

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

Arrest # _____

Bk # 17-1907

Pg #1 of 3

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: 2017 CF 000802	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 17-76237	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# 1801049796		UCR:	Date Arrested: 9/5/17
ADDRESS OF ARREST: 1001 Justice Lane, Bunnell, FL 32110				Arrested By: Det. Rodriguez	ID Number: 593
DEFENDANT		Name (L,F,M): Soldo, James Nicholas		A.K.A.:	Sex: M Race: W
DOB: 12/22/79	Age: 37	Driver's Lic/ID No.: S62303837512792	State: NJ	Year Expires: 2017	S.S. #: [REDACTED]
Height: 5'10"	Weight: 165	Hair: Brown	Eyes: Brown	POB (City, St, Country):	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos: Unknown	Business & Occupation: Musician				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) 15B Bunker Knolls Lane		(CITY) Palm Coast	(STATE) FL	ZIPCODE 32137	RESIDENCE PHONE 609-350-3301
Address-Local (STREET, APT. NUMBER) 15B Bunker Knolls Lane		(CITY) Palm Coast	(STATE) FL	ZIPCODE 32137	RESIDENCE PHONE 609-350-3301
Address-Other(Employer/School) (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIPCODE	BUS/SCHOOL PHONE
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>			Total Charges: 3
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"/>					
#1	Charge: Possession of less than 20 grams of cannabis	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 893.1(a)(2)	Citation No.:	Bond: \$1,000
#2	Charge: Possession of THC wax/oil	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 893.6(a)	Citation No.:	Bond: \$1,000
#3	Charge: Possession of drug paraphernalia	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 893.147	Citation No.:	Bond: \$500
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>5th</u> day of <u>September</u> , 2017, at approximately <u>8:19</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m. at <u>15B Bunker Knolls Lane, Palm Coast</u> within <u>Flagler</u> County, violated the law and did then and there:					
The following is in reference to the discovery of illegal narcotics and drug paraphernalia in the possession of James Nicholas Soldo (W/M - 12/22/79) during a consensual search of his residence and Soldo's subsequent arrest.					
On Tuesday, the 5th day of September, 2017, at approximately 0819 hours, James Soldo called the Flagler County Communications Division to report an armed burglary that had just occurred.					
Soldo advised that a unknown black male subject wearing a black hooded sweatshirt rang his doorbell then stuck a revolver in his face once he opened the door. Soldo advised that he slammed the door shut and managed to escape out of his bedroom window.					
Soldo explained that the suspect then made it around to the back of the residence where the suspect then smashed his rear sliding glass door to make entry into the kitchen area. Soldo advised that the suspect then entered his freezer, leaving the freezer door ajar. Soldo stated that nothing of value from anywhere within the residence.					
At approximately 0937 hours, Detective Agustin Rodriguez, Sergeant Bernard Woodward and Detective Brian Finn arrived on scene.					
At approximately 0940 hours, Det. Rodriguez and Sergeant Michael Miller issued Soldo a Consent to Search waiver which Soldo read and completed.					
Soldo then lead Detectives into his home so that the incident could be further investigated.					
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		RELATIONSHIP TO JUVENILE	
Sworn to and subscribed before me, the undersigned This <u>5th</u> day of <u>September</u> , 2017		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: <u>[Signature]</u> # <u>590</u>		OFFICER'S/COMPLAINANT'S SIGNATURE			
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) Detective Agustin Rodriguez		ID NUMBER 593	
OFFICIAL USE ONLY		Inmate Number & facility:			

707 - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear

Adult
 Juvenile

Court Case
Number:

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Defendant Name: Soldo, James Nicholas		Agency Case Number: 17-76237	
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: 3
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
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Once inside, Detectives noted a strong odor of cannabis permeating throughout the residence. Detectives then located a Triple Beam scale on the kitchen counter with a small piece of a green leafy substance on the scale plate.

Also, within the open freezer, Detectives located a large metal pan with a small piece of a frozen green leafy substance resting on it.

Based on the combined training and experience of the Detectives on scene, the substances on both the scale plate and the pan in the freezer were identified as cannabis.

Based on the totality of the circumstances, Detectives felt that this alleged burglary appeared to be narcotics related. Det. Rodriguez, Sgt. Woodward and Det. Finn then asked Soldo if he would be willing to speak to them in private, in his bedroom. Soldo complied without hesitation.

Once in the bedroom, Det. Rodriguez explained to Soldo that the Detectives had reason to believe that he had a large quantity of cannabis stolen from his residence during the burglary. Det. Rodriguez advised that it appeared that the cannabis was being stored in the freezer and based on the fact that the suspect went straight for the freezer, the suspect could possibly be someone that he has sold cannabis to in the past.

Soldo advised that he did not have any cannabis in his freezer and that the suspect did not take anything of value from the residence. Soldo did advise however, that although there was no cannabis in his freezer at the time of this incident, he has stored cannabis in the freezer in the recent past.

Detectives then assured Soldo that the investigation was meant to identify the suspect from the armed burglary and not to implicate him as a cannabis dealer.

At that time, Sgt. Woodward detected a strong odor of fresh cannabis coming from Soldo's bedroom closet. Sgt. Woodward stated "How much weed do you have in your closet?" Soldo replied "Fine, I got like a little less than a half ounce in there."

Soldo advised that the half ounce of cannabis was originally on his coffee table (Living room) when the suspect entered his home but the suspect did not see it.

Soldo advised that prior to notifying Law Enforcement of the incident, he moved the cannabis from the coffee table to his bedroom closet and covered it with a white t-shirt so that Law Enforcement did not see it while investigating the burglary.

Detectives continued to reassure Soldo that their intention was to investigate the burglary, not his involvement in the cannabis distribution.

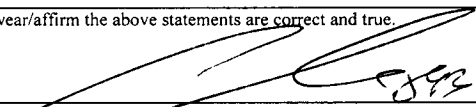
Soldo eventually advised that he does occasionally sell cannabis while in Flagler Beach, but very rarely does he sells cannabis at his home; only to very close friends that he trusts.

Detectives continued talking to Soldo for several more minutes in an effort to identify the burglary suspect with no results.

Detectives then advised Soldo that they would be continuing their search of the residence for any items of evidentiary value. Soldo stated that he had nothing to hide and that Detectives could "Go ahead and take a look."

A recording of the conversation between Soldo and the Detectives will be uploaded to Aegis at a later time.

Det. Rodriguez, Sgt. Woodward and Det. Finn began searching Soldo's room based on his consent. Within Soldo's closet, Det. Rodriguez located a clear plastic baggy containing approximately 8.30 grams of cannabis, a metal grinder, a

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Name: <i># 596</i>		
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) <i>Rodriguez</i>	ID NUMBER <i>593</i>

Narrative 707-B Supplement

Arrest
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 Adult
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Court Case
Number:

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Defendant Name: Soldo, James Nicholas		Agency Case Number: 17-76237				
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: 3	
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:	

small green rubber container with a dark brown sticky wax-like substance, a rubber mat with a brown sticky wax-like substance and a glass smoking pipe with a dark brown sticky wax-like substance.
 Det. Rodriguez completed an Evidence/Property Receipt for all of the above mentioned items of evidentiary value. Soldo signed the receipt as the owner of said property.
 Later, Det. Rodriguez utilized Lynn Peavey Marijuana Quick Check field test kits, which are standard Law Enforcement test kits, to test the wax-like substance, the cannabis from the clear plastic baggy, and the cannabis from the pan. All three substances tested presumptive positive for traces of cannabis when the chemicals within each test kit turned from clear to dark red.
 There is nothing further to report.

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Name: <u>[Signature]</u> #590	<u>[Signature]</u>	
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Type of Identification:	NAME(PRINTED) <u>Rodriguez</u>	ID NUMBER <u>593</u>