASSAULT or other offense therein, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 810.02(1) and (2)(b), and 777.011, Florida Statutes.

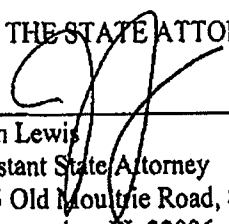
COUNT 5

IN THAT BRANDON WASHINGTON on or about December 18, 2007, in the County of Flagler and the State of Florida, did unlawfully enter a dwelling, the property of SEAN CHRISTOPHER ADAMS, with the intent to commit a ROBBERY and did by force, violence, assault, or putting in fear ATTEMPT to take United States currency or other property of value from the person or custody of SEAN CHRISTOPHER ADAMS, with the intent to temporarily or permanently deprive SEAN CHRISTOPHER ADAMS of his right to the money or property or any benefit from it or to appropriate the money or property to his, her or their own use or the use of any person not entitled to it, or did commit said crime by aiding, abetting, counseling, hiring or otherwise procuring it to be committed, contrary to Sections 812.135(1) and (2)(a), 777.04(1), and 777.011, Florida Statutes.

ALL SAID OFFENSES BEING AGAINST THE PEACE AND DIGNITY OF THE STATE OF FLORIDA.

Dated this 21 day of September, 2011.

FOR THE STATE ATTORNEY



Jason Lewis
Assistant State Attorney
2155 Old Moultrie Road, Suite 105
St. Augustine, FL 32086
Fla Bar #: 0495395

STATE OF FLORIDA :
COUNTY OF PUTNAM :

Personally appeared before me JASON LEWIS, a Designated Assistant State Attorney for the State of Florida, personally known to me, who being first duly sworn say that this prosecution is instituted in good faith and certifies that testimony was received under oath from material witnesses for the offenses, and the allegations as set forth in the foregoing Information, if true, would constitute the offenses therein charged.

Sworn to and subscribed before me this 21st day of September, 2011.



Denise E. Orr
Notary Public
State of Florida

DEFENDANTS BIOGRAPHICAL DATA:

BRANDON E WASHINGTON,
Last Known Address: **3 Windmere Place, Palm Coast, FL 32164;**
Race: **Black;** Sex: **MALE;** DOB: **03/22/1987;** Ht: **5'6"** Wt: **150 LBS;**
Hair: **Black;** Eyes: **Brown;** SS

7th. Judicial Circuit 707
Charging Affidavit - Flagler

Arrest # _____

Bk # _____

Pg #1 of 1

ARREST <input 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: 08-1177-CFFA		
(ORI) FL: 1 8 0 0 0 0 0		Agency Name: Florida Department of Law Enforcement		Agency Case Number: ST-56-0003		
FCIC/NCIC Check? Yes <input type="checkbox"/> No <input type="checkbox"/>		OBTS#		UCR: _____ Date Arrested: _____ Time of Arrest: _____		
ADDRESS OF ARREST:				Arrested By: _____ ID Number: _____		
DEPENDANT Name (L,F,M): WASHINGTON, BRANDON		A.K.A.:		Sex: B Race: M		
DOB: 03/22/87 Age: 21		Driver's Lic/ ID No.:		State: _____ Year Expires: _____ S.S. #: _____		
Height: 50 Weight: 160		Hair: BRO Eyes: BRO		POB (City, St, Country): _____		
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) CITY (STATE) ZIPCODE RESIDENCE PHONE		310 SUMMER BREEZE WAY ST AUGUSTINE FL 32086				
Address-Local (STREET, APT. NUMBER) CITY (STATE) ZIPCODE RESIDENCE PHONE		NONE NONE				
Address-Other(Employer/School) (STREET, APT. NUMBER) CITY (STATE) ZIPCODE BUS/SCHOOL PHONE		NONE NONE				
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: 2		
#1	Charge: RICO	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: 895.03(3) Citation No.: _____ Bond: _____		
#2	Charge: CONSPIRACY TO COMMIT RICO	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: 895.04(4) Citation No.: _____ Bond: _____		
#3	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: _____ Citation No.: _____ Bond: _____		
CO-DEPENDANT:		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, over a period stemming from 2004 through 2008 within Flagler County, violated the law and did then and there: *See attached probable cause affidavit.						
<p style="text-align: right;">FILED IN THE OFFICE OF CLERK OF COURT - FLAGLER COUNTY, FL 2008 OCT 28 PM 1:50 PAPER NO. _____</p>						
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 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		
SIGNATURE OF JUVENILE PARENT OR CUSTODIAN		DATE		CITATION No.		
Sworn to and subscribed before me, the undersigned, on this 28 day of October, 2008.		I certify (firm) the above statements are correct and true.				Rt Thumb
Name: Sgt. Stephen Cole/PC80 *36		OFFICER'S/COMPLAINANT'S SIGNATURE				
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		NAME (PRINTED)		ID NUMBER		
Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>		SA Jason Jolicoeur		1069		
Type of Identification:		Inmate Number & facility:				

707 - COURT COPY



08-1177-CFFA

08-1177-CFFA

PROBABLE CAUSE AFFIDAVIT

Florida Department of Law Enforcement

I, Jason M. Jolicoeur, a Special Agent with the Florida Department of Law Enforcement, herein referred as the Affiant, affirm the following is true and correct to the best of my knowledge.

AFFIANT

Your Affiant is a certified law enforcement officer, who is currently employed by the Florida Department of Law Enforcement. Your Affiant's employment has consisted of approximately two (2) years with the Daytona Beach Police Department, approximately eight (8) years with the Flagler County Sheriff's Office, and approximately 21 months with the Florida Department of Law Enforcement. Your Affiant has investigated violent crime offenses, property crimes, sexual crimes, and narcotic crimes. Your Affiant received training on the following topics:

- Criminal Street Gang Prosecution (32 hours)
- Narcotics Identification and Investigation (40 Hours)
- Surveillance Techniques (40 Hours)
- Investigative Interviews (40 hours)
- Criminal Investigative Techniques (40 hours)
- High Risk Warrant Service (40 hours)
- Child Abduction Response Training (40 hours)
- Death Investigation Training (40 hours)
- Police Applicant Background Investigations (40 hours)

RECEIVED BY THE OFFICE
CLERK OF THE COURT
FLAGLER COUNTY, FL
OCT 28 11:10:31

DEFENDANTS

Name	Race/Sex	DOB:	SSN:	Last Known Address:
Tommy Banks	Black/Male			
Roberto Bravo	Hispanic/Male			
Alex DeCosta	Hispanic/Male			
Bianca Dorlismond	Black/Female			
Michael D. Gilbert	Black/Male			
Paraskevas Hantzios	White/Male			
Christopher Kee	Black/Male			

Name	Race/Sex	DOB:	SSN:	Last Known Address:
Terrance Leeks	Black/Male			
Andre McCarthy	Black/Male			
Ancil Oliver	Black/Male			
Joel Ortiz	Hispanic/Male			
Gerrell Smith	Black/Male			
Brandon Washington	Black/Male			

CRIMINAL OFFENSES

895.02 Definitions.--As used in ss. 895.01-895.08, the term:

(1) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida Statutes:

1. Section 210.18, relating to evasion of payment of cigarette taxes.
2. Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.
3. Section 403.727(3)(b), relating to environmental control.
4. Section 409.920 or s. 409.9201, relating to Medicaid fraud.
5. Section 414.39, relating to public assistance fraud.
6. Section 440.105 or s. 440.106, relating to workers' compensation.
7. Section 443.071(4), relating to creation of a fictitious employer scheme to commit unemployment compensation fraud.

8. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.
9. Section 499.0051, relating to crimes involving contraband and adulterated drugs.
10. Part IV of chapter 501, relating to telemarketing.
11. Chapter 517, relating to sale of securities and investor protection.
12. Section 550.235, s. 550.3551, or s. 550.3605, relating to dogracing and horseracing.
13. Chapter 550, relating to jai alai frontons.
14. Section 551.109, relating to slot machine gaming.
15. Chapter 552, relating to the manufacture, distribution, and use of explosives.
16. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.
17. Chapter 562, relating to beverage law enforcement.
18. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.
19. Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.
20. Chapter 687, relating to interest and usurious practices.
21. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.
22. Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.
23. Section 777.03, relating to commission of crimes by accessories after the fact.
24. Chapter 782, relating to homicide.
25. Chapter 784, relating to assault and battery.
26. Chapter 787, relating to kidnapping or human trafficking.
27. Chapter 790, relating to weapons and firearms.

28. Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member's own standing or position within a criminal gang.
29. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s. 796.05, or s. 796.07, relating to prostitution and sex trafficking.
30. Chapter 806, relating to arson and criminal mischief.
31. Chapter 810, relating to burglary and trespass.
32. Chapter 812, relating to theft, robbery, and related crimes.
33. Chapter 815, relating to computer-related crimes.
34. Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, and credit card crimes.
35. Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.
36. Section 827.071, relating to commercial sexual exploitation of children.
37. Chapter 831, relating to forgery and counterfeiting.
38. Chapter 832, relating to issuance of worthless checks and drafts.
39. Section 836.05, relating to extortion.
40. Chapter 837, relating to perjury.
41. Chapter 838, relating to bribery and misuse of public office.
42. Chapter 843, relating to obstruction of justice.
43. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.
44. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s. 849.25, relating to gambling.
45. Chapter 874, relating to criminal gangs.
46. Chapter 893, relating to drug abuse prevention and control.
47. Chapter 896, relating to offenses related to financial transactions.

48. Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

49. Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

(b) Any conduct defined as "racketeering activity" under 18 U.S.C. s. 1961(1).

(2) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted:

(a) In violation of any one of the following provisions of law:

1. Section 550.235, s. 550.3551, or s. 550.3605, relating to dogracing and horseracing.
2. Chapter 550, relating to jai alai frontons.
3. Section 551.109, relating to slot machine gaming.
4. Chapter 687, relating to interest and usury.
5. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s. 849.25, relating to gambling.

(b) In gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law.

(3) "Enterprise" means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal gang, as defined in s. 874.03, constitutes an enterprise.

(4) "Pattern of racketeering activity" means engaging in at least two incidents of racketeering conduct that have the same or similar intents, results, accomplices, victims, or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of such incidents occurred after the effective date of this act and that the last of such incidents occurred within 5 years after a prior incident of racketeering conduct.

895.03 Prohibited activities and defense.--

(1) It is unlawful for any person who has with criminal intent received any proceeds derived, directly or indirectly, from a pattern of racketeering activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the

acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.

(2) It is unlawful for any person, through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.

(3) It is unlawful for any person employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.

(4) It is unlawful for any person to conspire or endeavor to violate any of the provisions of subsection (1), subsection (2), or subsection (3).

Defendants, BRANDON WASHINGTON, MICHAEL GILBERT, ROBERTO BRAVO, GERRELL SMITH, TOMMY BANKS, JOEL ORTIZ, ANCIL OLIVER, ANDRE MCCARTHY, CHRISTOPHER KEE, PARASKEVAS HANTZOS, ALEX DECOSTA, TERRANCE LEEKS, and BIANCA DORISMOND became the prime focus of an investigation into an organized hybrid Criminal Street Gang, which the Flagler County Sheriff's Office has identified as the "Bloods". The "Bloods" gang members are alleged to have been involved with Armed Robberies, Home Invasions, Burglaries, Auto Theft, Homicide, and Illegal Drug Sales in Flagler, Volusia, and Orange Counties.

Initial "Bloods" Gang Member Documentation:

The Flagler County Sheriff's Office has been documenting the criminal activities and intelligence of the "Bloods" within Flagler County, where the gang primarily operates, from January 1, 2004, through October 27, 2008. This information was subsequently documented into the Flagler County Sheriff's Office databases. The Flagler County Sheriff's Office (FCSO) has documented the aforementioned defendants as members of the "Bloods" criminal street gang as defined by FS 874.

Organizational Structure:

This criminal organization is known as the "United Blood Nation" (UBN), which is commonly referred to as the "East Coast Bloods". At the local level, the UBN is divided into separate "sets", which are represented geographically in cities, communities, and neighborhoods. This particular set of the UBN, conducting criminal activities within Palm Coast, Florida (Flagler County), is known as the "9-Tek Grenades" or the "Brick Mafia".

The leader of the "9-Tek Grenades" is BRANDON WASHINGTON, also known as the "Original Gangster" or "OG." The "9-Tek Grenades" organizational hierarchy consists of Generals, ranking from two to five stars, and Soldiers

Types of Criminal Activity:

- The "Bloods" gang members are alleged to have been involved in Armed Robberies, Home Invasions, Burglaries, Auto Thefts, Homicide, Possession of Firearms by Convicted Felons, Possession of Stolen Property, and Illegal Drug Sales in Flagler, Volusia, and Orange Counties. This is also the primary source of income for the organization.
- The "Bloods" gang members also participate in witness tampering. The "Bloods" gang members intimidate their victims, instilling fear of retaliation of further violence.
- The "Bloods" gang operates as a criminal organization, and one of their primary purposes is to use gang members to make money to facilitate their criminal activities. Furthermore, the organization combines their criminal monies in an account called the "Blood Bank."

Bloods Colors:

- The "Bloods" gang colors are Red, Brown, Black, White and Green. The main color for the gang is Red. Some of the members have started wearing Green to "throw law enforcement off".
- Most gang members carry red bandanas, which is referred to as their "flag". These bandanas are typically worn on their heads, hanging from their pants pocket, or may sometimes be concealed on their person.
- "Bloods" gang members wear red and black bead necklaces when they assemble to publicly show their allegiance to the gang. The sequence of the red and black beads symbolizes the rank or position within the gang.

Initiations:

- Gang members are initiated into the gang, in one of the following ways:
 - **Jump-In:** *During a jump-in, multiple gang members beat up the recruit for 21 seconds. Jump-ins are always 21 seconds to symbolize a gang member "up North" that was killed over a "Five Star Jacket". None of the gang members are allowed to speak during the jump-in.*
 - **Sexed-In:** *Female recruits are allowed to be "sexed-in" by engaging in sexual intercourse with a high-ranking member of the gang. Typically, females decline this method of initiation and prefer to be "jumped-in" to gain respect from gang members.*
 - **Blessed-In:** *Recruits must commit a single crime or series of criminal acts to obtain*

membership into the gang. Any proceeds gained from these acts are turned over to the organization's pooled money, known as the "Blood Bank".

Rules and Codes:

- All rules and codes for the "Bloods" gang are written in a document called the "Blood Bible," which is maintained by CHRISTOPHER KEE and ANDRE MCCARTHY at their residences.
- Within this gang, the commonly used codes are as follows:
 - "810" (Eight Ten): Violation within the organization (Violations typically result in a "beat down" of the respective gang member).
 - "505" (Five-o-five): Declaration of war against another person or group
 - "999" (Triple Nine): Snitching
 - "Eating Trees": Snitching
 - "G-Mackin": Hanging out
- Knowledge regarding the Bloods gangs is referred to as "food."
- The Bloods gang uses a special language, similar to "Pig Latin", when they speak to other gang members. The gang utilizes this language to encode oral communications so that "outsiders" understand their conversations. For instance, gang members add the suffix "shba" to the end of each word. The phrase, "My head hurts", would be pronounced as "Myshba headshba hurtshba" in the Bloods gang language.

Meetings (Skylines):

- The "Bloods" typically hold their meetings, called "Skylines", every Sunday at 5 pm. The meetings typically take place at gang members' residences or a local park.
- The purpose of "Skyline" meetings are to discuss the organizational issues including voting on specific members violations, issuing punishment, jump-ins for potential members, discussing previous and future criminal activity, and resolving any conflicts between members or other groups.
- Up to twenty people reportedly attended "Skyline" meetings. Those active members attending the Skylines include: BRANDON WASHINGTON, MICHAEL GILBERT, ANDRE MCCARTHY, ANCIL OLIVER, GERRELL SMITH, CHRISTOPHER KEE, TERRANCE LEEKS, ALEX DECOSTA, BIANCA DORISMOND, PARASKEVAS

HANTZOS, JOEL ORTIZ, AND ROBERTO BRAVO.

- Prior to committing an organized criminal act, gang members are typically required to hold a "Skyline" meeting to discuss and approve of those criminal actions.
- At the "Skyline" meetings, members are required to provide monetary dues, which are placed into the "Blood Bank". The Bookkeeper maintains the funds from the "Blood Bank". Funds from the "Blood Bank" are often used to bail other gang members out of jail.
- Any recorded notes taken at a "Skyline" meeting are maintained by the Secretary or other designee.
- During this investigation, it was confirmed that the organization held the "Skylines" from January 1, 2008 through September 1, 2008.

Hierarchy:

This organization has a defined hierarchy, to include a rank structure with specific positions and responsibilities for gang members. This hierarchy includes the Leader (or Original Gangster), Generals (ranking from two to five stars), and Soldiers. Some of the positions include Bookkeeper, Secretary, and War Chief.

Predicate Acts:

Predicate Incident 1

On or about August 4, 2004, in Flagler County, **BRANDON WASHINGTON** did after being found guilty of a felony or being found to have committed a delinquent act that would be a felony if committed by an adult in the courts of this State, another State, the United States, a territory, or other country pursuant to Florida Statute 790.23 (1)(c) or (d), unlawfully owned or had care, custody, possession, or control, of a firearm or an electric weapon or device, or carried a concealed weapon, including any tear gas gun or chemical weapon or device, contrary to Florida Statute 790.23(1).

To wit: **BRANDON WASHINGTON** was a passenger of a vehicle that had been stopped at 301 Palm Coast Parkway NE, in the City of Palm Coast, by the Flagler County Sheriff's Office. The driver was subsequently arrested. A search incident to arrest revealed a .357 caliber handgun, which was located under the passenger seat where **BRANDON WASHINGTON** was seated. During the post-Miranda statement, **BRANDON WASHINGTON** claimed ownership to this firearm.

Predicate Incident 2

On or about October 11, 2005, in Flagler County, **BRANDON WASHINGTON**, **MICHAEL GILBERT**, **GERRELL SMITH**, and **ANDRE McCARTHY** were unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: The Flagler County Sheriff's Office responded to the intersection of Braddock Lane and Bracken Lane, within the City of Palm Coast, in reference to individuals loitering in the area and possibly selling narcotics. The defendants, **BRANDON WASHINGTON**, **MICHAEL GILBERT**, **GERRELL SMITH**, and **ANDRE McCARTHY** were in the vicinity of a white van. During this encounter, eight Ziploc bags of marijuana (approximately 58 grams), which appeared to be packaged for sale, were located in plain view inside the vehicle. FCSO Deputies had the defendants sit on the ground while conducting a warrants check. An additional baggie of marijuana was found on the ground where the defendants were sitting. While the deputies were conducting their initial investigation, **BRANDON WASHINGTON** fled the scene.

Predicate Incident 3

On or between May 29, 2006 and May 30, 2006, in Flagler County, **BRANDON WASHINGTON** did knowingly obtain or use, or endeavor to obtain or use an automobile which was the property of Catherine Combs, with the intent to permanently or temporarily deprive Catherine Combs of the property or a benefit therefrom or to appropriate the property to the use

of **BRANDON WASHINGTON** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1)(a).

To wit: A Flagler County Sheriff's Office Deputy J. Roster observed a Green Ford Crown Victoria driving recklessly on Seminole Woods Parkway in the City of Palm Coast. As Deputy Roster attempted to intercept the vehicle, the driver increased its speed. The vehicle subsequently crashed into a culvert. The investigation revealed that the driver **BRANDON WASHINGTON** had fled the scene. **BRANDON WASHINGTON** was subsequently located in an attic in a nearby residence. At the time of his arrest, **BRANDON WASHINGTON** was wearing a red bandana on his head.

Predicate Incident 4A and 4B

On or about March 12, 2008, in Flagler County, **BRANDON WASHINGTON**, **ROBERTO BRAVO**, **GERRELL SMITH**, **JOEL ORTIZ**, and **ANCIL OLIVER** did actually and intentionally touch or strike Ritchy Bien-Aime against the will of Ritchy Bien-Aime or did intentionally cause bodily harm to Ritchy Bien-Aime, contrary to Florida Statute 784.03(1).

On or about March 12, 2008, in Flagler County, **BRANDON WASHINGTON**, **ROBERTO BRAVO**, **GERRELL SMITH**, **JOEL ORTIZ**, and **ANCIL OLIVER** did intentionally cause, encourage, solicit, or recruit another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 784.07(2) and 777.011.

To wit: The Flagler County Sheriff's Office responded to 27 Rymer Lane in Palm Coast, Florida, in reference to a male who had been battered by numerous known Blood gang members. The defendants told Bien-Aime that he was going to join their gang, the "Bloods", or he was going to be "jumped". Bien-Aime indicated that he did not wish to be part of gang, and was subsequently attacked by the above listed defendants. Bien-Aime was hit in the back of the head with a beer bottle and was kicked and punched several times. Deputy R. Whitaker observed lacerations to Ritchy Bien-Aime's hands.

Predicate Incident 5

On or about March 15, 2008, in Flagler County, **BRANDON WASHINGTON** did by force, violence, assault, or putting in fear, knowingly take away personal property, of some value, from the presence or custody of William Tinsley, with the intent to permanently or temporarily deprive William Tinsley or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

To wit: The Flagler County Sheriff's Office responded to 13 Pope Lane, within the City of Palm Coast, to a report of a physical disturbance. Investigation determined that **BRANDON WASHINGTON** and other members and associates of the "Blood" organization had robbed

William Tinsley at gun point. Tinsley's property was taken in the robbery.

Predicate Incident 6

On or about March 15, 2008, in Flagler County, **BRANDON WASHINGTON** did by force, violence, assault, or putting in fear, knowingly take away U.S. Currency, of some value, from the presence or custody of, Sub Base and/or Christina Ratliff with the intent to permanently or temporarily deprive Sub Base and/or Christina Ratliff or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

To wit: On March 15, 2008, a robbery occurred at the Sub Base located at 7 Old Kings Road N, in Palm Coast, FL. Four females, Mercedes Owens, Rhonda Duggans, Kimberly Burgos, and Chelsea Simmons were subsequently arrested for this offense. Five hundred fifty dollars was stolen from the Sub Base during this incident. Further investigation revealed that **BRANDON WASHINGTON** planned and ordered the robbery to occur.

Predicate Incident 7

On or between January 1, 2008, and March 19, 2008, in St. Johns County, **BRANDON WASHINGTON** did, after having been convicted of a felony in the courts of Florida, unlawfully own or have care, custody, possession, or control of a firearm, contrary to Florida Statute 775.087(2) and 790.23(1)(a), (c), (d), and (e).

To wit: On March 19, 2008, Mary Foote and Arthur Foote, went to 310 Summer Breeze Way, Apt. 2107, St. Johns County, the apartment of their daughter Meghan Foote-Smith and **BRANDON WASHINGTON**. Mr. and Mrs. Foote located two firearms, a High Point 9mm Long Rifle and a Century International Arms Assault Rifle 7.62mm, in a closet of the apartment. Further investigation determined that these firearms belonged to **BRANDON WASHINGTON**.

Predicate Incident 8 and 9 and 10

On or between October 18, 2007 and September 1, 2008, in Flagler County, **MICHAEL GILBERT** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit sale of cocaine, a felony, contrary to Florida Statutes 777.04(3) and 893.13.

On or between October 18, 2007 and September 1, 2008, in Flagler County, **MICHAEL GILBERT** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit sale of marijuana, a felony, contrary to Florida Statutes 777.04(3) and 893.13.

On or between October 18, 2007 and September 1, 2008, in Flagler County, **MICHAEL GILBERT** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit sale of ecstasy, a felony, contrary to Florida Statutes 777.04(3) and 893.13.

To wit: On September 12, 2008, a post-Miranda Statement was taken from **MICHAEL GILBERT**. **GILBERT** stated to Agent J. Jolicoeur that the "Bloods" were responsible for distributing Cocaine, Marijuana, and Ecstasy throughout Flagler County. **GILBERT** stated that he was a facilitator for the distribution of these illegal narcotics. **GILBERT** was released from prison on October 18, 2007.

Predicate Incident 11A and 11B

On or about August 3, 2008, in Flagler County, **MICHAEL GILBERT, ANCIL OLIVER, CHRISTOPHER KEE, ALEX DECOSTA, TERRANCE LEEKS, and BIANCA DORISMOND** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit Battery, a misdemeanor, contrary to Florida Statutes 777.04(3) and 784.03.

On or about August 3, 2008, in Flagler County, **MICHAEL GILBERT, ANCIL OLIVER, CHRISTOPHER KEE, ALEX DECOSTA, TERRANCE LEEKS, and BIANCA DORISMOND** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit Witness Tampering, a felony, contrary to Florida Statutes 777.04(3) and 914.22.

To wit: On March 15, 2008, Brandon Washington and Manuel Cabral committed an armed robbery against victim William Tinsley. Manuel Cabral pled guilty, and as part of his plea he agreed to testify against Brandon Washington. Further investigation revealed that "Bloods" members, **MICHAEL GILBERT, ANCIL OLIVER, CHRISTOPHER KEE, ALEX DECOSTA, TERRANCE LEEKS, and BIANCA DORISMOND**, voted and agreed at a "Skyline" meeting to commit a battery upon Cabral for testifying against Washington.

Predicate Incident 12

On or between May 16, 2008 and May 19, 2008, in Flagler County, **MICHAEL GILBERT** did unlawfully and knowingly sell, manufacture or deliver a controlled substance, to-wit: cocaine, as named or described in Section 893.03(2)(a)4 Florida Statutes, and contrary to Florida Statute 893.13(1)(a).

To wit: On May 19, 2008, **MICHAEL GILBERT** sold cocaine to an undercover confidential informant in Palm Coast. This was a video taped controlled narcotics transaction under the supervision of Flagler County Sheriff's Office Narcotics Investigators.

Predicate Incident 13

On or between July 17, 2008, and September 3, 2008, in Flagler County, **MICHAEL GILBERT** did after having been convicted of a felony in the courts of Florida, unlawfully own or have care, custody, possession, or control of a firearm, contrary to Florida Statute 775.087(2) and 790.23(1)(a), (c), (d), and (e).

To wit: On September 3, 2008, Agent J. Jolicoeur responded to 12 Lindberg Place, in Palm Coast. Agent Jolicoeur located a stolen firearm, .380 Kel Tec Handgun, at this residence. Further investigation determined that this firearm had been in the possession of **MICHAEL GILBERT** and was located in the personal property of **MICHAEL GILBERT**.

Predicate Incident 14A and 14B

On or about June 28, 2008, in Flagler County, **MICHAEL GILBERT** and **GERRELL SMITH** did unlawfully enter a dwelling with the intent to commit a robbery, and by force, violence, assault, or putting in fear, did knowingly take away money and drugs of some value, from the person or custody of Richard Abbas, with the intent to permanently or temporarily deprive Richard Abbas or any other person not the defendants of the property, and in the course of committing the robbery **MICHAEL GILBERT** and **GERRELL SMITH** carried, displayed, used, threatened, or attempted to use a weapon, contrary to Florida Statutes 775.087(1) and 812.135.

On or about June 28, 2008, in Flagler County, **MICHAEL GILBERT** and **GERRELL SMITH**, did unlawfully threaten by word or act to do violence to the person of Richard Abbas, coupled with an apparent ability to do so, and did threaten to kill Richard Abbas which created a well founded fear in Richard Abbas that such violence was imminent, contrary to Florida Statute 784.011.

To wit: On June 28, 2008, at 5 Burrell Place in Palm Coast, Florida, Richard Abbas reported that he was robbed at knife point by **MICHAEL GILBERT** and **GERRELL SMITH**. Abbas reported that **GILBERT** and **SMITH** forced open the front door of Abbas' residence. **SMITH** placed Abbas in a headlock and held a knife to Abbas' throat. **GILBERT** and **SMITH** searched the residence and made verbal threats to do harm to Abbas and his family if Abbas reported the incident to the police. Abbas reported that **GILBERT** and **SMITH** stole his wallet with \$300.00 of US Currency and an unknown amount of illegal narcotics. Abbas reported that he was in fear due to the fact that **GILBERT** and **SMITH** were members of the "Bloods." **GILBERT** and **SMITH** stated that "the Bloods will come down" on Abbas if he told anyone about the incident.

Predicate Incident 15

On or about December 26, 2006, in Flagler County, **ROBERTO BRAVO, ANDRE MCCARTHY**, and **CHRISTOPHER KEE** did unlawfully threaten by word or act to do violence to the person of Roberto Ferro, coupled with an apparent ability to do so, and did threaten to kill Roberto Ferro which created a well founded fear in Roberto Ferro that such violence was imminent, contrary to Florida Statute 784.011.

To wit: On December 26, 2006, a home invasion robbery occurred at 197 Birchwood Drive in Palm Coast. Victim Roberto Ferro reported that members of the "Bloods," **ROBERTO BRAVO, ANDRE MCCARTHY**, and **CHRISTOPHER KEE** entered the residence and discharged a shotgun. The "Blood" members threatened the victim with this firearm putting him in fear for his life and the safety of his family.

Predicate Incident 16

On or about December 24, 2006, in Flagler County, **ROBERTO BRAVO** did knowingly obtain or use, or endeavor to obtain or use an automobile, which was the property of Mitchell Patino or any other person not the defendant, with the intent to permanently or temporarily deprive Mitchell Patino or any other person not the defendant of the property or benefit therefrom or to appropriate the property to the use of **ROBERTO BRAVO** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1) and (3)(a).

To wit: On December 24, 2006, the victim Mitchell Patino, parked his vehicle at the Kangaroo Store located at 890 Palm Coast Parkway in Palm Coast, Florida. Patino's vehicle was stolen from the parking lot. **ROBERTO BRAVO** was positively identified as being in the vehicle. Furthermore, Sergeant Bray and Deputy Dopp saw **ROBERTO BRAVO** walking away from the vehicle when it was recovered.

Predicate Incident 17A and 17B

On or about December 15, 2007, in Flagler County, **ROBERTO BRAVO** was unlawfully and knowingly in actual or constructive possession of cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled substance as defined in Section 893.03, contrary to Florida Statute 893.13(6)(a).

On or about December 15, 2007, in Flagler County, **ROBERTO BRAVO** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On December 15, 2007, Flagler County Deputy Koep responded to the Sleep Inn Hotel at 10 Kingswood Drive in Palm Coast, Florida, in reference to a report of the occupant selling narcotics out of Room 333. Deputies made contact with **ROBERTO BRAVO** in Room

333 and found cocaine and marijuana. The cocaine was located in close proximity to the identification of **ROBERTO BRAVO**. The marijuana was found on a table in a gallon sized zip lock bag.

Predicate Incident 18

On or about March 13, 2008, in Flagler County, **ROBERTO BRAVO** and **JOEL ORTIZ** did actually and intentionally touch or strike Jessica Bontempo and Brook Constantino against the will of Jessica Bontempo and Brook Constantino or did intentionally cause bodily harm to Jessica Bontempo and Brook Constantino, contrary to Florida Statute 784.03(1).

To wit: On March 13, 2008, Jessica Bontempo and Brook Constantino went to a party at 2 Webster Lane, in Palm Coast. Bontempo and Constantino were physically assaulted and battered by **ROBERTO BRAVO** and **JOEL ORTIZ** in the street in front of this residence. **ROBERTO BRAVO** and **JOEL ORTIZ** punched and kicked these two victims.

Predicate Incident 19

On or about February 17, 2006, in Flagler County, **GERRELL SMITH** was unlawfully and knowingly in actual or constructive possession of cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled substance as defined in Section 893.03, contrary to Florida Statute 893.13(6) (a).

To wit: On February 17, 2006, the Flagler County Sheriff's Office conducted a Search Warrant at 1 Bracken Lane in Palm Coast, Florida, at the residence of **GERRELL SMITH**. The search of the residence revealed that **GERRELL SMITH** had cocaine in his bedroom.

Predicate Incident 20

On or about September 11, 2006, in Flagler County, **GERRELL SMITH** did by force, violence, assault, or putting in fear, knowingly take away a wallet, of some value, from the presence or custody of Anthony Bradford, with the intent to permanently or temporarily deprive Anthony Bradford or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

To wit: On September 11, 2006, victim Anthony Bradford reported that he had been robbed at gun point in a cul-de-sac off of Underwood Trail in Palm Coast. The investigation led to the arrest of **GERRELL SMITH** for this incident. Investigation did determine that **GERRELL SMITH** had been wearing a red bandana at the time of the robbery and that other "Bloods" members were present at the time.

Predicate Incident 21

On or about September 15, 2006, in Flagler County, GERRELL SMITH was unlawfully and knowingly in actual or constructive possession of cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled substance as defined in Section 893.03, contrary to Florida Statute 893.13(6) (a).

To wit: On September 15, 2006, at the Department of Corrections Probation Office in Bunnell, Florida, the defendant, GERRELL SMITH, was taken into custody for a violation of probation charge by Probation Officer Cobett. At the time of his arrest, GERRELL SMITH was in possession of a silver handgun and a quantity of cocaine.

Predicate Incident 22

On or about January 9, 2008, in Flagler County, GERRELL SMITH did by force, violence, assault, or putting in fear, knowingly take away a wallet, of some value, from the presence or custody of Jonathan Dougherty, with the intent to permanently or temporarily deprive Jonathan Dougherty or any other person not the defendant of the property, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13(1)2c and 777.011.

To wit: On January 9, 2008, at 273 Beachway Drive, Palm Coast, Florida, the victim, Jonathan Dougherty, reported that a beige van occupied by multiple black males pulled up behind him. These males exited the van and physically assaulted Dougherty, by placing him into a headlock and throwing him to the ground. At that point, two or three black males began to punch and kick him. The suspects demanded his money and went through Dougherty's pockets, taking his keys. Dougherty was later able to identify GERRELL SMITH as one of the individuals who assaulted him and committed robbery.

Predicate Incident 23

On or about July 20, 2008, in Flagler County, GERRELL SMITH did actually and intentionally touch or strike David Hernandez against the will of David Hernandez or did intentionally cause bodily harm to David Hernandez, contrary to Florida Statute 784.03(1).

To wit: On July 20, 2008, at 20 Prosperity Lane in Palm Coast, Florida, victim David Hernandez reported that he was in front of his residence when a beige van, occupied by a group of black males, stopped in front of the residence. The black males exited the van and surrounded Hernandez. One of the black males, GERRELL SMITH, punched Hernandez in the face with a closed fist. Hernandez was treated at Florida Hospital Flagler and received six stitches. Hernandez reports that he has known GERRELL SMITH for approximately one year and that these subjects were members of the "Bloods" criminal street gang.

Predicate Incident 24A and 24B

On or about July 25, 2008, in Flagler County, **GERRELL SMITH** and **TOMMY BANKS** did unlawfully threaten by word or act to do violence to the person of Michael Bubnis, coupled with an apparent ability to do so, and did threaten to kill or carried a firearm which created a well founded fear in Michael Bubnis that such violence was imminent, contrary to Florida Statute 784.011.

On or about July 25, 2008, in Flagler County, **GERRELL SMITH** and **TOMMY BANKS** did knowingly obtain or use, or endeavor to obtain or use the property of Christopher Bubnis or any other person not the defendant, with the intent to permanently or temporarily deprive Christopher Bubnis or any other person not the defendant of the property or benefit therefrom or to appropriate the property to the use of **GERRELL SMITH** and **TOMMY BANKS** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1) and (3)(a).

To wit: On July 25, 2008, on Frankford Lane in Palm Coast, Florida, **GERRELL SMITH** and **TOMMY BANKS** instructed Pariate Moore to knock on the door and make contact with the victim, Michael Bubnis. Once the door was opened, **GERRELL SMITH** and **TOMMY BANKS** forcibly entered the residence armed with a .380 handgun. Both defendants were wearing red bandanas over their faces and pointed the .380 handgun at Michael Bubnis. **GERRELL SMITH** and **TOMMY BANKS** removed two safes from the residence. It was reported that **GERRELL SMITH** and **TOMMY BANKS** were looking for a Mack-10 automatic pistol, which they believed was inside the residence.

Predicate Incident 25

On or about August 1, 2008, in Flagler County, **GERRELL SMITH** and **TOMMY BANKS** did unlawfully threaten by word or act to do violence to the person of Crystal Descartes, Pariate Moore, Charlaya Moore, and Kaja Daniels, coupled with an apparent ability to do so, and did discharge a firearm at them which created a well founded fear in Crystal Descartes, Pariate Moore, Charlaya Moore, and Kaja Daniels that such violence was imminent, and further did commit the assault with a firearm, a deadly weapon, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 784.021(1)(a) and 777.011.

To wit: On August 1, 2008, at 22 Prosperity Lane in Palm Coast, Florida, the defendant, **GERRELL SMITH** was a passenger in a black 2-door Chevrolet that was driven by **TOMMY BANKS**. As the vehicle passed 22 Prosperity Lane, **TOMMY BANKS** fired two shots from a .380 handgun in the direction of Crystal Descartes, Pariate Moore, Charlaya Moore, and Kaja Daniels. One bullet grazed Pariate Moore's calf. Investigation revealed that **TOMMY BANKS** was the shooter, and that the firearm belonged to **GERRELL SMITH**. Further investigation revealed that **GERRELL SMITH** facilitated and organized this drive-by shooting as a form of retaliation against Pariate Moore.

Predicate Incident 26A and 26B

On or about June 27, 2004, in Flagler County, **TOMMY BANKS** did actually and intentionally touch or strike Jimmy Bingaman against the will of Jimmy Bingaman and in doing so used a knife, a deadly weapon, and/or in doing so intentionally or knowingly caused great bodily harm, permanent disability, or permanent disfigurement to Jimmy Bingaman, contrary to Florida Statute 784.05(1)(a)1 and 2.

On or about June 27, 2004, in Flagler County, **TOMMY BANKS** did knowingly obtain or use, or endeavor to obtain or use the property of Jimmy Bingaman or any other person not the defendant, with the intent to permanently or temporarily deprive Jimmy Bingaman or any other person not the defendant of the property or benefit therefrom or to appropriate the property to the use of **TOMMY BANKS** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1) and (3)(a).

To wit: On June 27, 2004, at 890 Palm Coast Parkway NW, Palm Coast, Florida, the victim Jimmy Bingaman was getting fuel for his vehicle when **TOMMY BANKS** asked Bingaman if he had change for \$100. When Bingaman pulled out his wallet, **TOMMY BANKS** attempted to steal the wallet. Bingaman tried to get the wallet back from **BANKS**. At this point, **BANKS** stabbed Bingaman approximately two inches above Bingaman's neck and throat line, causing a deep knife wound that required 35 stitches. At the time of the stabbing, **BANKS** stated "now you are leaking my favorite color" and then stated, "I will fucking kill you."

Predicate Incident 27

On or about November 22, 2006, in Flagler County, **JOEL ORTIZ** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On November 22, 2006, in the area of 27 Boxwood Lane, Palm Coast, Florida, FCSO Deputy Nunziato conducted a traffic stop on a vehicle that was being driven by the defendant, **JOEL ORTIZ**. At the time of the stop, **ORTIZ** fled the area on foot attempting to resist law enforcement. **ORTIZ** was located shortly thereafter. A search of the vehicle revealed a marijuana plant in the back seat. The investigation determined that this marijuana plant belonged to **ORTIZ**.

Predicate Incident 28A and 28B

On or about December 21, 2007, in Flagler County, **JOEL ORTIZ** was unlawfully and knowingly in actual or constructive possession of cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled

substance as defined in Section 893.03, contrary to Florida Statute 893.13(6)(a).

On or about December 21, 2007, in Flagler County, **JOEL ORTIZ** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On December 21, 2007, **JOEL ORTIZ** was driving a 2000 Dodge Intrepid and was stopped by Flagler County Deputy B. Finn in the area of 1201 Palm Harbor Parkway in Palm Coast, Florida. During this investigative stop, **JOEL ORTIZ** was found to be in possession of 6.4 grams of Marijuana and 9.8 grams of cocaine.

Predicate Incident 29A and 29B

On or about March 15, 2008, in Flagler County, **JOEL ORTIZ** was unlawfully and knowingly in actual or constructive possession of cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled substance as defined in Section 893.03, contrary to Florida Statute 893.13(6)(a).

On or about March 15, 2008, in Flagler County, **JOEL ORTIZ** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On March 15, 2008, Flagler County Deputies responded to 2 Webster Place, Palm Coast in an attempt to find a suspect in a car jacking/kidnapping. Sgt. J Bray contacted the homeowner, who was out of the state at the time, and received consent to search this residence. Upon entering the residence, the deputies found approximately 5 grams of cocaine and approximately 100 grams of marijuana. During this investigation the deputies determined that this marijuana and cocaine belonged to **JOEL ORTIZ**.

Predicate Incident 30

On or about July 13, 2008, in Flagler County, **ANCIL OLIVER** and/or **BIANCA DORISMOND** were unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7 AND 777.011.

To wit: On July 13, 2008, Flagler County Deputy D. Guida conducted a traffic stop on a vehicle being driven by **BIANCA DORISMOND** for unlawful speed. **ANCIL OLIVER** was a passenger in the vehicle. A drug canine was used and indicated that there may be narcotics in the vehicle. The driver, **BIANCA DORISMOND**, was searched and Agent M. Akin found a

felony amount of marijuana concealed in the area of her groin under her clothing. Further investigation has determined that this marijuana actually belonged to the passenger, **ANCIL OLIVER**, who told **DORISMOND** to conceal these narcotics believing that law enforcement would not thoroughly search a female.

Predicate Incident 31A and 31B

On or about August 10, 2008, in Flagler County, **ANCIL OLIVER** did unlawfully and knowingly combine, conspire, confederate and agree each with the other and others, known and unknown, to commit sale of marijuana, a felony, contrary to Florida Statutes 777.04(3) and 893.13.

On or about August 10, 2008, in Flagler County, **ANCIL OLIVER** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On August 10, 2008, a "Blood" "Skyline" meeting took place at 5 Prospect Lane in Palm Coast. Further investigation revealed that **ANCIL OLIVER** was in possession of a large quantity of marijuana, and was weighing this marijuana and packaging it for street level sales.

Predicate Incident 32

On or about May 17, 2008, in Volusia County, **ANCIL OLIVER** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On May 17, 2008, **ANCIL OLIVER** was at 615 Seabreeze Boulevard in Daytona Beach, Florida, when he got into a physical altercation with another customer at the establishment. The Daytona Beach Police Department (DBPD) intervened and arrested **ANCIL OLIVER**. During a search incident to arrest, DBPD recovered approximately 50 grams of marijuana from **OLIVER**'s groin area.

Predicate Incident 33

On or about March 8, 2005, in Flagler County, **ANDRE MCCARTHY** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On March 8, 2005, Flagler County Sheriff Deputy D. Guida conducted a traffic stop on a vehicle, in which **ANDRE MCCARTHY** was a passenger. During this stop, it was determined that a bag of marijuana had been thrown out of the vehicle's window. The investigation determined that this discarded marijuana belonged to **ANDRE MCCARTHY**.

Predicate Incident 34

On or about May 30, 2006, in Flagler County, **CHRISTOPHER KEE** did unlawfully resist, obstruct or oppose J. Roster, a law enforcement officer of the Flagler County Sheriff's Office, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02.

To wit: May 30, 2006, Flagler County Deputy J. Roster was conducting an investigation into the theft of a motor vehicle. Deputy Roster went to 20 Union Court, in Palm Coast, FL in an attempt to locate the suspect Brandon Washington. When Deputy Roster arrived at this residence he made contact with **CHRISTOPHER KEE**. The investigation determined that Brandon Washington was at this residence, and **CHRISTOPHER KEE** did knowingly and intentionally obstruct law enforcement's attempt to locate suspect Brandon Washington.

Predicate Incident 35

On or between February 1, 2008 and March 31, 2008, in Flagler County, **CHRISTOPHER KEE** and **BIANCA DORISMOND**, did intentionally cause, encourage, solicit, or recruit another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 784.07(2) and 777.011.

To wit: Agent J. Jolicoeur has received credible information that **CHRISTOPHER KEE** is one of the main "Blood" members who conducts the "Jump-Ins" for the organization. On at least three separate occasions, **CHRISTOPHER KEE** participated in the "Jump Ins" of three new "Blood" recruits. Agent Jolicoeur has also received credible information that **BIANCA DORISMOND** coordinates and schedules these "Jump Ins" and has been present at most of them.

Predicate Incident 36

On or about March 13, 2006, in Flagler County, **TERRANCE LEEKS** did actually and intentionally touch or strike Donald Havens against the will of Donald Havens and in doing so used a gun, a deadly weapon, and/or in doing so intentionally or knowingly caused great bodily harm, permanent disability, or permanent disfigurement to Donald Havens, contrary to Florida Statute 784.05(1)(a)1 and 2.

To wit: On March 13, 2006, at 174 Coral Reef Court, Palm Coast, Florida, the defendant, **TERRANCE LEEKS**, armed with a black revolver handgun, pulled the handgun from his waistline and pointed it at the victim, Donald Havens. **LEEKES** then began to strike Donald Havens in the head multiple times with this handgun. The victim, Donald Havens, sustained multiple lacerations to his head as a result of the actions of **LEEKES**.

Predicate Incident 37

On or about October 12, 2006, in Flagler County, **TERRANCE LEEKES** did unlawfully and knowingly sell, manufacture, deliver, or possess with the intent to sell, manufacture, or deliver cocaine or ecgonine, including any stereoisomer, salt, compound, derivative or preparation of cocaine or ecgonine, a controlled substance as defined in Section 893.03, contrary to Florida Statute 893.13(1)(a).

To wit: On October 12, 2006, members of the Tri-County Narcotics Enforcement Team and the Flagler County Sheriff's Office Narcotics Unit, conducted a video buy operation within the city limits of Bunnell, Florida. During this operation, Terrence Leeks was identified as a subject who was in possession of crack cocaine and did assist in facilitating a drug sale to undercover Task Force Agent Shawn Ferris.

Predicate Incident 38

On or about April 26, 2008, in Flagler County, **BIANCA DORISMOND** was unlawfully and knowingly in actual or constructive possession of marijuana or cannabis, including any salt, isomers, and salts of isomers, compound, derivative or preparation of marijuana or cannabis, a controlled substance, contrary to Florida Statutes 893.13(6)(b) and 893.03(1)(c)7.

To wit: On April 26, 2008, Agent Jolicoeur and FCSO Detective M. Koenig conducted a traffic stop on I-95 at the south Flagler County Line. A Volusia County Sheriff's K-9 unit responded. This K-9 gave a positive indication on the vehicle for the odor of narcotics. The vehicle was searched and a small baggie of marijuana was located in a shoe in the trunk of the vehicle. The driver of this vehicle was Andre McCarthy and the passengers were Robert Wells, Tommy Banks, **BIANCA DORISMOND**, and Manuel Cabral. Upon further investigation, it was determined that **BIANCA DORISMOND**'s mother owns this vehicle and **BIANCA DORISMOND** is the primary driver of this vehicle. **BIANCA DORISMOND** stated that this marijuana belonged to her. In the area of this marijuana, several red bandanas were located.

Predicate Incident 39

On or about April 24, 2008, in Flagler County, **BIANCA DORISMOND** did actually and intentionally touch or strike Janice Bontempo against the will of Janice Bontempo or did intentionally cause bodily harm to Janice Bontempo, contrary to Florida Statute 784.03(1).

To wit: On April 24, 2008, Flagler County Deputy Bender responded to Smiles Bar located at 7 Old Kings Rd in Palm Coast, Florida. Janice Bontempo reported that there were

several persons seen in the parking lot who had previously beaten up her daughter Jessica Bontempo. Janice Bontempo made contact with these individuals and told them to leave her daughter alone. **BIANCA DORISMOND** became confrontational with Janice Bontempo, and Dorismond grabbed Bontempo's arm against her will and made a threatening remark.

Predicate Incident 40

On or about May 4, 2008, in Flagler County, **BIANCA DORISMOND** did knowingly obtain or use, or endeavor to obtain or use the property of Samuel Bien-Aime or any other person not the defendant, with the intent to permanently or temporarily deprive Samuel Bien-Aime or any other person not the defendant of the property or benefit therefrom or to appropriate the property to the use of **BIANCA DORISMOND** or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1) and (3)(a).

To wit: On May 4, 2008, at 27 Rymer Lane in Palm Coast, Florida, **BIANCA DORISMOND** confronted the victim, Samuel Bien-Aime and asked the victim if he "had a problem with us", referring to the "Tek-9" Bloods Criminal Street Gang. **DORISMOND** stole a silver necklace that Bien-Aime was wearing around his neck. **DORISMOND** was in the company of Gerrell Smith when this theft occurred. **DORISMOND** was subsequently arrested. At the time of arrest, the stolen necklace was found in her purse.

Predicate Incident 41a and 41b

On or about December 18, 2007, in Flagler County, **PARASKEVAS HANTZOS** did unlawfully attempt to commit Home Invasion Robbery with a Firearm, an offense prohibited by law, and in such attempt did an act toward the commission of such offense by entering the home of Sean Adams, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statutes 812.13 (1)2c, 777.04, and 777.011.

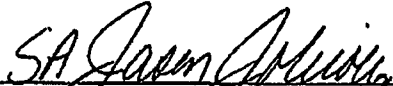
On or about December 18, 2007, in Flagler County, **PARASKEVAS HANTZOS** did unlawfully threaten by word or act to do violence to the person of Sean Adams, coupled with an apparent ability to do so, and did discharge a firearm at Sean Adams which created a well founded fear in Sean Adams that such violence was imminent, and further did commit the assault with a firearm, a deadly weapon, or did commit such crime by aiding, abetting, counseling, hiring, or otherwise procuring such offense to be committed, contrary to Florida Statute 784.021(1)(a) and 777.011.

To wit: On December 18, 2007, at 43 Pheasant Lane in Palm Coast, Florida, Sean Adams was the victim of a home invasion robbery. It was reported that multiple masked black males entered the residence armed with handguns. Sean Adams armed himself with a handgun to protect his residence and property. During this home invasion robbery, gun shots were exchanged between the suspects and the victim. As a result, one of the suspects later identified

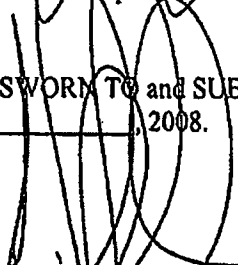
as Rashawn Pugh, was shot by the victim, Sean Adams. Pugh's injuries were fatal and he was found deceased in the doorway of 43 Pheasant Lane, Palm Coast, Florida.

Further investigation has determined that the defendant, **PARASKEVAS HANTZOS**, was present at the time of this home invasion robbery. It has been determined that this robbery was pre-arranged and the defendant, **HANTZOS**, was instructed to go to 43 Pheasant Lane several minutes prior to the home invasion robbery to purchase narcotics from Sean Adams. This was done as a diversionary tactic that would allow the armed male suspects to gain entry to the residence.

I swear the foregoing is true and correct


Special Agent (SA) Jason M. Jolicoeur, Applicant and Affiant
Florida Department of Law Enforcement

SWORN TO and SUBSCRIBED before me in the County and State this ____ day of
____, 2008.


Nov 25 2008 10/24/2008 4:25 P.M.
RAUL ZAMBRANO
CIRCUIT COURT JUDGE
SEVENTH JUDICIAL CIRCUIT
FLAGLER COUNTY, FLORIDA