

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

Arrest # _____ Bk # _____

Pg #1 of 5

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: 2023 CF 001104
ORFL: 0 1 8 0 0 0 9	Agency Name: Flagler County Sheriff's Office	Agency Case Number: 2023-00087864		
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	OBTSA	ARR: _____	Date Arrested: 10/24/2023	Time of Arrest: 09:00
ADDRESS OF ARREST: Florida		Arrested By: _____	ID Number: _____	
DEFENDANT		Name (L.F.M.): Gilbreath, Jessy, Kalani Andrew	A.K.A. _____	Sex: Male Race: WHITE
DOB: 05/05/1995	Age: 28	Driver's License No.: G416431951650	State: Florida	Year Expires: 25
Height: 5 8	Weight: 130	Hair: BROWN	Eyes: HAZEL	POB (City, St., Country): _____
Scars, Marks, Tattoos: _____	Business & Occupation: _____	Statement Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Citizenship Yes <input 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/Blind: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Address - Mailing (Permanent)		STREET, APT. NO. SUITE:	CITY:	STATE:
Address - Local		STREET, APT. NUMBER:	CITY:	STATE:
Address - Other (Employer/School)		STREET, APT. NUMBER:	CITY:	STATE:
CHARGES		DOMESTIC VIOLENCE? Yes <input checked="" type="checkbox"/>	Attachments: Affidavit <input checked="" type="checkbox"/> Statement <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infractions <input type="checkbox"/> T.T. <input type="checkbox"/>	Total Charges: 6
#1	Charge: SEX BATTERY - CUSTODIAN VICTIM 12-1B	BOOK MISD <input type="checkbox"/> ORD <input type="checkbox"/> F.S. CODE: 794.011.8.B	Caution No.:	Fine:
#2	Charge: SEX BATTERY - CUSTODIAN VICTIM 12-1B	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> F.S. CODE: 794.011.8.B	Caution No.:	Fine:
#3	Charge: SEX BATTERY - CUSTODIAN VICTIM 12-1B	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> F.S. CODE: 794.011.8.B	Caution No.:	Fine:
CO-DEFENDANT				
Co-Defendant Arrested: Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Inf <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 a probable cause to believe the above named defendant, on the <u>24th</u> day of <u>October</u> , 2023, at approximately <u>10:08</u> A.M. <u>X</u> P.M. at <u>45 Eton Lane Side B</u> within <u>Flagler</u> County, violated the law and did then and there.				
** MARSY'S LAW VICTIM INFORMATION **				
On September 15, 2023, at 0829 hours, the Flagler County Communications Center (FCCC) received a call from medical personnel at Advent Health South (60 Medical Memorial Parkway) who wanted to report the sexual battery of a juvenile, N.R.				
Det. Crosbee and I, Det. Santos made contact with the victim's mother, who had brought her twelve-year-old daughter, N.R., to Advent Health due to what N.R. disclosed to her mother on September 14th, 2023. The victim's mother advised N.R. had been sexually battered by her fiancé of ten years, Jessy Gilbreath.				
Supervisor Approved: Hristakopoulos, George 10/24/2023				
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: _____
AGREE TO APPEAR IN COURT OR TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILL 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: _____	Juv. Case No. _____
Sworn by and subscribed before me, the undersigned, this <u>24</u> day of <u>Oct</u> , 2023.		I swear that the above statements are correct and true.		
Name: <u>J. Santos #1031</u>		OFFICER'S/COMPLAINANT'S SIGNATURE: _____		
Notary Public <input type="checkbox"/> Law Enforcement or Court/Clerk of Court <input checked="" type="checkbox"/> Fingerprinted: Yes <input type="checkbox"/> Fingerprinted: No <input type="checkbox"/> Type of Identification: _____		NAME (PRINTED): S. SANTOS		
OFFICIAL USE ONLY		ID NUMBER: 874		
Station Number & Title: _____		Rt. (thumb): _____		

707 - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name:

Gilbreath, Jessy, Kalani Andrew

Agency Case Number:

2023-00087864

CHARGES

DOMESTIC VIOLENCE?

YPS

Attachments

Affidavit(s)

Statement(s)

NTA Schedule

Report

Traffic Infraction(s)

Tool Charge:

6

#	Charge	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FSORD:	Citation No.	Bond:
1	SEX BATTERY - CUSTODIAN VICTIM UNDER 12	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	794.011.8.C		
2	SEX BATTERY - CUSTODIAN VICTIM 12-18	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	794.011.8.B		
3	SEX BATTERY - CUSTODIAN VICTIM 12-18	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	794.011.8.B		

I swear to and subscribed before me, the undersigned, this 04 day of February 2023

Name: J. Santos 1031

Notary Public Law Enforcement Officer Personally Known Produced Identification

Type of Identification:

I swear to affirm the above statements are correct and true.

[Signature]

OFFICER/COMPLAINANT'S SIGNATURE

NAME (PRINTED): S. Santos

ID NUMBER:

874

Right thumb

707-B - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear

Adult
 Juvenile

Court Case Number:
 Agency Case Number:

Defendant Name: <u>Gilbreath, Jessy Kalani Andrew</u>	
CHARGES	DOMESTIC VIOLENCE? <input type="checkbox"/> YPS <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:
1 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FSORD: Citation No. Bond:
2 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FSORD: Citation No. Bond:
3 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FSORD: Citation No. Bond:

The victim's mother stated that Jessy picked up N.R. from the McDonald's parking lot at approximately 4:30 pm on September 14th, 2023. Jessy then drove N.R. to his residence at 45 Eton Lane, side B Palm Coast, FL. At this time, Jessy brought N.R. into his bedroom, undressed her, and anally penetrated her. After the incident, Jessy advised N.R. to try to go and use the bathroom and wash up. The victim's mother returned to 45 Eton Ln and sat on the couch. At this time, Jessy advised he was going to Target and left the residence. The victim's mother reported that N.R. sat next to her on the couch and blurted out that Jessy had "put his private parts in (her) butt."

It should be noted Jessy Gilbreath has parental custodial authority of N.R. and has been a primary caregiver for N.R. for approximately ten years. Jessy has the responsibility of feeding, bathing, sheltering and caring for N.R. wellbeing. N.R. is on the autistic spectrum and Jessy has also been tasked with helping N.R. clean up herself after she uses the restroom.

An emergency forensic interview (CPT) was scheduled and conducted with N.R. and the following information was disclosed:

- During the interview, N.R. disclosed numerous incidents that occurred in Ormond Beach, Flagler Beach, and Palm Coast, FL. N.R. advised the latest incident occurred one day before this interview (9/14/23).
- N.R. advised Jessy has been sodomizing her, vaginally penetrating her, and giving and receiving oral sex since she was approximately 4-6 years of age.
- N.R. reported at 45 Eton Lane side B she was (over the age of 12) sodomized 3 times by Jessy.
- N.R. reported at 45 Eton Lane side B (over the age of 12) Jessy performed oral sex on N.R. and had N.R. perform oral sex on him.
- Lastly, in Flagler Beach, FL, N.R. recalls she was sodomized by Jessy (under 12) but didn't state how many times.
- While at the CPT office, a SANE kit was completed.

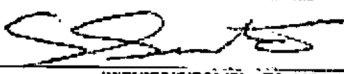
Numerous investigative techniques were utilized in order to gather evidence of the crimes listed herein.

Search warrants for Jessy's phone, residence (45 Eton Lane side B), Next Door Beach Bistro (place of work), and DNA buccal swab (standard) were completed and executed. Jessy's phone, buccal swab, and bedding were collected and submitted into evidence or/and FDLE Lab submission.

FCSO Evidence technicians collected N.R.'s clothing and submitted it into evidence.

It should also be noted that FDLE results on October 19th, 2023, stated the following:

- The DNA results obtained from anal swabs demonstrated the presence of a mixture consistent with two

Sworn to and subscribed before me, this undersigned this <u>24th</u> day of <u>October</u> , 2023	I swear/affirm the above statements are correct and true	Right Hand
Name: <u>S. Santos #1031</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>S. Santos</u>	ID NUMBER <u>87191</u>

707-B - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:
 Agency Case Number:

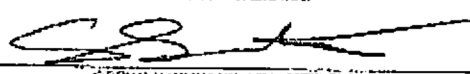
Defendant Name: Gilbreath, Jessy Kaloni Andrew

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

donors, including at least one male contributor. N.R is expected to be a donor to this item and is observed in the mixture. Jesse Gilbreath is included as a possible contributor to the mixed DNA profile. The observed mixed DNA profile is greater than 700 billion times more likely to occur if the sample originated from N.R. and Jesse Gilbreath than from N.R. and an unrelated individual.

-In addition, the DNA results obtained from N.R.'s underwear demonstrated the presence of a mixture consistent with two donors, including at least one male contributor. N.R. is expected to be a donor to this item and is observed in the mixture. Jesse Gilbreath is included as a possible contributor to the mixed DNA profile. The observed mixed DNA profile is greater than 700 billion times more likely to occur if the sample originated from N.R. and Jesse Gilbreath than from N.R. and an unrelated individual.

Based upon the aforementioned information, the investigation has established probable cause to believe Jessy Gilbreath has violated the Florida State statute of Sexual Battery of Custodian Victim of 12-18 and Sexual Battery of Custodian Victim under 12.

Sworn to and subscribed before me, the undersigned, this <u>11</u> day of <u>October</u> , 2023.	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>J.B. #1031</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER/COMPLAINANT'S SIGNATURE	
Type of Identification:	NAME (PRINTED): <u>S. Santos</u>	ID NUMBER: <u>874</u>

707-B - COURT COPY

Witness/Victim/Evidence Form 707-A

Suspect
 Adult
 Affiliated
 Juvenile
 Notice to Appear
 Court Case Number:

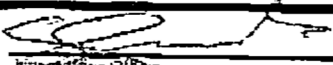
Defendant Name: Gillbreath, Jessy, Kalani Andrew
 Agency Case: _____

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 (St, Street, City, State):			Zip:	Home Phone:		Statement Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:				Zip:		Bus Phone:
Relative's Contact Name:		Relative's 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:	SSN:
Address (St, Street, City, State):			Zip:	Home Phone:		Statement Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:				Zip:		Bus Phone:
Relative's Contact Name:		Relative's 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:	SSN:
Address (St, Street, City, State):			Zip:	Home Phone:		Statement Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:				Zip:		Bus Phone:
Relative's Contact Name:		Relative's 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:	SSN:
Address (St, Street, City, State):			Zip:	Home Phone:		Statement Yes <input type="checkbox"/> No <input type="checkbox"/>
Bus/School Address:				Zip:		Bus Phone:
Relative's Contact Name:		Relative's Contact Address:				Phone:

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Case#(Name): (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Owner(Initial) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial ID Number	Drug Amount

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


 ID Number: 874 Flagler County Sheriff's Office

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