

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

Arrest # \_\_\_\_\_

Bk # \_\_\_\_\_

Pg #1 of 4

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:	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2018-00080607	
FCIC/NCIC Check? Yes <input type="checkbox"/> No <input type="checkbox"/>		OBTS#		UCR: _____ Date Arrested: _____ Time of Arrest: 17:00	
ADDRESS OF ARREST: Florida				Arrested By: _____ ID Number: _____	
<b>DEFENDANT</b> Name (L.F.M.): BENTON, DOTTYE, LEWIS		A.K.A.:		Sex: Female Race: White	
DOB: 04/10/1946 Age: 72		Driver's Lic/ID No.: B535172466301		State: Florida Year Expires: 2025 S.S. #: _____	
Height: 5 03 Weight: 150		Hair: Red or Auburn Eyes: Blue		POB (City, St, Country) _____ Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Scars, Marks, Tattoos: _____		Business & Occupation: _____		Citizenship: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input type="checkbox"/>		Sexual Predator: Yes <input type="checkbox"/> No <input type="checkbox"/>		English: Yes <input type="checkbox"/> No <input type="checkbox"/> Deaf/Mute: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Address-Mailing/Permanent (STREET, APT. NUMBER) 29 RYDER DR		(CITY) PALM COAST		(STATE) Florida ZIPCODE 32164- RESIDENCE PHONE _____	
Address-Local (STREET, APT. NUMBER) 29 RYDER DR		(CITY) PALM COAST		(STATE) Florida ZIPCODE 32164- RESIDENCE PHONE (386)527-4764	
Address-Other(Employer/School) _____		(CITY) _____		(STATE) _____ ZIPCODE _____ BUS/SCHOOL PHONE _____	
<b>CHARGES</b>		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: _____	
#1 Charge: DANGEROUS DOG- ATTACK OR BITE- SEVERE INJURY		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: 767.13.2 Citation No.: _____ Bond: _____	
#2 Charge: _____		FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: _____ Citation No.: _____ Bond: _____	
#3 Charge: _____		FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: _____ Citation No.: _____ Bond: _____	
<b>CO-DEFENDANT</b>		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME(L.F.M): _____		Race: _____ Sex: _____ DOB: _____ Age: _____			
#2 NAME(L.F.M): _____		Race: _____ Sex: _____ DOB: _____ Age: _____			
<b>NARRATIVE</b> The undersigned certifies and swears that there is a probable cause to believe the above names defendant, on the 23th day of August, 2018, at approximately 17:00 A.M. X P.M. at 29 RYDER DR within Flagler County, violated the law and did then and there.					
<p>On August 23, 2018, I was contacted by Officer Eva Rodriguez with the Palm Coast Animal Control Office. Officer Rodriguez asked me for my assistance in completing a Charging Affidavit in reference to a dangerous dog animal bite case she was working on. She advised her office is wanting to pursue charges on Dottye Benton in reference to Florida Statue 767.13(2), which is for the Attack/Bite of a previously declared dangerous dog.</p> <p>On February 21, 2018, the dog named Cooper, a Doberman / Hound mixed male dog, was declared a dangerous dog by the City of Port Orange Animal Control department. The report was made by Officer Chris</p>					
Supervisor Approved: Myers, Robert S. 08/27/2018					
<b>NOTICE TO APPEAR</b>		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	
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.		FINE, AND COSTS AMOUNT: _____			
SIGNATURE OF DEFENDANT _____ DATE _____		RELATIONSHIP TO JUVENILE _____		Juve Disp. CITATION No. _____	
SIGNATURE OF JUVENILE PARENT OR CUSTODIAN _____					
Sworn to and subscribed before me, the undersigned This ____ day of _____, _____.		I swear/affirm the above statements are correct and true.		Rt Thumb _____	
Name: _____		OFFICER'S/COMPLAINANT'S SIGNATURE _____			
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: _____		NAME(PRINTED) _____		ID NUMBER _____	
<b>OFFICIAL USE ONLY</b>		Inmate Number & facility: _____			

707 - COURT COPY

# Witness/Victim/Evidence Form 707-A

Arrest  
 Affidavit  
 Notice to Appear
  Adult  
 Juvenile

Court Case Number:

Pg # 2 of 4

Defendant Name: <b>BENTON, DOTTYE, LEWIS</b>		Agency Case Number: <b>2018-00080607</b>	
Name (L,F,M): <b>BENTON, DAWN, MICHELLE</b>	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input type="checkbox"/> <b>F</b> <input checked="" type="checkbox"/>
Address <b>37 TIMBER TRL PORT ORANGE, Florida</b> (# Street, City, State):		Zip: <b>32127-</b>	Age: <b>52</b> DOB: <b>10/11/1965</b> SSN: [REDACTED]
Bus/School Address:		Home Phone: <b>(386)547-1759</b>	Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone:
Name (L,F,M): <b>BLALOCK, SHANE, A</b>	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input checked="" type="checkbox"/> <b>F</b> <input type="checkbox"/>
Address <b>40 WELLWOOD LN PALM COAST, Florida</b> (# Street, City, State):		Zip: <b>32164-</b>	Age: <b>26</b> DOB: <b>03/08/1992</b> SSN: [REDACTED]
Bus/School Address:		Home Phone: <b>(386)693-6400</b>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone:
Name (L,F,M): <b>SANDT, TERRY,</b>	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input checked="" type="checkbox"/> <b>F</b> <input type="checkbox"/>
Address <b>6387 NIKA CT PORT ORANGE, Florida</b> (# Street, City, State):		Zip: <b>32128-7272</b>	Age: <b>58</b> DOB: <b>05/16/1960</b> SSN: [REDACTED]
Bus/School Address:		Home Phone: <b>(386)566-9393</b>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> <b>F</b> <input type="checkbox"/>
Address (# Street, City, State):		Zip:	Age:    DOB:    SSN:
Bus/School Address:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> <b>F</b> <input type="checkbox"/>
Address (# Street, City, State):		Zip:	Age:    DOB:    SSN:
Bus/School Address:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. 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.

Investigating Officer \_\_\_\_\_ ID Number \_\_\_\_\_ Agency \_\_\_\_\_

707-A - COURT COPY

# Narrative 707-B Supplement

Arrest  
 Affidavit  
 Notice to Appear  
 Adult  
 Juvenile

Court Case  
Number:

Page # 3 of 4

Defendant Name: <b>BENTON, DOTTYE, LEWIS</b>		Agency Case Number: <b>2018-00080607</b>	
<b>CHARGES</b>	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	
#	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:

Filbert, a Port Orange Animal Control Officer. The owner of the dog is Dawn Benton. Dawn was ordered by Officer C. Filbert to place the dog under a ten day quarantine at a local shelter starting on January 27, 2017 with a release date of February 1, 2018. Dawn did not do this and instead relocated the dog to her mother's home (Dotty Benton) at 29 Ryder Drive in Palm Coast Fl. To care for Cooper. Animal Control Officer Eva Rodriguez was notified by Officer Chris Filbert about this incident and was advised that this dog was declared dangerous by the City of Port Orange. See the attached report from the Port Orange Animal Control Office (Case # 18-000810) for further details.

On February 24, 2018 Officer Eva Rodriguez received an after hours report by voice mail of a dog bite incident that occurred at 29 Ryder Drive, Palm Coast Florida. ( Palm Coast Animal Control Case# 2018-021254) It involved a carpet cleaner whom was conducting business at this location. His name is Terry Sandt of East Coast Carpet busters. Dotty was in attendance and acted as a witness for Cooper at his dangerous dog hearing in the City of port Orange. This gave her knowledge that Cooper was declared a dangerous dog. Knowing this, she failed to tell and or warn Terry of this and Instead let the dog out of his enclouse so that Terry may pat him. This was clear negligence on Dotty's part, knowing the dog was dangerous to strangers.

Officer Rodriguez made contact with Dotty Benton on February 26, 2018 and made arrangement to meet me at the Flagler County humane Society the next morning for quarantine of Cooper. On February 27, 2018, Officer Rodriguez made contact with Dotty Benton whom released Cooper to her to be processed into the Flagler County Humane Society for quarantine. At this time, the process of Cooper being declared a dangerous dog in Flagler County had been started by the Palm Coast Animal Control Office, with the intent of Euthanization.

Mrs. Benton received notice of this process on March 7, 2018 by Palm Coast Animal Control. Dotty Benton has filed an appeal for this action and a hearing was held at the Palm Coast City Hall on April 16, 2018. At this time the determination that the dog was dangerous and needed to be humanly euthanized, was upheld by the city hearing officer. At this time Dotty Benton is appealing this decision with the Flagler County Court System.

While Copper was awaiting appeal at the Flagler Humane Society located at 1 Shelter Dr. Palm Coast Fl., another bite incident with Cooper occurred and was reported by Shane Blalock (a kennel / shelter employee) on August 16, 2018. Dotty Benton was at the shelter unsupervised with Cooper for a visit. Shane observed Dotty Benton exiting Cooper's kennel and this is when Cooper came out of the kennel and attacked Shane, biting him on his left hip, breaking the skin.

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

707-B - COURT COPY

# Narrative 707-B Supplement

Arrest  
 Affidavit  
 Notice to Appear
  Adult  
 Juvenile

Court Case  
Number:

Page # 4 of 4

Defendant Name: <b>BENTON, DOTTYE, LEWIS</b>		Agency Case Number: <b>2018-00080607</b>			
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"/>			Total Charges:
	#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:
	#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:
	#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:

Because of this being the third reported bite case of the dog named Cooper and because Dotty Benton did not take responsibility to follow the order from the Port Orange Animal Control Office and did not keep Cooper in a muzzle and on a chain or leash and under her control to avoid further incidents and also made no attempt to report the third bite, and because the dog caused severe injury on the second bite incident involving Terry Sandt, The Palm Coast Animal Control Office is pursuing the Felony charge of Statue # 767.13 (2) the Attack / Bite of a previously declared dangerous dog that caused severe injury.

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

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