

7th. Judicial Circuit 707 Charging Affidavit - Flagler

Arrest # _____

Bk # 13-0304

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: _____	
(ORI) FL: 0 1 8 0 2 0 0 0		Agency Name: Flagler Beach Police Department		Agency Case Number: 13-01175	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# 180103 <u>7833</u>		UCR: _____ Date Arrested: 02/03/13 Time of Arrest: 2047	
ADDRESS OF ARREST: 1300 BLK N. CENTRAL AVE.					
DEFENDANT		Name (L.F.M.): STOKES, LEA ANN		A.K.A.: _____	
DOB: 12/20/1959	Age: 53	Driver's Lic/ID No.: S322521599601	State: FL	Year Expires: 2019	S.S. #: [REDACTED]
Height: 5'07"	Weight: 155	Hair: BROWN	Eyes: BRN	POB (City, St. Country): ALASKA	Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos: _____	Business & Occupation: OWNER OF PREFERRED MNGT. SERVICES				
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"/>	Death/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Address-Mailing/Permanent: 406 OCEAN MARINA DR.		(STREET, APT. NUMBER)	(CITY)	(STATE)	ZIP CODE: 32136 RESIDENCE PHONE: 386-931-1281
Address-Local: (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIP CODE	RESIDENCE PHONE
Address-Other(Employer/School): (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIP CODE	BUS/SCHOOL PHONE
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"/> DUI <input type="checkbox"/>		Total Charges: 2
#1 Charge: DRIVING UNDER THE INFLUENCE	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 316.193 (1)	Citation No.: 7599-XCM	Bond: \$1000.00	
#2 Charge: _____	FEL <input type="checkbox"/> MISD <input checked="" 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 probable cause to believe the above named defendant, on the 3rd day of FEBRUARY, 2013, at approximately 2023 <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. at N. OCEANSHORE BLVD. at N. 14 TH ST. within FLAGLER County, violated the law and did then and there: On February 1 st , 2013 at approximately 2013 hours while traveling southbound in the 1400 Blk. N. Oceanshore Blvd. I observed a 2012 Toyota Highlander heading northbound attempt to make a left (westbound) turn onto N. 14 th St. The vehicle turned early onto N. 14 th St. and then went wide and across the street, almost striking a telephone pole on the northwest corner of the intersection. I continued to watch the vehicle slow down and drive with its right side tires in the grass on the property located north of N. 14 th St. At this time I had to pull off the roadway just south of N. 14 th St. and make a u-turn after the vehicle traveling behind me passed by. I made the u-turn and located the vehicle sitting at the stop sign at N. 14 th St. and N. Central Ave. I pulled up behind the vehicle and it began to turn south into the 1300 Blk. N. Central Ave. At this time I activated my emergency lights and the vehicle came to a stop just south of the intersection.					
I approached the vehicle and could detect the odor of an alcoholic beverage emitting from the driver's window. I asked the driver (identified as Lea Ann Stokes DOB 12/20/59) if she was ok, to which she replied she was trying to get to a Super Bowl party on N. 8 th St. but got lost. I asked the driver for her driver's license, registration and proof of insurance. Lea then opened the glovebox and pulled out some paperwork then put it back into the glovebox. When Lea pulled the paperwork out I observed the registration in the stack before she put it back in the glovebox. Lea looked opened the envelope containing the manuals for her vehicle then closed it and put it back in the glovebox.					
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: _____
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		DATE		RELATIONSHIP TO JUVENILE	
Sworn to and subscribed before me, the undersigned This <u>3</u> day of <u>Feb.</u> 2013		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: <u>LEA ANN STOKES</u>		OFFICER'S/COMPLAINANT'S SIGNATURE <u>[Signature]</u>		ID NUMBER <u>7059</u>	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		NAME(PRINTED) <u>Off. J. McCraney</u>		ID NUMBER <u>7059</u>	
Type of Identification: _____		Inmate Number & Facility: <u>Flagler County Inmate Facility</u>			

OFFICIAL USE ONLY

707 - COURT COPY

Narrative 707-B Supplement

☒ Arrest
☐ Affidavit
☐ Notice to Appear
☒ Adult
☐ Juvenile

Court Case
Number:

Page # 2 of 3

Defendant Name:

STOKES, LEA ANN

Agency Case Number:

13-01175

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"/> OKRD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:			FEL <input type="checkbox"/> MISD <input type="checkbox"/> OKRD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
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Lea sat back in her seat and had to be told again I needed her registration, but I informed her that I had seen it in the stack of paperwork she had put back in the glovebox. Lea then pulled the paperwork back out with the manual envelope and put the paperwork back in the glovebox. I informed Lea that I seen the registration in the stack and she said she did not have it. I informed Lea that I could issue her a citation if she did not provide the registration and proof of insurance. Lea then pulled the paperwork back out of the glovebox and started looking through it. When I seen the registration again, I pointed it out to Lea who then grabbed it and handed it to me. I stood by while Lea put everything back in the glovebox and sat back in her seat. I gave Lea a few moments to give me her proof of insurance, but she sat in her seat waining on me. I had to ask again for the proof of insurance, which after a few moments of looking for it in her wallet she was able to provide me with her insurance card.

Lea was in actual physical control of the 2012 Toyota Highlander (VIN #5TDZK3EH5CS070709) and was the only occupant of the vehicle.

The first exercise I administered was the horizontal gaze nystagmus exercise. I used my pen for my stimulus. I instructed Lea to look at the tip of my pen and follow it with her eyes only and not to move her head. I asked Lea if she understood the instructions, which she stated yes. I then began the exercise. At the start of the exercise I observed that Lea's eyes had no resting nystagmus and her pupils were equal in size. Lea's eyes did have equal tracking and a lack of smooth pursuit. I also observed a clear and distinct sustained nystagmus at maximum deviation and the onset of nystagmus prior to 45 degrees in both eyes. While administering the exercise, Lea's head moved left and right and she was swaying in a circular motion. Lea's eyes jumped from left to right trying to predict the location of the tip of my pen. I also observed a clear and distinct sustained nystagmus at maximum deviation. Lea's eyes appeared to try and predict where the tip of my pen would be.

The second exercise I attempted to administer was the walk and turn. I instructed (and demonstrated) Lea to place her left foot on the line (duct tape placed on the roadway by this officer) with her right foot in front touching heel to toe and Lea began walking before I could finish giving instructions. I advised Lea to stand as I instructed and not begin the exercise until told to do so which she apologized. After giving the instructions again, Lea stated she understood my instructions and I told her to begin. Lea was unable to touch heel to toe on any of the steps, leaving a gap approximately six to eight inches between heel to toe. Lea only took eight steps down, stopping when the tape line ended. On the turn Lea did not leave her front foot on the ground and stepped off the line to make her turn. On the turn Lea stopped, stepped off the line and slowly turned around, placed her left foot on the line and took seven steps back, taking small steps, gaps approximately eight to ten inches between heel to toe.

The third exercise I attempted to administer was the one leg stand. I instructed (and demonstrated) Lea to stand with her feet together with her arms at her side and to not begin until instructed. When I instructed Lea to begin she lifted her right foot, counted one-thousand two, one-thousand three and put her foot down, lifted her left foot and counted the same and put her left foot down and starting again with her right foot. Lea repeated this action of counting for two seconds and switching feet for thirty seconds. I told her to stop and asked her why she did not do what I instructed.

Sworn to and subscribed before me, the undersigned

this day of Feb 2013

Right thumb

Name Lea Stokes

Lea Stokes 7059

Notary Public ☐ Law Enforcement Officer ☐
Personally Known ☐ Produced Identification ☐

OFFICER'S/COMPLAINANT'S SIGNATURE

Type of Identification:

NAME(PRINTED)

Officer J. McCraney

ID # 7059

707-B - COURT COPY

Narrative 707-B Supplement

☒ Arrest
☐ Affidavit
☐ Notice to Appear
☐ Adult
☐ Juvenile

Court Case
Number:

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Agency Case Number:

Defendant Name:
STOKES, LEA ANN

13-01175

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"/> MSD <input type="checkbox"/> ORD <input type="checkbox"/>	Citation No: Bond:
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Lea apologized and asked if she could do it again. I instructed (and demonstrated) Lea on the exercise again and asked if she understood, to which she replied she understood. I told Lea to begin and she lifted her right foot up, counted to ten and then put her foot down. After thirty seconds I asked Lea why she quit so soon and she replied she thought I had said to count to ten. I instructed (and demonstrated) to Lea a third time and when asked if she understood, Lea replied yes. On the third attempt Lea put her right foot down on counts three, four, eight and put her foot down on eleven and did not attempt the exercise any further from there.

The fourth exercise I attempted to administer was the finger to nose. I instructed and demonstrated the exercise and asked Lea if she understood, at which time she said she did. I called out right, left, right, left, left, right. On all fingers, Lea was methodically raising her arm slow to her nose. Lea was unable to touch the tip of her nose, but was actually touching the bottom of her middle knuckle around the tip of her nose on all attempts. When I called out the second of the two lefts, Lea lifted her right hand approximately twelve inches before correcting and raising her left hand.

Lea asked to speak with a supervisor as Ofc. Arcieri was arriving on-scene. Lea asked that he call two city officials so they could come down and assist her in putting this behind her so she could go home. Ofc. Arcieri advised Lea that would not be possible.

Jessica was transported to the Flagler County Inmate Facility without incident.

FCSO Dep. Gimbel operated the Breath Alcohol Test using the Intoxilyzer 8000. Lea was read Implied Consent Warning at 2226 hours. Lea provided two breath samples, the first being .162 B.A.C and the second being .167 B.A.C.

Lea was issued UTC #7599-XCM reference D.U.I. and UTC #5586-GWI for improper turn.

No further action taken at this time.

Sworn to and subscribed before me, the undersigned this <u>15th</u> day of <u>Feb</u> , <u>2013</u>	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>Lea Stokes</u> <u>553</u>	OFFICER'S/COMPLAINANT'S SIGNATURE <u>Off. J. McCraney</u> <u>7059</u>	
Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME(PRINTED) Officer J. McCraney	ID # 7059
Type of Identification:		