

7th. Judicial Circuit 707 Charging Affidavit - Flagler

Arrest # _____

Bk # 13-961

Pg #1 of 2

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: <u>13-325 CFFA</u>	
(ORI) FL: 0 1 8 0 1 0 0		Agency Name: <u>Bunnell Police Department</u>		Agency Case Number: <u>13-5390</u>	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# <u>1801039408</u>		UCR:	Date Arrested: <u>04/17/13</u>
ADDRESS OF ARREST: <u>800 Block W SR100</u>		Arrested By: <u>Cpl F. Barbagallo</u>		ID Number: <u>5078</u>	Time of Arrest: <u>2309</u>
DEFENDANT		Name (L,F,M): <u>McDonough, Daniel, Eugene</u>		A.K.A.:	Sex: <u>M</u> Race: <u>W</u>
DOB: <u>08/13/73</u>		Age: <u>39</u>		Driver's Lic/ID No.: <u>M235-165-73-293-0</u>	State: <u>FL</u> Year Expires: <u>2019</u>
Height: <u>5' 9"</u>		Weight: <u>170</u>		Hair: <u>Brown</u> Eyes: <u>Blue</u>	POB (City, St, Country): <u>Florida</u>
Scars, Marks, Tattoos: <u>unknown</u>		Business & Occupation: <u>Construction</u>		Statement: Yes <input type="checkbox"/> No <input checked="" 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"/>	
Address-Mailing/Permanent (STREET, APT. NUMBER): <u>73 Uhl Path</u>		(CITY): <u>palm Coast</u> (STATE): <u>FL</u> ZIPCODE: <u>32164</u>		RESIDENCE PHONE: <u>unk</u>	
Address-Local (STREET, APT. NUMBER):		(CITY): (STATE): ZIPCODE:		RESIDENCE PHONE:	
Address-Other(Employer/School) (STREET, APT. NUMBER):		(CITY): (STATE): ZIPCODE:		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 checked="" type="checkbox"/> DUI <input type="checkbox"/>	
#1	Charge: <u>Flee Attempting to Elude Law Enforcement</u>	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: <u>316.1935 (2)</u>	Citation No.: <u>9385-GVM</u>
#2	Charge: <u>Possession Of Marijuana < 20g</u>	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: <u>893.13 (6) (b)</u>	Citation No.: <u>9385-GVM</u>
#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		<p>The undersigned certifies and swears that there is probable cause to believe the above named defendant on the <u>17th</u> day of <u>April</u>, <u>2013</u>, at approximately <u>2305</u> <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at <u>E. Woodland/W SR100</u> within <u>Flagler</u> County, violated the law and did then and there:</p> <p>Mr. Daniel E. McDonough did willfully flee or attempt to elude a law enforcement officer in an authorized law enforcement patrol vehicle with agency insignia and other jurisdictional markings prominently displayed on the vehicle with siren and lights activated, contrary to Florida Statute 316.1935(2).</p> <p>Mr. Daniel E. McDonough was unlawfully and knowingly in actual or constructive possession of less than 20 grams of a material, contained cannabis, commonly known as marijuana, a controlled substance, contrary to Florida Statute 893.13(6)(b).</p> <p>On the above date and time, I observed a blue Chevrolet pickup, Florida tag #G118ZG, with the driver's side tail light out, traveling south bound at the intersection of E. Woodland/W. SR100. I activated my vehicle's emergency lights and initiated a traffic stop. The vehicle stopped in the middle of the road at the intersection of E. Woodland/W. SR100. I activated my vehicle's PA system and told the driver to make a left turn onto W.SR100 and pull to the side. The vehicle proceeded to make the left turn and then picked up speed, approximately thirty MPH, I activated my vehicle siren at that time. The vehicle continued westbound over the W100 overpass at approximately forty MPH. I advised FCSO dispatch that the vehicle was not stopping. The vehicle continued westbound swerving off the road and entering the drainage ditch at approximately the 800 block of W SR100. The vehicle attempted to re-engage the roadway but the rear of the pickup became stuck in the drainage ditch</p>			
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>17th</u> day of <u>April</u> , <u>2013</u> .		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: <u>[Signature]</u>		OFFICER'S/COMPLAINANT'S SIGNATURE			
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		NAME(PRINTED) <u>Cpl F. Barbagallo</u>		ID NUMBER <u>5078</u>	
OFFICIAL USE ONLY		Inmate Number & facility:			

707 - COURT COPY

Narrative 707-B Supplement

☒ Arrest
☐ Affidavit
☐ Notice to Appear

☒ Adult
☐ Juvenile

Court Case
Number:

Page # 2 of 2

Defendant Name:

McDonough, Daniel, Eugene

Agency Case Number:

13-5390

CHARGES

DOMESTIC
VIOLENCE?

YES ☐

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

Total
Charges: 2

#	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:

At this time back up units had arrived on scene. I exited my vehicle along with Officer Mortimer of the BPD and Deputy Miley of the FCSO. We ordered the driver, later identified as Daniel E. McDonough, to show his hands and exit the vehicle; Mr. McDonough refused to comply and said, "I'm not coming out". I grabbed Mr. McDonough's hand through the driver side window, while Deputy Miley opened the driver's door. Mr. McDonough was placed into custody without further incident. The vehicle was still in gear when we removed Mr. McDonough. Mr. McDonough was placed in the rear of my patrol vehicle. I could detect the strong odor of marijuana on Mr. McDonough's person. When I approached Mr. McDonough's vehicle I could see clumps of a green leafy substance on the front seat. I read Mr. McDonough Miranda at 2310 hrs. I asked Mr. McDonough where he bought the marijuana. Mr. McDonough told me he picked up a hitchhiker and the green leafy substance must be the hitchhikers. I noticed Mr. McDonough had some of the marijuana on his sweatshirt he didn't know how it got there. No further questions were asked. The green leafy substance tested presumptive positive with a Lynn Peavey marijuana field test kit. Mr. McDonough was placed under arrest and transported to the FCIF without incident. The vehicle was removed via rotation by Saxon's Towing. The green leafy substance was placed into evidence.

Sworn to and subscribed before me, the undersigned
this 17 day of April, 2013

I swear/affirm the above statements are correct and true.

Right thumb

Name: Det. [Signature]

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

OFFICER'S/COMPLAINANT'S SIGNATURE

NAME (PRINTED)

Det. F. [Signature]

ID NUMBER

2072

Type of Identification:

707-B - COURT COPY