

7th. Judicial Circuit 707
 Charging Affidavit - FLAGLER

Arrest # _____

Bk # 18-221

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: 2018 CF 000942	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2018-00086846	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# 1801052908		Date Arrested: 09/13/2018 Time of Arrest: 10:54	
ADDRESS OF ARREST: 125, JUNGLE HUT, RD, Palm Coast, Florida, 32137				Arrested By: Capela Jayd ID Number: 810	
DEFENDANT		Name (L,F,M): KELLEY, ROBERT		A.K.A.: _____ Sex: Male Race: White	
DOB: 12/5/1956 Age: 61		Driver's Lic/ ID No.: K400760564450		State: Florida Year Expires: 2018 S.S. #: _____	
Height: 6 3 Weight: 180		Hair: Brown Eyes: Blue		POB (City, St, Country): _____ 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"/> Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address-Mailing Permanent (STREET, APT. NUMBER): 57 WESTBROOK LANE		(CITY) PALM COAST (STATE) Florida		ZIPCODE 32164 RESIDENCE PHONE _____	
Address-Local (STREET, APT. NUMBER): 57 WESTBROOK LANE		(CITY) PALM COAST (STATE) Florida		ZIPCODE 32164 RESIDENCE PHONE (407)301-5311	
Address-Other(Employer/School) (STREET, APT. NUMBER): _____		(CITY) _____ (STATE) _____		ZIPCODE _____ BUS/SCHOOL 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 Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: 1	
#1	Charge: MARIJUANA - POSSESSION 20G MORE	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS'ORD: 893.13.6.A	Citation No.: _____	Bond: 2500
#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 a probable cause to believe the above names defendant, on the <u>13th</u> day of <u>September</u> , <u>2018</u> , at approximately <u>10:54</u> <u>X</u> A.M. <u></u> P.M. at <u>125 JUNGLE HUT RD</u> within <u>Flagler</u> County, violated the law and did then and there.					
On 13 September 2018 at approximately 1028 hours I, Deputy Capela responded to Jungle Hut Park located at 125 Jungle Hut Rd Palm Coast FL 32137 in reference to narcotics washing up on the beach.					
Before I arrived on scene, Heather Smith called 911 in reference to multiple packages of narcotics washing up onto the beach. Heather stated that multiple people were attempting to open the packaging and take the narcotics. Heather advised all the individuals that she was on the phone with law enforcement and to not take the narcotics. The individuals did not cooperate with Heather's directions. An unknown white female wearing a					
Supervisor Approved: _____					
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>13</u> day of <u>Sep</u> , <u>18</u> .		I swear affirm the above statements are correct and true.		Rt Thumb	
Name: <u>J O 687</u>		OFFICER'S/COMPLAINANT'S SIGNATURE		Juve Disp. CITATION No.	
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(PRIN ID) <u>Dep. Jayd Capela</u>		ID NUMBER <u>810</u>	
OFFICIAL USE ONLY		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 3

Defendant Name: KELLEY, ROBERT		Agency Case Number: 2018-00086846	
Name (L,F,M): AYERS, CALEB	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: White	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address 8950 FAIRLANE TRL GAINSVILLE, Georgia	Age: 29	DOB: 11/11/1988	SSN: --
Bus/School Address:	Zip: 30506-	Home Phone:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M): FRESE, CHRISTOPHER	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: White	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address 121 PINE LAKE PKWY N APT 706 PALM COAST, Florida	Age: 53	DOB: 02/05/1965	SSN: [REDACTED]
Bus/School Address:	Zip: 32137	Home Phone:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M): SMITH, HEATHER, JEANETTE	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: White	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>
Address 5 ROUND THORN DR PALM COAST, Florida	Age: 35	DOB: 02/23/1983	SSN: [REDACTED]
Bus/School Address:	Zip: 32164	Home Phone: (386)264-3360	Statement: Yes <input checked="" 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:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	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:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	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:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	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
APPROXIMATELY 11 POUNDS (wet weight) OF GREEN LEAFY SUBSTANCE	NOV 2018		
Owner(Name): KELLEY, ROBERT	(Address) 57 WESTBROOK	(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

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

Investigating Officer: Det. Capela ID Number: 810 Agency: FLSO

707-A - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 3 of 3

Agency Case Number:
2018-00086846

Defendant Name:
KELLEY, ROBERT

CHARGES

DOMESTIC VIOLENCE?

YES

Attachments: Affidavit(s) Statement(s) NTA Schedule Report Traffic Infraction(s)

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:

yellow bikini and multiple unknown males cut open the bundle of narcotics and started taking individual "bricks" of the narcotics.

Once I arrived on scene I made contact with Deputy Gaddie. Deputy Gaddie stated that once he arrived on scene he made contact with Heather Smith and Caleb Ayers. It should be noted that Caleb is an off-duty law enforcement officer out of Georgia. Heather was positively identified by her Florida Driver's License. Caleb was positively identified by his Georgia Driver's License.

Deputy Gaddie arrived on scene and Robert Kelley did not approach Deputy Gaddie to advise him that he located the suspected narcotics. While Deputy Gaddie was speaking with Caleb and Heather, Caleb and Heather pointed out Robert as having taken a "brick" of the narcotics from the bundle on the beach and leaving to the parking lot. It should be noted that Heather stated she observed Robert grab the "brick" and conceal the "brick" in a brown towel and leave the scene. Deputy Gaddie made contact with Robert and asked if he took some of the suspected narcotics. Robert pointed at his vehicle and stated that he was holding it for law enforcement's arrival. It should be noted that Deputy Gaddie had to initiate the interaction with Robert before Robert stated that he indeed had a "brick" of narcotics. Robert stated he did not know if the Sheriff's Office was going to come or not.

Robert originally said he did not take the brick from inside the bundle and stated it was individually separated from the bundle when it washed ashore. Deputy Gaddie confronted him about the witnesses stating otherwise. Robert subsequently recanted his statement and advised he did take a brick that was inside the bundle. Upon opening his trunk, I located a "brick" wrapped in plastic containing approximately 11 pounds (wet weight) a green leafy substance, concealed by being wrapped in a brown beach towel in the trunk of Robert's 2010 brown Toyota bearing FL tag GRGU88.

The suspected narcotics yielded a presumptive positive on a Lynn peavey Quick Check Test Kit for Marijuana. Robert was transport to FCIF without incident.

Robert was positively identified by DAVID. Witness statements will be submitted into records. Pictures will be submitted into Aegis. The narcotics will be submitted into evidence.

No further action taken.

Sworn to and subscribed before me, the undersigned this <u>13</u> day of <u>Sep.</u> , 2018.	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>J. Q. 687</u>	OFFICER'S/COMPLAINANT'S SIGNATURE <u>Dep. Jara Cape</u>	
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>Dep. Jara Cape</u>	ID NUMBER <u>810</u>
Type of Identification:		

707-B - COURT COPY