

IN THE CIRCUIT COURT,
SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FL

CASE NO.: 2013 CF 000763
DIVISION: 50

STATE OF FLORIDA

vs.

JOSEPH FRANK BOVA II,
Defendant

ORDER ADJUDGING DEFENDANT INCOMPETENT TO STAND TRIAL
AND
COMMITMENT TO DEPARTMENT OF CHILDREN AND FAMILIES

THIS CAUSE having come to be heard before the Court, and the questions of the competency of the Defendant in this cause to stand trial having been raised in accordance with the provisions of FRCrP 3.211(a) and F.S. 916.12, the Court appointed to examine the Defendant and to report to the Court on whether the Defendant meets the criteria for commitment to the Department of Children and Families as provided in F.S. 916.13(1). The Court having received the written reports of the above-named expert(s) in relation to the issue of the Defendant's competency to stand trial and need for commitment, it is hereby

ORDERED AND ADJUDGED that

1. The Defendant is incompetent to stand trial due to mental illness as defined in F.S. 916.106(7).
2. The Defendant meets the criteria for commitment to a treatment facility of the Department of Children and Families as provided in F.S. 916.13(1).
3. The Defendant is hereby committed to the Department of Children and Families to be placed in a mental health treatment facility.
4. The Clerk of this Court is directed to forthwith forward a certified copy of this Order along with copies of any written reports submitted to this Court by experts appointed by the Court relating to the issues of competency and commitment; copies of any other psychiatric, psychological or social work reports submitted to the court relative to the mental state of the Defendant; and a copy of the charging instrument and all supporting affidavits or other documents used in the determination of probable cause to:

Department of Alcohol, Drug Abuse and Mental Health Program Office
1317 Winewood Boulevard
Building 6
Tallahassee, FL 32399-0700

Attn:

5. Upon notification of an available bed space by the Department of Children and Families, the Sheriff of Flagler County shall, on the date specified, forthwith transport and deliver the Defendant to a treatment facility designated by the Department, together with a certified copy of this Order and the other documentation outlined in paragraph 4 above.
6. The Department, through the Administrator of the facility to which the Defendant is admitted, shall report directly to this Court, with copies to the attorneys for the State and the Defense on the issues of competency for trial and the need for continue commitment as provided in FRCrP 3.212.
7. In the event the Defendant's presence is required at any hearings in this cause, this Court shall issue an Order to Transport, directing the Sheriff of Flagler County, or his designee to resume custody of and transport the Defendant back to the jurisdiction of this Court.
8. The provisions of FRCrP 3.191 are hereby temporarily suspended.
9. This Court retains jurisdiction in this cause, and the Defendant shall not be discharged or released from commitment within the Department of Children and Families without further Order of this Court.
10. The Department of Children and Families shall follow all time restraints provided in Florida Statutes in placing the Defendant in a treatment facility.

DONE AND ORDERED in Flagler County, FL, on {JudgeSignatureDate}

4/13/2021 4:06 PM 2013
000763



e-Signed 4/13/2021 4:06 PM 2013 CF C

TERENCE PERKINS
CIRCUIT JUDGE

Copies to:

Assistant State Attorney

Assistant Public Defender

Dept. of Alcohol, Drug Abuse & Mental Health Program Office

1317 Winewood Blvd., Bldg. 6, Tallahassee, FL 32399-0700

Dept. of Children & Families, 210 North Palmetto Avenue, Suite 430, Daytona Beach, FL 32114

Flagler County Sheriff's Office (2)

Booking, Flagler County Department of Corrections

Other:

April 11, 2021

The Honorable Terence R. Perkins
Circuit Judge
Flagler County Judicial Court
Bunnell, FL 32110

Re: Joseph Frank Bova, II
Case Number: 2013 CF 000763 CFFA

Dear Judge Perkins:

Pursuant to your written order, I met with Joseph Frank Bova to assess his competence to proceed. I evaluated Mr. Bova at the Flagler County Jail on March 29, 2021 for approximately .4 hours, and I returned to meet with him again on April 2 for .2 hours. Per Florida Statute 916.12, a defendant is incompetent to proceed if the defendant does not have sufficient present ability to consult with her or his lawyer with a reasonable degree of rational understanding or if the defendant has no rational, as well as factual, understanding of the proceedings against her or him.

Current Charge: Homicide – First Degree Felony Murder (F1)

NOTIFICATION AND BRIEF INTERVIEWS: I began the initial interview by providing Mr. Bova with the court order for this evaluation. As he reviewed the document, he mumbled under his breath. He also periodically raised his left arm and made gestures. After he reviewed the court order for 10 minutes, I asked him to explain the purpose of the evaluation. He responded, "I don't have my reading glasses." Mr. Bova is in his 30s and I asked why he required reading glasses. He replied, "My throat hurts. I can't talk too much." I informed him that this is a competency evaluation ordered by Judge Perkins and I listed the six competency factors from the order. I recounted that the pertinent information he provided would be included in a report which will be submitted to the court, the assistant public defender, the assistant state attorney, and SMA Healthcare. I also explained that my role was to perform the evaluation and that I was not going to provide him treatment. When I finished providing this information, Mr. Bova said that he did not have questions. He then abruptly got up from his seat and walked to the door. I asked why he was leaving, and he responded, "Once again, I don't feel good" and he refused to continue with the interview. I informed Mr. Bova that I would return when he was feeling better. He responded, "You don't have to come back." I asked him to explain, and he stated that he has already had three evaluations and there was no need to have another one. I informed Mr. Bova that the judge ordered this evaluation. He asked why the evaluation was ordered and I repeated the purpose of the interview. He once again refused to continue, and I concluded the evaluation.

I returned to meet with Mr. Bova one week later. He once again mumbled under his breath as he reviewed the court order. He also mumbled as I was writing, and he spoke at a low volume in response to my questions. I asked him to speak more audibly and when he did his speech was organized and he provided relevant responses to my questions. On one occasion he raised his left hand in the air. He did not respond when I asked why he did this. He referred to the order again and asked me, "Who's Roger Davis?" He also read aloud "mental examination" and he said, "I've had three mental examinations. I've been deemed competent each time. I

don't need to do the evaluation." Mr. Bova then asked me, "Do you know what legal recourse is?" He refused to continue with the evaluation at this point. When the officer came to escort me to the lobby Mr. Bova asked him, "How do I contact my attorney? How do I contact the judge? I want to represent myself pro se."

PROCEDURES UTILIZED: The evaluation consisted of a review of records and brief interviews.

REVIEW OF RECORDS: Assistant Public Defender Mr. Mosley contacted me by email on March 9, 2021. He informed me that Mr. Bova's case was remanded for a new trial. It was Mr. Mosley's understanding that Mr. Bova had not received psychiatric medication since he was sentenced to prison. They met the morning of the email and Mr. Bova was talking to himself as if he were hallucinating.

I received an email from Ms. Becky Quintieri MS, CJM, dated March 18, 2021. Ms. Quintieri is a director at the Flagler County Jail. She informed me that Mr. Bova was not taking psychiatric medication when he was transferred from the prison to the Flagler County Jail.

A March 9, 2021 Suggestion of Mental Incompetence to Stand Trial document reflected that Mr. Bova appeared disoriented to time and place. He did not appear to appreciate the nature of the charge against him or the range and nature of possible penalties. He did not appear to understand the adversary nature of the legal process and he did not appear to understand the role of his assistant public defender. In addition, Mr. Bova could not aid in the preparation of his defense. He exhibited inappropriate behavior in the presence of counsel and the court. Furthermore, during a video conference on March 9, 2021 Mr. Bova appeared to be having an active conversation with someone who wasn't present. However, he would not acknowledge this when he was questioned about it. He did not appear to be on his medication.

I previously met with Mr. Bova to assess his competency in this case, and I submitted a report on May 27, 2019. The diagnostic impression was schizophrenia, in remission. While Mr. Bova stated that he experienced auditory hallucinations in the past, he said that he was no longer experiencing hallucinations and he did not endorse other current psychotic symptoms. Mr. Bova performed well during the competency evaluation and I opined that he was competent to proceed.

DIAGNOSTIC SECTION:

Schizophrenia

OPINION SECTION: I previously met with Mr. Bova to assess his competency for this case, and I submitted a report dated May 27, 2019. He stated that he suffered from auditory hallucinations in the past. However, Mr. Bova said that he no longer experienced hallucinations or other psychotic symptoms when I met with him. My diagnostic impression was schizophrenia, in remission. Mr. Bova performed well during the competency interview and he did not appear to have significant impairments. I opined that he was competent to proceed.

I returned to meet with Mr. Bova for the current evaluation and on both occasions, he talked under his breath as if he may have been having a conversation with an unseen individual. He also exhibited odd behavior as he lifted his arm and made gestures. He refused to explain his actions. On both occasions, Mr. Bova asserted that the current evaluation was unnecessary because he had participated in previous evaluations. He refused to continue with both interviews after just a few minutes.

When I met with Mr. Bova in 2019, he was complaint with prescribed antipsychotic medication. However, he was reportedly not prescribed psychiatric medication when he was recently transferred from prison to the Flagler County Jail, and he has apparently refused to take medication since he returned to the jail.

The fact that Mr. Bova is not currently taking psychiatric medication could account for his bizarre behavior including mumbling under his breath as if he were having a conversation with an unseen person. It is also possible that Mr. Bova is feigning these behaviors in an attempt to avoid prosecution for the serious charge. A third possibility is that he is both experiencing legitimate psychotic symptoms and he is also exaggerating the symptoms.

I believe that it is likely that Mr. Bova is feigning symptoms. However, this does not exclude the possibility that he also has legitimate symptoms. I do not have sufficient information to make this distinction.

I made two attempts to interview Mr. Bova and he was uncooperative on both occasions. I have no reason to believe that he will reconsider and agree to be evaluated. Given this, the most conservative course is to opine that he is incompetent to proceed. If he were committed to a state hospital, his psychiatrist could seek a court order for involuntary medication. In addition, his treatment team would have an opportunity to interact with him over an extended period of time to assess whether his reported symptoms are legitimate or feigned.

Once he has been deemed competent at the hospital, it would be important to ensure that he remains on the same medication regimen at the jail that he received at the hospital as he proceeds with his case.

While competence to proceed as defined by Florida Statute 916.12 is ultimately a legal issue to be determined by the court, in my opinion, Mr. Bova is incompetent to proceed. He lacks sufficient present ability to consult with his attorney with a reasonable degree of rational understanding.

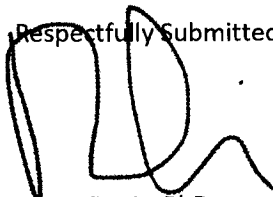
Involuntary hospitalization is another legal issue that is decided by the court. In my opinion, Mr. Bova meets Florida Statute 916.13 criteria for involuntary commitment. The diagnostic impression for Mr. Bova is schizophrenia. However, he has reportedly refused to take psychiatric medication since he returned from prison to the jail. This reflects that Mr. Bova is unable to determine for himself if treatment is necessary.

In addition, there exists a substantial likelihood that in the near future Mr. Bova will inflict serious bodily harm to himself and others, as evidenced by recent behavior causing such harm. While Mr. Bova has not been convicted of the current charge, he is alleged to have committed a violent offense. He has also engaged in self-injurious behavior.

Furthermore, it is my opinion that with appropriate treatment at a state forensic hospital there is a substantial probability that Mr. Bova will attain competence within a period of six to nine months.

There do not appear to be any appropriate less restrictive alternatives for Mr. Bova other than involuntary hospitalization.

Respectfully Submitted,



Roger Davis, PhD
Licensed Psychologist PY5281

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

Arrest # _____

Bk # _____

Pg #1 of 3

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: 13-703 CFFH	
(ORI) FL: 1 8 0 0 0 0 0		Agency Name: FLAGLER COUNTY SHERIFF'S OFFICE		Agency Case Number: 2013-14198	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS#		UCR: _____ Date Arrested: _____ Time of Arrest: _____	
ADDRESS OF ARREST:				Arrested By: _____ ID Number: _____	
DEFENDANT Name (L,F,M): Bova, Joseph, Frank II		A.K.A.: Joe		Sex: MALE Race: Wht	
DOB: 12/22/87 Age: 25		Driver's Lic/ID No.: B100-486-87-421-1		State: FL Year Expires: 2020 S.S. #: _____	
Height: 5-8 Weight: 160 Hair: blond Eyes: bluc		POB (City, St, Country): Margate, Florida		Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Scars, Marks, Tattoos: Tattoos on lower abdomen and left thigh		Business & Occupation: unemployed			
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"/> Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address-Mailing/Permanent (STREET, APT. NUMBER): 4600 E.Moody Blvd unit 4J		(CITY): Bunnell (STATE): FL ZIPCODE: 32110		RESIDENCE PHONE: _____	
Address-Local (STREET, APT. NUMBER): _____		(CITY): _____ (STATE): _____ ZIPCODE: _____		RESIDENCE PHONE: _____	
Address-Other(Employer/School) (STREET, APT. NUMBER): _____		(CITY): _____ (STATE): _____ ZIPCODE: _____		RESIDENCE PHONE: _____	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infractions(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: _____	
#1	Charge: First Degree Murder	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ FS/ORD: 782.04	
#2	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ FS/ORD: _____	
#3	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: _____ FS/ORD: _____	
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(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, on the <u>21</u> day of <u>February</u> , 2013, at approximately <u>10:09</u> <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. at <u>6020 E. S.R. 100 Palm Coast, Florida</u> within <u>FLAGLER</u> County, violated the law and did then and there:					
On Thursday, February 21, 2013, during the evening hours, Zuheily Roman Rosado was working as a store clerk at the Mobil Gas Station located at 6020 East State Road 100 Palm Coast, Florida 32164. The video surveillance obtained from the Mobil Station and neighboring businesses, showed Rosado behind the counter dressed in her Mobil uniform leaning on the counter looking through the front window of the store, which faced a southerly direction. At approximately 10:09pm, and captured on the store's video surveillance cameras, Joseph Bova was observed coming from behind the store wearing a dark colored t-shirt with a white logo on the back underneath the collar, blue jeans, and dark colored footwear. Bova entered the store and paused for a brief second before walking towards the counter firing three rounds. Each round struck Rosado. Bova exited the store without taking any money or merchandise and ran behind the store, through a wooded area and then through the parking lot of Coconuts Carwash, located at 6030 Old Kings Road Palm Coast, FL 32164. Rosado was later found behind the counter on the floor by a customer who had entered the store to make a purchase. The customer called 911 and Rosado was pronounced deceased on scene. The Flagler County Sheriff's Office (FCSO) began a homicide investigation.					
The scene was processed by Florida Department of Law Enforcement (FDLE) Crime Scene Technician. While processing the crime scene, three fired Luger 9mm cartridge casings and three projectiles were taken and analyzed by the FDLE lab. FDLE analysts confirmed that the weapon used to kill Rosado was a SKKY 9mm Luger semi-automatic handgun.					
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	
Sworn to and subscribed before me, the undersigned This 12 day of <u>September</u> , 2013.		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: <u>CMD SL 36</u>		OFFICER'S/COMPLAINANT'S SIGNATURE: <u>[Signature]</u>		Juve Disp. CITATION No. _____	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		NAME(PRINTED) DET. MOY		ID NUMBER 409	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		Inmate Number & facility: _____			
OFFICIAL USE ONLY					

Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name: Bova, Joseph, Frank II		Agency Case Number: 2013-14198	
Name (L,F,M): Rosado, Zuheily	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: Hispanic	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>
Age: 33	DOB: 03/06/80	SSN:	
Address (#, Street, City, State): 601 Madison Green Circle Palm Coast, FL		Zip: 32164	Home Phone:
Bus./School Address:		Zip:	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:
Address (#, Street, City, State):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Bus./School Address:		Zip:	Home Phone: Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone: Phone:
Name (L,F,M):		Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:
Address (#, Street, City, State):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Bus./School Address:		Zip:	Home Phone: Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone: Phone:
Name (L,F,M):		Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:
Address (#, Street, City, State):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Bus./School Address:		Zip:	Home Phone: Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone: Phone:
Name (L,F,M):		Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:
Address (#, Street, City, State):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Bus./School Address:		Zip:	Home Phone: Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone: Phone:
Name (L,F,M):		Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:
Address (#, Street, City, State):		Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age: DOB: SSN:
Bus./School Address:		Zip:	Home Phone: Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus. Phone: Phone:

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
SKKY 9mm handgun model CPX-1	9/10/13	057400	
Owner(Name) Bova, Joseph, Frank II	(Address) 4600 E.Moody Blvd unit 4J Bunnell, FL 32110	(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
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.

DET. MOY
Investigating Officer

409
ID Number

FLAHER COUNTY S.O.
Agency

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 3 of 3

Defendant Name: Bova, Joseph, Frank II		Agency Case Number: 2013-14198	
CHARGES	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
# 4	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:


Approximately 30 minutes prior to the murder of Rosado, surveillance footage from Coconuts Carwash recorded a single cab, dark colored, pickup truck, similar in appearance to a Chevrolet S10, driving in a suspicious manner between the carwash and McDonald's restaurant which are joined by the same roadway and are situated in the commercial lots adjacent to the Mobil station. The vehicle exited this area; however, the vehicle was again observed in the same area a few minutes before Rosado's murder conducting the same type of suspicious behavior. During further investigation, it was revealed that on Thursday, February 21, 2013, at approximately 7:18pm, a white male wearing a red baseball cap, dark colored t-shirt with a white logo centered just below the collar on the back of the shirt, blue jeans, and tan footwear, was captured on the store's surveillance using the ATM machine that is located inside the store. The male was observed getting into a dark colored single cab Chevrolet S10 pickup truck, similar in appearance to the pickup truck observed on the surveillance video from Coconuts Carwash. After subpoenaing the ATM records, Detectives identified the male as Joseph Frank Bova II, D.O.B. 12/22/87, who was a resident of Flagler County.

As part of the investigation, Detectives with the FCSO obtained purchase records from area gun retailers. Bova had purchased a SKKY 9mm model CPX-1, Serial Number 057400 from Buck's Gun Rack in Daytona Beach Florida on June 22, 2012.

Further investigation revealed that Bova was currently living out of his silver 2007 Audi in Boca Raton, Florida. On September 9, 2013 I made contact with Detective J. Clare from Boca Police Department, who assisted me with obtaining a search warrant for Bova's person and silver 2007 Audi. Both warrants were granted and signed by Honorable August Bonavita from the 15th Judicial Circuit in and for Palm Beach County, Florida.

On September 10, 2013 at approximately 3:20am the search warrant was executed on Bova's Audi. During this time, I conducted a brief recorded interview with Bova, at which time he confirmed that when he resided in Flagler County, he was the owner a Chevrolet S-10 pickup truck. Bova advised that he was the only person that ever had possession of his S-10 pickup and never lent it to anyone. Bova was also asked about his SKKY 9mm handgun and he relayed the same information, that he was the only person to have possession of it and never lent it to anyone.

During the search warrant, Bova's SKKY 9mm CPX-1 handgun Serial Number 057400 was taken and submitted to FDLE's Lab for ballistic comparison to the three cartridge casings that were located at the Mobil. Lab results confirm that all three cartridge casings taken Mobil were fired from Bova's SKKY 9mm CPX-1 handgun Serial Number 057400.

Sworn to and subscribed before me, the undersigned this <u>12</u> day of <u>SEPTEMBER</u> , 2013	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>CND SW CL 36</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>DET. M. MCH</u>	ID NUMBER <u>409</u>
Type of Identification:		

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

Arrest # _____

Bk # 13-2007

Pg #1 of 1

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: 13-763 CFFA
(ORI) FL: 0 1 8 0 0 0 0	Agency Name: Flagler County Sheriff's Office	Agency Case Number: 71169-13		
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	OBTS# 1801039418	UCR:	Date Arrested: 09/14/13	Time of Arrest: 1600
ADDRESS OF ARREST: 1002 Justice Lane Bunnell, FL 32210			Arrested By: Cpl. A. Civil	ID Number: 316
DEFENDANT Name (L,F,M): BOVA, JOSEPH FRANK II		A.K.A.:		Sex: M Race: W
DOB: 12/22/1987	Age: 25	Driver's Lic/ID No.: B100-486-87-421-1	State: FL	Year Expires: 2020
Height: 5'8	Weight: 170	Hair: BLOND	Eyes: BLUE	POB (City, St. Country): MARGATE, FLORIDA
Scars, Marks, Tattoos: TAT- ABDOMIN & L LEG	Business & Occupation: UNEMPLOYED		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"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address-Mailing/Permanent (STREET, APT. NUMBER) 4600 E. MOODY BLVD APT 4J		(CITY) BUNNELL	(STATE) FL	ZIPCODE 32110
Address-Local (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIPCODE
Address-Other(Employer/School) (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIPCODE
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: 1	
#1	Charge: FIRST DEGREE MURDER	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 782.04	Citation No.: Bond: NONE
#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:
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(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, on the 14 TH day of SEPTEMBER, 2013, at approximately 4:00 <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. at FCIF within Flagler County, violated the law and did then and there: WAS TRANSPORTED FROM PALM BEACH COUNTY JAIL TO THE FLAGLER COUNTY DETENTION FACILITY, AND HE WAS SERVED WITH AN ACTIVE FLAGLER COUNTY WARRANT #13-763 CFFA REF: FIRST DEGREE MURDER (FIREARM). THE WARRANT WAS ISSUED BY JUDGE WALSH ON 09/12/2013 WITH THE BOND SET AT NONE.				
2013 SEP 17 AM 8:01 FLAGLER COUNTY, FL SUPERVISOR NO. 3				
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	Juve Disp. CITATION No.
Sworn to and subscribed before me, the undersigned This 14 TH day of SEPTEMBER, 2013.		I swear/affirm the above statements are correct and true.		
Name: <i>[Signature]</i>		OFFICER'S/COMPLAINANT'S SIGNATURE <i>[Signature]</i>		
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		NAME(PRINTED) Cpl. A. Civil	ID NUMBER 316	Rt Thumb
OFFICIAL USE ONLY		Inmate Number & facility:		

STATE OF FLORIDA

VS.
JOSEPH FRANK BOVA, II
W/M DOB: 12/22/1987

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY, FLORIDA
CASE NO: 13-00763-CFFA
DIVISION: 50
CR #: FCSO

INDICTMENT

The Spring Term Grand Jury, in and for FLAGLER County, Florida, empanelled and sworn to inquire and true presentment make, hereby, in the name of and by the authority of the State of Florida, brings this prosecution and makes the following charge or charges in ONE count:

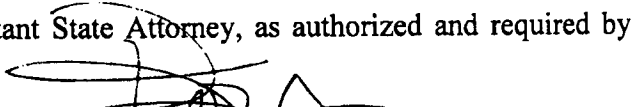
CHARGE: FIRST DEGREE MURDER (FIREARM)

SPECIFICATIONS OF CHARGE: COUNT 1: JOSEPH FRANK BOVA, II on or about February 21, 2013, in the County of FLAGLER and State of Florida, did unlawfully from a premeditated design to effect the death of ZUEHILY ROMAN ROSADO, kill and murder ZUEHILY ROMAN ROSADO, a human being, by shooting her with a firearm, and during the commission of said offense did actually possess, carry, use and discharge a firearm, as defined in Florida Statute 790.001(6), causing the death of ZUEHILY ROMAN ROSADO, contrary to Florida Statute 782.04(1)(a) and 775.087(1) and (2). (CAPITAL FEL).

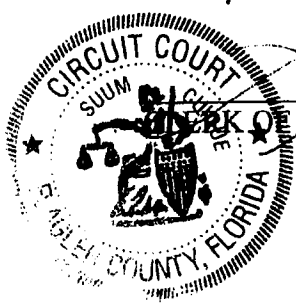
A TRUE BILL



FOREPERSON OF THE GRAND JURY

I, the undersigned State Attorney or Assistant State Attorney, as authorized and required by law, have advised the Grand Jury returning this Indictment.


JACQUELYN PROYS
ASSISTANT STATE ATTORNEY
Florida Bar Number 0550108


This Indictment presented by the aforesaid Grand Jury in open court, this 27 day of September, 2013, and on the 27 day of September, 2013, at the hour of 11:49 AM, was filed by me.




CLERK OF THE COURT

FILED IN THE OFFICE OF THE
CLERK OF CIRCUIT COURT
Flagler County, Florida

SEP 27 2013

By  Deputy Clerk
Paper No. 6