

7th. Judicial Circuit 707
Charging Affidavit - FLAGLER

Arrest # _____

Bk # 22-2230

Pg #1 of 5

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2022 CF 001007	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2022-00085854	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# <u>1801063709</u>		Date Arrested: 09/22/2022 Time of Arrest: 17:35	
ADDRESS OF ARREST: 125, BLARE, DR, Palm Coast, Florida, 32137					
DEFENDANT		Name (L.F.M.): BETHEA, DEVARUS, O SHAY		A.K.A.: _____	
DOB: 12/17/1987		Age: 34		Driver's Lic' ID No.: B300174874570	
Height: 5.6.0		Weight: 135		Hair: BROWN Eyes: BROWN	
Sears, Marks, Tattoos: _____		Business & Occupation: _____		Statement: 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-Home/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? YES <input checked="" type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input checked="" type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: 3	
#1	Charge: AGG BATTERY - BODILY HARM	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ Bond: None	
#2	Charge: DOMESTIC - AGG ASSAULT	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ Bond: None	
#3	Charge: CHILD ABUSE WO. GREAT BODILY HARM	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ Bond: None	
CO-DEFENDANT		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME(F.F.N.): _____		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 <u>22th</u> day of <u>September</u> , 2022, at approximately <u>17:35</u> A.M. <u>X</u> P.M. at <u>125 BLARE DR</u> within <u>Flagler</u> County, violated the law and did then and there.					
MARSY'S LAW VICTIM INFORMATION					
On September 22 nd , 2022, I, Deputy Stanford, responded to 125 Blare Dr., Palm Coast, FL. 32137, in reference to a Physical Disturbance.					
Upon my arrival I observed the suspect, Devarus O'shay Bethea, detained in handcuffs in front of the residence. Devarus was positively identified by his Florida Identification Card. SGT Gamarra requested that I escort Devarus to the rear of my fully marked Flagler County Sheriff's Office patrol vehicle where he was secured without					
Supervisor Approved: Gamarra, Frank 09/22/2022					
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"/>	
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		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN	
Sworn to and subscribed before me, the undersigned, on this <u>22th</u> day of <u>Sept</u> , 2022.		I swear affirm the above statements are correct and true.		CITATION No. _____	
Name: <u>[Signature]</u>		OFFICER'S COMPLAINT'S SIGNATURE		Rt Thumb	
Notary Public in Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Prescribed Identification <input type="checkbox"/> Type of Identification: _____		NAME (PRINTED) <u>D/S R. Stanford</u>		ID NUMBER <u>1022</u>	
OFFICIAL USE ONLY		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 5

Defendant Name: BETHEA, DEVARUS, O SHAY				Agency Case Number: 2022-00085854	
Name (L,F,M):	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex:	Age:	DOB:
Address (#, Street, City, State):				SSN:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:				Bus:	Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: WHITE	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: 39	DOB: 03/01/1983
Address 3 WARREN PL Palm Coast, Florida				Zip: 32164	Home Phone: (386)437-6924
Bus/School Address:				Zip:	Bus: Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: BLACK AFRICAN AMERICAN	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: 52	DOB: 06/01/1970
Address 3304 BEACH VILLAGE CIR PALM COAST, Florida				Zip: 32137	Home Phone: (386)631-7079
Bus/School Address:				Zip:	Bus: Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):				Zip:	Home Phone:
Bus/School Address:				Zip:	Bus: Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):				Zip:	Home Phone:
Bus/School Address:				Zip:	Bus: Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):				Zip:	Home Phone:
Bus/School Address:				Zip:	Bus: Phone:
Relative/Contact Name:				Relative/Contact Address:	Phone:

EVIDENCE COLLECTED			
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Photographs of the victim and broken vase	09/22/2022		
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: *[Signature]*
ID Number: **1022**
Agency: **FC50**
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Narrative 707-B Supplement

☐ Arrest
☐ Affidavit
☐ Notice to Appear

☐ Adult
☐ Juvenile

Court Case
Number:

Page # of

Defendant Name:		Agency Case Number:	
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: 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:

incident. After placing Devarus in my car, [REDACTED] Aunt Michelle Gilmore, arrived on scene to be with [REDACTED] SGT Gamarra advised that Devarus stated the argument was verbal in nature and that nothing physical had occurred. SGT Gamarra further advised that [REDACTED] stated Devarus was upset with her because she wanted them to break up. Deputy Ray stood by my vehicle with Devarus so that I could make contact with another male in the driveway.

The male, Val Mateyshin, was positively identified by his Florida Driver's License. Val advised that he was there to pick Devarus up due to Devarus and [REDACTED] having a "full blown argument". Val advised that Devarus called his girlfriend (Val's girlfriend) to come and pick him up. Val further advised that the entire time he was enroute, he was on the phone with Devarus and he could hear shouting and doors slamming, never visually witnessing the altercation. Val then advised that when he arrived, he observed [REDACTED] getting into the driver's seat of her vehicle with her baby in her arms. Devarus then went up to the driver door of her vehicle and took his shirt off, continuing to scream at her. Val advised [REDACTED] then went back into the residence while Devarus ran around the back and continued to scream and slam doors. Val declined to fill out a Sworn Written Statement but my interaction with him was captured on my Axon camera. Val gave a similar statement to SGT Gamarra on AXON BWC which SGT Gamarra had Val swear to.

Once inside the residence, I made contact with [REDACTED] who was speaking with SGT Gamarra. [REDACTED] advised that she and her live-in boyfriend of approximately one year, Devarus, grabbed her by the hair while she was holding her 2-year old daughter [REDACTED]. In a written statement, [REDACTED] advised that she asked Devarus about bills which upset him and caused him to become "flustered" and begin screaming. She then walked into the kitchen where Devarus grabbed her by the hair and cornered her, not letting her pass. She advised Devarus began threatening her with a pair scissors causing [REDACTED] to fear for her life. [REDACTED] stated that she walked from the kitchen to the living room with Devarus following behind her. [REDACTED] stated that Devarus picked up a silver colored glass vase and threw it at her, hitting the ground in front of her, further making her fear for her life, all while she was holding her child. It is to be noted that though it is not written in the statement, [REDACTED] advised SGT Gamarra that Devarus was waving the scissors in her direction in a threatening manner while walking towards her, striking her in the finger causing [REDACTED] to bleed.

[REDACTED] further stated to SGT Gamarra that Devarus was attempting to stab her with the scissors. [REDACTED] demonstrated the action to SGT Gamarra which is best described as a stabbing motion from top to bottom in her direction. [REDACTED] stated that in self-defense, she was blocking Devarus' attempts with her hands by swatting at the scissors. In the process, [REDACTED] stated that Devarus struck her with the scissors causing a minor

Sworn to and subscribed before me, the undersigned, this <u>22nd</u> day of <u>September</u> , 20 <u>22</u> .	I swear/affirm the above statements are correct and true.	Right thumb
Name: <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>DR. Stanford</u>	ID NUMBER <u>1022</u>
Type of Identification:		

707-B - COURT COPY

Narrative 707-B Supplement

☐ Arrest
☐ Affidavit
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☐ Adult
☐ Juvenile

Court Case
Number:

Page # of

Defendant Name:		Agency Case Number:	
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:
#	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:

cut on one of her fingers (injury was photographed by Sergeant Gamarra). [REDACTED] stated that while this assault and battery was taking place, and throughout the incident, that Devarus was making the statement "I'll kill you over my feelings". [REDACTED] stated that when the argument started, she went to her security pad to secretly summons law enforcement, as she was scared that the situation would escalate. [REDACTED] stated that Devarus pulled her away from the keypad at which time she informed him she would contact law enforcement on her cellular telephone. [REDACTED] stated that Devarus took her cell phone away from her. [REDACTED] stated that she then texted 9-1-1 from her daughter's cell phone. Throughout the incident, [REDACTED] stated that she was in fear of Devarus, and thought that he would hurt her. [REDACTED] stated that there is a long, undocumented history of domestic violence incidents between her and Devarus.

[REDACTED] advised she then attempted to walk out the front door. Upon her opening the door, Devarus kicked the door shut blocking her ability to exit the residence. [REDACTED] then walked through the garage door where she entered her vehicle in order to text 911 for assistance from Law Enforcement. [REDACTED] advised that Devarus followed her the entire time to her car and was screaming at her until texted 9-1-1 and returned inside the residence. Shortly after, SGT Gamarra arrived on scene and detained Devarus for safety reasons. SGT Gamarra advised that due to the nature of the call for service, and the bulges in Devarus' shorts, the fact that Devarus was reaching inside his pockets, and having to monitor three separate subjects on scene while being the only deputy at the residence, SGT Gamarra detained Devarus immediately for officer safety.

Based on the sworn written statement by [REDACTED]'s injury, which was consistent with her account of the incident, the fact that a child was located in the residence awake and alert, who witnessing the events that transpired, and could of possibly been struck by the vase being thrown, would lead a reasonable person to believe that the child would most likely suffer mental injury, the sworn video recorded statement by Val, and the destroyed vase located on the floor, probable cause exists that Devarus committed the crimes of Aggravated Assault, Aggravated Battery DV, and Child Abuse. Devarus was arrested and transported to the Flagler County Inmate Facility in the rear of my patrol vehicle without incident.

Efforts were made to recover the scissors, however, it is believed that Devarus placed the scissors in a backpack within Val's vehicle, unbeknownst to Val, who had been released as law enforcement had completed an interview with him, and had no further legal reason to hold him at the residence. Efforts to locate Val at his residence were made with negative results.

Upon conducting a Criminal History inquiry, Devarus was found to have 1 previous conviction of Battery in

Sworn to and subscribed before me, the undersigned this <u>29th</u> day of <u>September</u> , <u>2022</u>	I swear/affirm the above statements are correct and true.		Right thumb
Name: <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>D.S.R. Stanford</u>	ID NUMBER <u>1022</u>	
Type of Identification:			

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Narrative 707-B Supplement

☐ Arrest
☐ Affidavit
☐ Notice to Appear

☐ Adult
☐ Juvenile

Court Case
Number:

Page # of

Defendant Name:		Agency Case Number:	
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:
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

reference to Case# 2021 MM 00289 / FCSO Case#2021-00031623.

Keyona completed a Domestic Violence Assessment and Statement Form, Victim's Right to Confidentiality Form, Public Records Exemption Form and a Victim Notification.

Keyona was provided a Notice of Legal Rights and Remedies for Victims of Domestic Violence pamphlet.

An online report was submitted to the Florida Department of Children and Families due to the Child Abuse charge.

Photographs of the scene were taken and will be uploaded AEGIS in a timely manner.

Photographs of the victim's injuries were taken and were emailed to "Jail Booking" for first appearance and will be uploaded to AEGIS in a timely manner.

All paperwork will be turned into Records in a timely manner.

There is no further information to report at this time.

Sworn to and subscribed before me, the undersigned this <u>22nd</u> day of <u>September</u> 20 <u>22</u>	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>[Signature]</u>	<u>[Signature]</u>	
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME(PRINTED) <u>YSE Stanford</u>	ID NUMBER <u>1022</u>
Type of Identification:		

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