

7th Judicial Circuit 707
Charging Affidavit - Flagler

Arrest # _____

Bk # _____

Pg #1 of 1

10-12-10 MM
81904-10

ARREST <input type="checkbox"/> NOTICE TO APPEAR <input checked="" type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: _____
(ORI) FL: 1 8 0 0 0 0	Agency Name: FLAGLER COUNTY SHERIFF'S OFFICE	Agency Case Number: 81904-10		
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	OBTS # _____	UCR: _____	Date Arrested: 9-24-10	Time of Arrest: 11:26am
ADDRESS OF ARREST: Belle Terre Plwy / Palm Coast Plwy		Arrested By: WS J. Barile		ID Number: 411
DEFENDANT NAME (L,F,M): Klufus, Nicholas, A		A.K.A.: _____		Sex: M Race: W
DOB: 4-18-88	Age: 22	Driver's Lic./ ID No: K412-621-88-138-0	State: FL	Year Expires: 2013
Height: 6'4"	Weight: 155	Hair: brown	Eyes: blue	P.O.B. (City, State, Country): Palm Coast, FL
Scars, Marks, Tattoos: None	Business & Occupation: _____	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): 21 Pine Harbor Dr.		(CITY): Palm Coast, FL	(STATE): 32137	ZIP CODE: 386-867-1656
Address - Local (STREET, APT. NUMBER): _____		(CITY): _____	(STATE): _____	ZIP CODE: 130 447 4106
Address - Other (Employer/School) (STREET, APT. NUMBER): _____		(CITY): _____	(STATE): _____	ZIP CODE: _____

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 checked="" type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	Total Charges: 1
#1	Charge: Poss of Cannabis wgt 20	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 893.13 (6)(b)	Citation No: _____
#2	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No: _____
#3	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No: _____

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: _____
#2 NAME (L,F,M): _____	Race: _____	Sex: _____	DOB: _____


NARRATIVE

The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the 24 day of September, 2010, at approximately 11:21 a.m. p.m. at Belle Terre Plwy / Palm Coast Plwy within Flagler County, violated the law and did then and there: Nicholas Klufus was unlawfully and knowingly in actual & constructive possession of less than 20 grams of material commonly known as marijuana.

To wit: Nicholas attempted to conceal 2 plastic bags with marijuana in bushes after being involved in a crash. Nicholas was observed by this body walking to the bushes and then walking back near his vehicle. Nicholas was asked why he walked near the bushes and immediately advised that he attempted to hide marijuana and showed the location.

NOTICE TO APPEAR	MANDATORY APPEARANCE <input checked="" 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: <u>Nicholas Klufus</u>	DATE: <u>9-25-10</u>	SIGNATURE OF JUVENILE PARENT OR CUSTODIAN: _____	RELATIONSHIP TO JUVENILE: _____	JUVE DISP. _____	CITATION No. _____
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Sworn to and subscribed before me, the undersigned this _____ day of _____	I swear/affirm the above statements are correct and true.	Rt thumb 
Name: _____	OFFICER'S/COMPLAINANT'S SIGNATURE: <u>J. Barile</u>	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: _____	NAME (PRINTED): <u>J. Barile</u> ID NUMBER: <u>411</u>	

OFFICIAL USE ONLY	Inmate Number & Facility: _____
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FIRST APPEARANCE DATE:

The defendant was advised of his/her rights and furnished a copy of the complaint. Defendant () requested and was appointed a Public Defender after being found indigent. Defendant () not indigent, has or will retain _____ as council. The court has examined the sworn complaint and finds:

CHARGE			
Probable Cause Found			
PC Under. - 72 hours			
PC Under. - 96 hours			
Insufficient PC			
BOND SET AT			
ROR			
PTR			
Other			

ASA: PD

Plea:

Sentence:

Notes:

Type of Supervision

() Supervised Release

() Electronic Monitoring - May require Defendant to pay for use of monitoring equipment

Special: Conditions:

() No contact with the alleged victim(s), witness (es) & co-defendant(s)

() No violent contact with alleged victim(s)

() Do not consume illegal drugs

() Do not consume alcohol

() Submit to urinalysis test for illegal drugs and/or alcohol

() Substance abuse assessment

() Participation in appropriate substance abuse treatment