

7th. Judicial Circuit 707  
Charging Affidavit - FLAGLER

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

Bk # 18-2685

Pg # 1 of 4

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: 2018 CF 001118	
(ORI) FI: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2018-00105064	
FCIC/NCIC Check? Yes <input type="checkbox"/> No <input type="checkbox"/>		OBTS# <u>1801053345</u>		Date Arrested: 11/07/2018	
ADDRESS OF ARREST: 10, WHITTLESEY, LN, Palm Coast, Florida, 32164		Arrested By: Varnes Dedorius		ID Number: 807	
<b>DEFENDANT</b> Name (L,F,M): BORCA, SEAN, L		A.K.A.:		Sex: Male Race: White	
DOB: 06/20/1975 Age: 43		Driver's Lic' ID No.: B620792752200		State: Florida Year Expires: 2020	
Height: Weight: Hair: Brown Eyes: Brown		POB (City, St, Country):		S.S. #: [REDACTED]	
Scars, Marks, Tattoos:		Business & Occupation:		Statement: Yes <input checked="" type="checkbox"/> No <input 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"/> English	
Address-Home/Permanent (STREET, APT. NUMBER) (CITY) (STATE) ZIP/CODE		RESIDENCE PHONE			
Address-Local (STREET, APT. NUMBER) (CITY) (STATE) ZIP/CODE		RESIDENCE PHONE			
261 WELLINGTON DR PALM COAST Florida 32164		(904)600-8897			
Address-Other (Employer/School) (STREET, APT. NUMBER) (CITY) (STATE) ZIP/CODE		BUSINESS PHONE			
<b>CHARGES</b> DOMESTIC VIOLENCE? YES <input checked="" type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input checked="" type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> LA <input type="checkbox"/>		Total Charges: 2	
#1	Charge: AGG ASSAULT - DEADLY WEAPON W/O INTENT TO KILL	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORL: 784.021.1.A	Citation No.:	Bond: None
#2	Charge: BATTERY - SIMPLE	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS ORL: 784.03.1.B	Citation No.:	Bond: None
#3	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORL:	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 7th day of November, 2018, at approximately 05:42 X A.M. P.M. at 10 Whittlesey LN within Flagler County, violated the law and did then and there. On November 7, 2018, I Deputy D. Varnes responded to 10 Whittlesey Lane in reference to a domestic disturbance. Upon arrival, I made contact with Sean Borca. Sean was observed holding a bloody towel to the back of his head. Sean stated that his girlfriend Jennifer Kozimor had taken his 12 gauge shotgun (Serial#RU073892) and fired it into the carpet in the living room. Sean stated that he and Jennifer were involved in a verbal argument about relationship issues, which quickly escalated once she grabbed the aforementioned shotgun. Sean advised					
Supervisor Approved: Goncalves, Kenny 11/07/2018					
<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"/>		FINE AND COSTS AMOUNT:	
I AGREE TO APPEAR IN COURT HERBY 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		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN	
Name: [Signature]		Date: [Blank]		CITATION No.:	
I swear to and subscribed before me, the undersigned This 7 day of Nov. 2018.		I swear affirm the above statements are correct and true.		RE: [Blank]	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		NAME (PRINTED) D. Varnes		ID NUMBER 807	
<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>BORCA, SEAN, L</b>				Agency Case Number: <b>2018-00105064</b>	
Name (L,F,M): [REDACTED]	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input checked="" type="checkbox"/> F <input type="checkbox"/>	Age: <b>16</b>	DOB: <b>[REDACTED] /2002</b>
Address (#, Street, City, State): [REDACTED]			Zip: <b>32164</b>	Home Phone:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Bus/School Address: <b>5500 FL-100 HWY Palm Coast, Florida</b>			Zip: <b>32164-</b>	Bus Phone: <b>(386)437-7540</b>	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M): <b>FITZGERALD, KATIE, ELISABETH</b>	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: <b>21</b>	DOB: <b>11/20/1996</b>
Address (#, Street, City, State): <b>722 UNABELLE AVE HOLLY HILL, Florida</b>			Zip: <b>32117</b>	Home Phone: <b>(386)264-0625</b>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M): <b>KOZIMOR, JENNIFER, LEIGH</b>	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: <b>White</b>	Sex: <b>M</b> <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: <b>42</b>	DOB: <b>03/01/1976</b>
Address (#, Street, City, State): <b>717 UNABELLE AVE HOLLY HILL, Florida</b>			Zip: <b>32117</b>	Home Phone: <b>(386)679-7976</b>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: <b>M</b> <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:			Zip:	Bus Phone:	
Relative/Contact Name:		Relative/Contact Address:			

## EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
<b>12 gauge (serial number RU073892)</b>	<b>11/07/2018</b>	<b>RU073892</b>	
Owner (Name): <b>BORCA, SEAN L</b>	(Address): <b>261 WELLINGTON</b>	(Phone): <b>(904)600-6897</b>	Value: <b>\$,600.00</b>
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

*D/S J. James*  
 Investigating Officer
 
**807**  
 ID Number
 

**FC50**  
 Agency

707-A - COURT COPY

# Narrative 707-B Supplement

Arrest  
 Adm'l  
 Juvenile  
 Affidavit  
 Notice to Appear

Court Case Number:

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Defendant Name: <b>BORCA, SEAN, L</b>	Agency Case Number: <b>2018-00105064</b>
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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:

that the incident never became physical, but did advise that due to Jennifer's action's he was in fear for his life. When asked how he received the injury to his head, Sean stated that a deer head ornament must have caused it when it fell off of the wall. Through further questioning, Sean stated the incident did in fact become physical. Sean stated that the incident became physical because he attempted to disarm the shotgun from her control. Sean stated that once Law Enforcement arrived on scene, she dropped the shotgun to the ground.

I made contact with Jennifer, she advised that Sean instigated a physical altercation with her about their relationship. Jennifer then stated that Sean began to argue with her and attempted to remove her out of the residence. Jennifer further stated that Sean made several threats to shoot her and her dog. Jennifer advised that Sean began to walk through the residence with the aforementioned shotgun in his possession. Jennifer further advised that Sean followed her throughout the residence in an attempt to locate her dog. Jennifer began to block the door where the dog was located ( [REDACTED] room). Jennifer advised that Sean grabbed her and continuously pushed her throughout the residence. Jennifer stated during the physical altercation both he and her fell to the floor in the living room. She then advised while on the floor, Sean grabbed the shotgun as she tried to disarm him of the weapon. Jennifer further advised the gun was negligently discharged in the exchange causing damage to the carpet and wall. Jennifer stated she broke away from Sean, and was able to call 911 for assistance. Jennifer also advised that during the course of the incident she was able to contact her sister (Katie Fitzgerald) on the Iphone's feature facetime. Jennifer stated that he and her continued to fight until Law Enforcement arrived on scene.

Katie arrived on scene a short time later, stating that her sister Jennifer contacted her via facetime during the course of the altercation. Katie stated that she observed Sean in possession of the shotgun. She also advised that she heard Sean state "I'm going to shoot you." Katie advised she heard the shotgun discharge and at that time the call disconnected. Katie advised she contacted Law Enforcement and reported the incident.

Contact was made with [REDACTED] who advised he did not physically see the altercation occur. [REDACTED] stated he only heard loud noises from outside of his bedroom. [REDACTED] stated he only left out of the bedroom once Law Enforcement arrived on scene.

Due to conflicting stories on Sean's behalf and him initially stating no altercation occurred, Sean was listed as the primary aggressor. Jennifer sustained multiple minor injuries to her arms and feet area. Sean also sustained an injury to the back of the head and suffered from multiple scratches in the face and neck area.

Sworn to and subscribed before me, the undersigned, this <u>7</u> day of <u>NOV</u> , 20 <u>18</u> . Name: <u>[Signature]</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	I swear/affirm the above statements are correct and true. OFFICER'S/COMPLAINANT'S SIGNATURE NAME (PRINTED): <u>D. Barnes</u> ID NUMBER: <u>007</u>	Right thumb
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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>BORCA, SEAN, L</b>	Agency Case Number: <b>2018-00105084</b>
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:
<b>CHARGES</b> DOMESTIC VIOLENCE? YES <input type="checkbox"/> Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> Total Charges:					
#	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:

Both Sean and Jennifer were treated by Fire/Rescue on scene.

Further investigation revealed that Jennifer's statement was confirmed by the physical evidence observed on the scene, coupled with Katie's observation through facetime.

Sean was arrested for aggravated assault with a deadly weapon and simple battery.

Due to Sean's son [REDACTED] being on scene DCF was notified of the incident.

The firearm involved in the incident was taken from the residence and submitted to evidence.

Jennifer was provided with a Domestic Violence packet in reference to the incident. Jennifer was offered a stay at the shelter for battered women but denied the offer.

Both Jennifer and Katie completed sworn witness statements in reference of this incident.

Pictures of the firearm and all injuries were taken and will be uploaded to Aegis.

Axon video will be uploaded to Evidence.com.

Nothing further.

Sworn to and subscribed before me, the undersigned this <u>7</u> day of <u>JULY</u> , 201 <u>8</u> . Name: <u>Jennifer B. C.</u>	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"/>	OFFICER'S/COMPLAINANT'S SIGNATURE 	
Type of Identification:	NAME (PRINTED) <u>D. Barnes</u>	ID NUMBER <u>807</u>

707-B - COURT COPY