

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

Arrest # _____ Bk # _____

Pg #1 of 4

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: 2022 CF 000232	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2022-00021455	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS#		UCR: Date Arrested: Time of Arrest:	
ADDRESS OF ARREST:				Arrested By: Gordon Kathryn ID Number: 932	
DEFENDANT		Name (L,F,M): RODRIGUEZ, JOSHUA, ALBERTO		A.K.A.:	
DOB: 10/08/1988		Age: 33		Sex: Male Race: HISPANIC	
Height: 5 10		Weight: 200		S.S. #:	
Driver's Lic/ ID No.: R362421883680		State: Florida		Year Expires: 2029	
Hair: BLACK		Eyes: BROWN		Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Scars, Marks, Tattoos:		Business & Occupation:		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"/> & SPANISH Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address-Mailing/Permanent (STREET, APT. NUMBER)		(CITY)		(STATE) ZIPCODE RESIDENCE PHONE	
Address-Local (STREET, APT. NUMBER)		(CITY)		(STATE) ZIPCODE RESIDENCE PHONE	
20 PENN MANOR LN		PALM COAST		Florida 32164 (386)627-5002	
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 checked="" 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: CHILD ABUSE WO GREAT BODILY HARM	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: Bond:	
#2	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: Bond:	
#3	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		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 a probable cause to believe the above names defendant, on the 10th day of March, 2022, at approximately 08:00 X A.M. P.M. at 20 PENN MANOR LN within Flagler County, violated the law and did then and there.					
On March 9, 2022, Deputy Kotowski was working as a School Resource Deputy at Wadsworth Elementary School. At approximately 1025 hours, Deputy Kotowski was notified by the Department of Children and Families (DCF) Child Protective Investigator (CPI) Tara Prater that there was a report made of possible physical injury on a child.					
The DCF report alleged that the victim, LG, whom is a seven (7) year old female, had a large rectangular shaped bruise on her left arm. The report further mentioned that LG was screaming and, due to this, her step father,					
Supervisor Approved: Sgt. George Hristopulos #618					
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 HERIN 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 10 day of 3, 2022		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: [Signature]		OFFICER'S/COMPLAINANT'S SIGNATURE [Signature]		CITATION No.	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personal Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		NAME (PRINTED)		ID NUMBER	
Type of Identification:		Inmate Number & Facility:			
OFFICIAL USE ONLY					

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: RODRIGUEZ, JOSHUA, ALBERTO	Agency Case Number: 2022-00021455
Name (L,F,M):	Address (#, Street, City, State):
Address (#, Street, City, State):	Bus./School Address:
Relative/Contact Name:	Relative/Contact Address:

Name (L,F,M): CORDOVA, YAMIRES,	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: HISPANIC	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: 26	DOB: 10/27/1995	SSN: [REDACTED]
Address (#, Street, City, State): 20 PENN MANOR LN PALM COAST, Florida			Zip: 32164	Home Phone: (407)600-3215	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Bus./School Address:			Zip:	Bus. Phone:		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:	SSN: --
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Bus./School Address:			Zip:	Bus. Phone:		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:	SSN:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Bus./School Address:			Zip:	Bus. Phone:		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:	SSN:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Bus./School Address:			Zip:	Bus. Phone:		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:	SSN:
Address (#, Street, City, State):			Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Bus./School Address:			Zip:	Bus. Phone:		Phone:
Relative/Contact Name:			Relative/Contact Address:		Phone:	

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
RED, GREEN, AND BLACK "GUCCI" BELT	03/09/2022		
Owner(Name): RODRIGUEZ, JOSHUA ALBERTO	(Address): 20 PENN MANOR	(Phone): (386)627-5002	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.

K Gordon
Investigating Officer

932
ID Number

PCSO-ISO-mc
Agency

707-A - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name:	Agency Case Number:
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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:	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:

Joshua Rodriguez, hit her with a belt on the morning of March 9th.

Due to the information mentioned above, CPI Prather and Deputy Kotowski made contact with LG to conduct a fact finding interview. The following was discovered:

- LG was struck with a belt by her stepfather, Joshua, due to her not listening
- LG presented CPI Prather with the mark on her left arm, which appeared to be a long-rectangular shaped red mark. This injury appeared to be consistent with being struck with a belt. CPI Prather took photographs of these injuries.
- Another red marking was discovered on LG's lower back as well. It appeared that there was potential "scabbing" on this mark as well.

Contact was made with LG's ten (10) year old brother, DC. DC advised that he often gets hit with a belt by Joshua, but was unable to recall the last occurrence.

I, Detective Gordon, responded to Wadsworth Elementary School due to the facts mentioned above. LG's mother, Yamires, was notified of the report and claims made by LG. Yamires responded to the school and an interview was conducted. The following was discovered:

- Joshua has been present as a father to the children since LG was a toddler.
- On March 9, 2022, Joshua and Yamires were home getting the kids ready for school.
- Yamires left for work, leaving Joshua alone with the kids, while he was waiting on his mother to come by to watch the kids so he could leave for work as well.
- It is not a form of average punishment for their household to use a belt, or any other objects, to discipline the children.

CPI Prather transported LG to the Child Protection Team (CPT) office in Daytona for an emergency CPT and medical evaluation. The following was discovered during the forensic interview and medical evaluation:

- LG stated that she was screaming because DC could not find something.
- Joshua hit LG and DC with a belt.
- The belt was described to be a red and black "Gucci" belt.

Sworn to and subscribed before me, the undersigned this <u>10</u> day of <u>March</u> , 2022. Name: <u>[Signature]</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" 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. <u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE NAME (PRINTED) <u>K. Gordon</u> ID NUMBER <u>937</u>	Right thumb
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Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 4 of 4

Defendant Name:	Agency Case Number:
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#	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:

- LG had linear marks on her left arm, side, and left leg, during the medical evaluation. It should be noted that this was conducted at approximately 1600 hours.

Detective Conrad and I notified Yamires of CPT's findings and, when asked, Yamires agreed to conduct a controlled call to Joshua. During the call, Yamires explained that the school contacted her to speak with her about markings on LG. The follow are statements of note made

- Joshua told Yamires that hit LG with the belt on the arm as discipline.
- Joshua told LG to wear a long-sleeve shirt to school and not take it off so people could not see the marks.

It should be noted that Joshua was crying during the controlled phone call.

Detective Conrad, CPI Prather, and I, Detective Gordon, made contact with Joshua at their family's residence. Joshua invited us into his home and agreed to speak with us regarding the incident. The following are some of this statements:

- Joshua advised that things "got out of hand".
- LG and DC were verbally arguing in LG's room on the morning of March 9th, which caused LG to scream very loudly.
- Joshua went into LG's room with a belt.
- Joshua hit LG with a belt three (3) times as a form of discipline. Joshua was only sure that he hit her in the arm, due to him seeing the mark on her arm.
- Joshua stated, "I knew I was going to leave a mark when I hit her."
- Joshua suggested that LG put on a long sleeve shirt to cover the markings on her arm, so *she* would not get into trouble.

Joshua advised that the belt he had used is his. Joshua voluntarily provided the belt to detectives. It should be noted that the belt provided is a black, red and green "Gucci" brand belt.

Due to the evidence and statements mentioned above, Joshua did knowingly or willfully, intentionally inflict physical or mental injury upon LG, a child, contrary to Florida State Statue 827.03.2.C.

Sworn to and subscribed before me, the undersigned this <u>10</u> day of <u>03</u> <u>2022</u> Name: <u>[Signature]</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" 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. <u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE NAME (PRINTED) <u>IL Gordon</u> ID NUMBER <u>1937</u>	Right thumb
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