

Clerk

**WARRANTLESS ARREST
JESSICA LUNSFORD ACT**

**STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
AMENDED VIOLATION REPORT**

Date: 04/09/2018
To: Honorable Judge Dennis Craig
NAME: DANTE DEON MOBLEY
Circuit: BUNNELL
Case No: 1301072
Scheduled Termination Date: 03/21/2028

Mandatory Retaking From: 07-5 Bunnell P&P
From: GARGON, DAVID W
DC NO: V46710
UC No:

REQUESTING

Warrantless Arrest Conducted - Hearing Requested

TYPE OF REPORT

Non-Compliance with Conditions

LOCATION

In Custody	Current Address	Volusia County Branch Jail 1300 Red John Drive Daytona Beach, FL 32124
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1) HOW VIOLATION OCCURRED:

New Violations (this Violation Report):

Violation of Condition (5) of the Order of Probation, by failing to live and remain at liberty without violating any law by committing the criminal offense of Circumventing the Operation of a Monitoring Device (F.S. 843.23) on 3/23/18, in Flagler County, FL, and as grounds for belief that the offender violated his probation, Officer David W. Gargon states that the offender lost or intentionally discarded his XT (GPS device), before reporting to the probation office on 3/26/18.

Circumstances: The offender was issued a bracelet (anklet) and XT (GPS device) on 3/22/18, upon his release from prison. At that time, he was instructed on and signed the Electronic Monitoring Equipment Assignment Rules form, which specifies in condition (4) that "you will be held financially responsible for the loss of the equipment issued to you". Upon Supervisor Sharon Davis contacting the offender by phone on 3/23/18, he stated that he did not have his XT with him, and did not know where it was left. He stated that he might have left it on the bus he was riding to Flagler County. A review of the offender's GPS points shows the offender's last known GPS point at 9:58 am on 3/23/18, on I-95 in Flagler County. Therefore, the offender circumvented the probation office from knowing his location and whereabouts, by not retaining his XT on his person, from the dates of 3/23/18 until his arrest on 3/26/18. To date, the XT has not been found. The XT is valued at \$900, and a Charging Affidavit is being sent to the Flagler County Sheriff's Office with a request for new charges to be filed.

APR 11 2018

Previous Violations (last VOP dated 03/23/2018)

Violation of Condition (14) of the Order of Probation, by failing to report in person within 72 hours of release from incarceration to the probation office in Flagler, County, Florida, unless otherwise instructed by the court or Department of Corrections, and as grounds for belief that the offender violated his probation, Officer David W. Gargon states the offender was released from incarceration on 3/22/18 and failed to report to the probation office in Bunnell, FL, on 3/23/18, as instructed.

Circumstances: The offender was instructed on 03/21/2018, to report to the probation office in Bunnell, FL immediately upon his arrival by bus, in Flagler County. The offender's bus was scheduled to stop in Flagler in County on 3/23/18 at 10:05 AM. Supervisor Sharon Davis was able to make contact with the offender by phone, at approximately 3:55 pm on 3/23/18. He advised that he was at a hotel in Daytona Beach at that time. He was then instructed at that time to report to the Probation Office in Daytona Beach before 5:00 pm. The offender did not report to probation on 3/23/18 as instructed.

Violation of Condition (15) of the Order of Probation, by living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate as prescribed by the court, and as grounds for belief that the offender violated his probation, Officer David W. Gargon states that on 3/23/18, the offender admitted that he was residing at 1227 North Atlantic Ave, Daytona Beach, which is within 1,000 feet of Schebly City Park & Recreation Center, as verified by measurements obtained from the Sex Offender Residential Restrictions application by David W. Gargon on 3/26/18. The offender further admitted to this officer on 3/26/18 that he was still staying at 1227 North Atlantic Ave, Daytona Beach.

Violation of Condition (29) of the Order of Probation, by failing to submit to electronic monitoring, and as grounds for belief that the offender violated his probation, Officer David W. Gargon states that on 3/23/18 the offender refused to submit to electronic monitoring, to wit: the offender's last GPS point (as of 3/26/18), was on 3/23/18 at 9:58 AM, on I-95 in Flagler County. The offender has admitted that he does not currently know where his GPS device (XT) is located, but believes he may have left it on the Greyhound Bus on 3/23/18.

2) OFFENDER STATEMENT:

No statement is available at this time.

3) HISTORY OF SUPERVISION:

Current Community Supervision History

Offense Date	Offense	Sentence Date	County	Case Number	Supervision Length
12/22/2013	L/L BATT.SEX W/V12-15	10/08/2014	FLAGLER	1301072	010Y 00M 00D

Prior Community Supervision History

Offense Date	Offense	Sentence Date	County	Case Number	Supervision Length
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NO PRIOR HISTORY OF SUPERVISION

PRIOR VIOLATION OF SUPERVISION:

Date of Violation	Type of Violation	Date of Disposition	Disposition of Violation
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NO PRIOR VIOLATION OF SUPERVISION

RESIDENCE: STABLE UNSTABLE ABSCONDED

The offender was homeless upon his release from prison on 03/22/2018. He did not have an approved residence and had been instructed to report to the probation office in Bunnell upon his release. He is currently residing temporarily at an UNAPPROVED residence of the Lighthouse Motel in Daytona Beach, which is approximately 535 from the Schnebly City Park and Recreation Center.

EMPLOYMENT: UNEMPLOYED

NO EMPLOYMENT HISTORY

RESTITUTION:

Case Number	Payee Name	Original Obligation	Current Balance	Last Payment Amount	Last Payment Date
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NO RESTITUTION ORDERED

COURT COSTS/FINES:

Case Number	Payee Name	Original Obligation	Current Balance	Last Payment Amount	Last Payment Date
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1301072	1ST STEP VOLUSIA COUNTY, INC.	\$120.00	\$120.00	\$.00	
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OTHER:

Payee Name	Original Obligation	Current Balance	Last Payment Amount	Last Payment Date
COST OF SUPERVISION	\$1200.00	\$1200.00	\$.00	
SURCHARGE	\$52.80	\$52.80	\$.00	

PUBLIC SERVICE WORK:

Monthly minimum
Hours Required Hours Ordered Hours Worked Hours Remaining

NO PUBLIC SERVICE HOURS ORDERED

TREATMENT STATUS:

(Summary of offender's current and prior participation in treatment, educational, and vocational programs):

Treatment Date	Program Description	Termination Date	Status	Termination Reason
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The offender was released from custody on 3/22/18 and has been unable to be referred to treatment as of this date.

STATUS OF OTHER SPECIAL CONDITIONS:

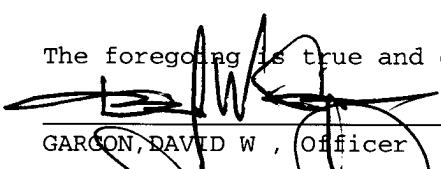
Case Number	Special Condition	Begin Date	Due Date	End Date	Status
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The offender was released from prison on 3/22/18, and did not report to the probation office in Bunnell, FL, as instructed, and was therefore unable to be referred to the completion of any conditions. He is currently in violation of his special condition for not residing within 1,000 feet of a place where children congregate, and failure to comply with his failure to submit to Electronic Monitoring by not retaining his GPS device.

4) RECOMMENDATION:

The offender was released from prison on 3/22/18, and failed to follow instructions and report to his county of supervision. He additionally has left his county of supervision and resided at a residence that is in violation of his sex offender probation, due to its proximity of a city park. Further, the offender has failed to make himself available for GPS monitoring by failing to retain and/or losing his GPS device on 3/22/18. The offender does not appear to be motivated to comply with supervision requirements, and as a convicted sex offender, poses a threat to safety of the community while remaining free in the community. Therefore, this officer respectfully recommends that the offender's probation be revoked, and he be sentenced to incarceration in the Florida Department of Corrections.

The foregoing is true and correct to the best of my knowledge and belief.



GARCON, DAVID W , Officer



APPROVED: SHARON J. DAVIS

, Supervisor

4/9/18
Date