

7th. Judicial Circuit 707
 Charging Affidavit - FLAGLER

Arrest # _____

Bk # 23-2222

Pg #1 of 5

ARREST NOTICE TO APPEAR AFFIDAVIT C.C. ADULT JUVENILE Court Case Number: 2023 CF 000933

(ORI) FL: 0 1 8 0 0 0 0 Agency Name: Flagler County Sheriff's Office Agency Case Number: 2023-00086302

FCIC/NCIC Check? Yes No OBTS# 1801066565 UCR: _____ Date Arrested: 09/10/2023 Time of Arrest: 14:55

ADDRESS OF ARREST: 105, 16TH, RD, Palm Coast, Florida, 32137 Arrested By: Perkins Kayleigh ID Number: 1021

DEFENDANT Name (L.F.M.): KEMPER, AMY, MARIE A.K.A.: _____ Sex: Female Race: WHITE

DOB: 07/23/1991 Age: 32 Driver's Lic ID No.: K516013917630 State: Florida Year Expires: 2025 S.S. #: _____

Height: 5 2 Weight: 140 Hair: BLOND OR STRAWBERRY Eyes: BROWN BOB (City, St, Country) _____ Statement: Yes No

Scars, Marks, Tattoos: _____ Business & Occupation: _____ Citizenship: Yes No

Probation: Yes No Sexual Predator: Yes No English: Yes No Deaf/Mute: Yes No

Address-Mailing Permanent (STREET, APT. NUMBER) (CITY) (STATE) ZIPCODE RESIDENCE PHONE

Address-Local (STREET, APT. NUMBER) (CITY) (STATE) ZIPCODE RESIDENCE PHONE

Address-Other (Employer-School) (STREET, APT. NUMBER) (CITY) (STATE) ZIPCODE BUS/SCHOOL PHONE

CHARGES DOMESTIC VIOLENCE Child Attachments: Affidavit(s) Statement(s) NTA Schedule Report Traffic Infraction(s) DUI Total Charges: 1

#1 Charge: CHILD NEGLECT WORKER TO FAMILY HARM FEL MISD ORD FS/ORD: 827.03.2.D Citation No.: _____ Bond: _____

#2 Charge: _____ FEL MISD ORD FS/ORD: _____ Citation No.: _____ Bond: None

#3 Charge: _____ FEL MISD ORD FS/ORD: _____ Citation No.: _____ Bond: _____

CO-DEFENDANT Co-Def #1, Arrested? Y N Fel Misd. Traf. Ord. NTA Co-Def #2, Arrested? Y N Fel Misd. Traf. Ord. NTA

#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 a probable cause to believe the above names defendant, on the 10th day of September, 2023, at approximately 14:55 A.M. X P.M. at 105 16TH RD, within Flagler County, violated the law and did then and there.

MARSYS LAW VICTIM'S INFORMATION

On September 10th, 2023, at approximately 9:39 A.M., I, Deputy Perkins, responded to 105 16th Road East, Palm Coast, Florida 32137 (Room 14 of Hammock Beach Resort) in reference to CPR in progress.

Upon arrival, members of the Flagler County Rescue Engine began life-saving measures on an unresponsive subject, Timothy Farinick (later Positively Identified through FCIC/NCIC Query).

Supervisor Approved: Jacob, Trevor Jarrad 09/10/2023

NOTICE TO APPEAR MANDATORY APPEARANCE YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY FINE AND COSTS AMOUNT: _____

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

SIGNATURE OF DEFENDANT _____ DATE _____ RELATIONSHIP TO JUVENILE _____

Sworn to and subscribed before me, the undersigned This 10 day of September, 2023. I swear affirm the above statements are correct and true.

Name: DS 881 OFFICER'S/COMPLAINANT'S SIGNATURE _____

Notary Public Law Enforcement or Corrections Officer Personally Known Produced Identification Type of Identification: _____ NAME (PRINTED) ID NUMBER

OFFICIAL USE ONLY Inmate Number & facility: _____

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Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear

 Adult
 Juvenile

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Defendant Name: KEMPER, AMY, MARIE		Agency Case Number: 2023-00086302	
Name (L,F,M): DOWDY, JOSEPH, CHRISTOPHER	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: WHITE	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address: 78 RALEIGH DR PALM COAST, Florida		Age: 52	DOB: 08/04/1971
Bus/School Address:		Zip: 32164-	Home Phone: (386)283-1918
Relative/Contact Name:		Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Relative/Contact Address:		Bus Phone:	
Relative/Contact Address:		Phone:	

Unofficial Copy

Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):		Zip:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Bus/School Address:		Zip:		Bus Phone:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:		Phone:		

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner (Name): (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner (Name): (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

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

[Signature]
Investigating Officer

1021
ID Number

FCSU
Agency

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Narrative 707-B Supplement

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Defendant Name:

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CHARGES

DOMESTIC VIOLENCE?

YES

Attachments: Affidavit(s) Statement(s) NTA Schedule Report Traffic Infraction(s)

Total Charges:

#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:

I made contact with the reporting party, Amy Kemper (Positively Identified through FCIC/NCIC Query). Amy initially advised that her best-friend of eight years was visiting town, and currently staying in the hotel room. She advised that she had left the hotel room not long before our initial contact and came back to the hotel room to find Timothy not breathing and cold to the touch. Amy advised that Timothy had used cocaine, marijuana, and Viagra in the early hours of the morning.

Timothy was pronounced deceased by Lt. Michael Pius with Engine 41 at 9:57 A.M. after extensive life-saving measures were conducted.

It is important to note that also on scene was Amy's juvenile son, [REDACTED] (D.O.B. 6/28/2012), and a male Amy identified as her friend, Joseph Dowdy (Positively Identified through FCIC/NCIC Query).

Due to Timothy being pronounced deceased and reported drug usage, a crime scene was established and maintained throughout the investigation.

It is important to note that numerous drug paraphernalia items were located in the hotel room to include:

- A clear plastic bag with marijuana inside; smaller baggies within containing Viagra pills.
- Burnt-Blunt end in the bathroom sink.
- 3 Bags of Tobacco leaf rolling papers, located on the main table, bathroom floor, and bathroom counter.
- A silver tray containing white-powder residue on the bathroom sink.

Due to the circumstances surrounding the initial fact-finding interview as life-saving measures were conducted, and Amy's distressed state at the time, contact was made again with Amy after the initial scene calmed down. Detective Rosado was also present during the interview. Amy completed a Voluntary Witness Statement and advised of the following:

Amy advised that at approximately 11:00 P.M., she, Timothy, Joseph, and two other unidentified males (One male recognized to Amy as "Brian") went to Finn's Bar in Flagler Beach, Florida. She advised they all had alcoholic beverages and stayed until closing at 2 A.M. At that time, she and Timothy picked up her juvenile son,

Sworn to and subscribed before me, the undersigned, this <u>11th</u> day of <u>Sept</u> , 20 <u>22</u>	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>D. S. [Signature]</u>	<u>[Signature]</u>	
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Type of Identification:	NAME (PRINTED) <u>D. S. [Signature]</u>	ID NUMBER <u>20221</u>

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Narrative 707-B Supplement

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Defendant Name:		Court Case Number:		Page # of	
Agency Case Number:		Court Case Number:		Page # of	
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"/>		
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:
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██████████ from his grandmother's house in Palm Coast. She advised that they all arrived back to the hotel room sometime before 3:00 A.M. She advised they all smoked marijuana together in the room while ██████████ slept on a couch in the hotel room, located in front of the balcony doors in front of the bed. Amy also advised that all five individuals were using cocaine in the room as well. She stated that the cocaine was kept in the bathroom on the sink away from ██████████ view. At an unknown time, Amy stated that Joseph and Brian's friend left the hotel room so that she, Timothy, and Brian could have group sex. Prior to having group sex, Amy advised they attempted to put the couch that ██████████ was sleeping on into the narrow-closet and cover the closet doors with a sheet so that if ██████████ woke up, he would not "see," or "hear" the sexual activities occurring. After the sexual activities occurred, Amy advised she was doing her make-up in the hotel room, and Joseph went out to the balcony to smoke more marijuana. At approximately 5:00 A.M. (Unknown time, conflicting times were reported through the investigation), Amy observed Timothy having what she believed as a medical episode and called resort security for help. She reported hearing loud and unnatural snoring, and Timothy was unresponsive. Shortly after, it was deemed that Timothy was "Sleeping," so she and Joseph left the hotel-room so he could "Sleep it off." She advised she then went to Daytona Beach to see another friend, and Joseph drove her. She advised ██████████ stayed in the room.

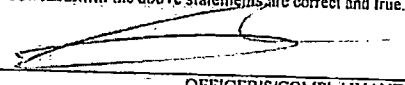
Upon returning from Daytona Beach at approximately 9:25 A.M., Amy advised she and Joseph knocked on the door and ██████████ answered. Amy located Timothy unresponsive and cold in the bed, and that is when she called 911.

It is important to note that ██████████ was left alone in the hotel room with the unresponsive Timothy, drug paraphernalia, and sex items for numerous hours.

It is important to note that numerous sex toys were located in the bathroom and condom wrappers were located around the bed.

Photographs of the scene were taken by Corporal Barnett and will be uploaded to Aegis.

Contact was then made with Joseph who provided a Voluntary Witness Statement. Joseph advised that at an unknown time, he brought Amy and ██████████ to the hotel room to visit Timothy. He advised that he then left the hotel. At an unknown time shortly after, Joseph met Amy and her "Friend" at Finn's Bar. He stated that at approximately 2:30 A.M., the group of individuals returned to the hotel room and smoked marijuana together. At an unknown time, Joseph advised he went to the balcony alone to smoke, and shortly after, Amy came

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Name: <u>DS 88L</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Type of Identification:	NAME (PRINTED) <u>D/S Barnett</u>	ID NUMBER <u>1021</u>

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Defendant Name: _____ Agency Case Number: _____

CHARGES		DOMESTIC VIOLENCE?	YES	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>				Total Charges:	
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#	Charge:			FEL <input type="checkbox"/>	MISD <input type="checkbox"/>	ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:
#	Charge:			FEL <input type="checkbox"/>	MISD <input type="checkbox"/>	ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:

outside and told him that Timothy was having a "heart attack." He advised that he and Amy left the hotel room after it was assumed that Timothy was just "sleeping it off." He advised they returned hours later the hotel room where [REDACTED] was awake, and Timothy was still unresponsive. He stated at that time, they called 911.

Due to the circumstances surrounding the juvenile, Sergeant Jacob contacted the Department of Children and Families (D.C.F.). D.C.F. Employee [REDACTED] (I.D. Number 408) accepted the report and requested immediate response to the scene.

Detective [REDACTED] conducted an interview with [REDACTED] while Amy was present. [REDACTED] advised that he remembers being picked-up from his grandmother's house and brought to the hotel room. He reported that he did not know all the individuals on scene very well, and that he immediately laid down on the couch to go to sleep. However, he then reported that he was watching T.V. on the couch while the adult individuals were hanging out. He advised in the hours of the early morning; he heard Timothy snoring very loudly. He advised he did not know what was happening until he observed Amy calling emergency services after 9:00 A.M.

Department of Children and Families employee M. Walker (I.D. Number MW10372) responded to the scene and generated a report. See D.C.F. Case Number 23-283408 for further information.

Due to Amy's failure as a caregiver for [REDACTED] to provide him with the care, supervision, and services necessary to maintain his physical and mental health that a prudent person would consider essential for the well-being of a child, Amy was placed under arrest for Child Neglect without great bodily harm. She was transported to the Flagler County Inmate Facility without incident.

All paperwork will be submitted to Records in a timely manner. All Axon Body Camera Footage will be uploaded to Evidence.com.

Nothing further to report at this time. This concludes my involvement in this case.

Sworn to and subscribed before me, the undersigned, this <u>10</u> day of <u>SEP</u> , 20 <u>23</u> .	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>[Signature]</u>	<u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE	
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED) <u>DIS [Signature]</u>	ID NUMBER <u>2021</u>
Type of Identification:		

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