

**IN THE CIRCUIT COURT,
SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA**

CASE NO: 18-00927-CFFA

STATE OF FLORIDA

VS.

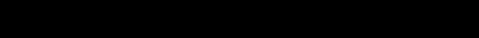
**VICTOR EUGENE WILLIAMS II,
DEFENDANT.**

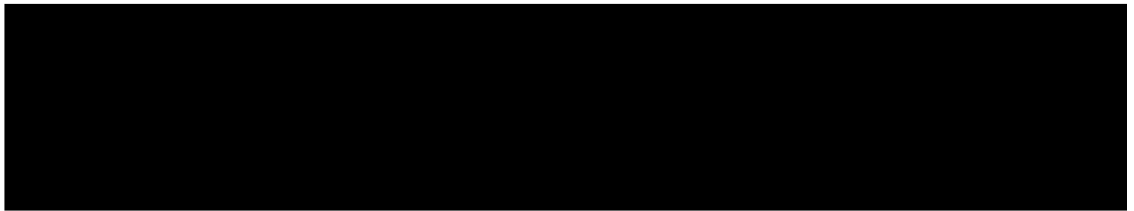
MOTION FOR ORDER TO RELEASE DEFENDANT'S MEDICAL RECORDS

COMES NOW, R.J. Larizza, State Attorney for the Seventh Judicial Circuit, by and through the undersigned Assistant State Attorney, pursuant to F.S. 395.3025 and moves this Honorable Court for an Order directing the Florida Department of Health- Jacksonville Office and ARNP Miriam Hirschberg to release medical records as they pertain to the defendant, and as grounds states

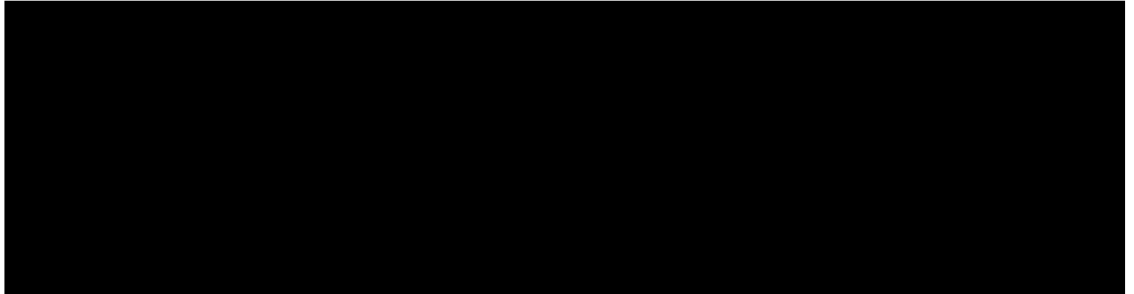
1. The defendant is charged with Sexual Battery on a Physically Incapacitated Minor and Unlawful Sexual Activity with a Minor for an offense that took place on September 10, 2018.
2. It is alleged that the defendant met the victim, E.R.D., online and invited E.R.D. to his residence on September 10, 2018. While at the residence, the defendant offered E.R.D. alcohol and unknown pills. E.R.D. subsequently lost consciousness. E.R.D. was found the next day on his porch, unconscious, by his stepfather. After E.R.D. regained consciousness, he was able to recall portions of the evening with the defendant and could recall various points during which the defendant was performing

sexual acts on E.R.D.'s body. E.R.D. did not consent to those sex acts.

3. Pursuant to the investigation into the sexual battery allegation, the Flagler County Sheriff's Office executed a search warrant on the defendant's residence on September 13, 2018. The search warrant is attached to this motion for the Court's review.
4. CSI responded and took photographs of the defendant's residence. The photographs included photographs of prescription pill bottles. 



5.



6. The State would like to retrieve copies of the defendant's medical records retained at the Florida Department of Health- Jacksonville office and ARNP Miriam Hirschberg.

7.



of the defendant.

WHEREFORE, based on the foregoing, the State respectfully requests the Court to issue an order directing The Florida Department of Health- Jacksonville office and ARNP Miriam Hirschberg to release the medical records as they relate to the defendant and any treatment he received stemming from this incident.

R.J. LARIZZA
STATE ATTORNEY

By: s/MELISSA L CLARK
ASSISTANT STATE ATTORNEY
Florida Bar No.: 0499625
ESERVICEFLAGLER@SAO7.ORG

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by mail/delivery to REGINA NUNNALLY, 1769 EAST MOODY BLVD BUILDING 1, KIM HAMMOND JUSTICE CENTER, BUNNELL, FL 32110-1448, on December 10, 2018.

s/MELISSA L CLARK
ASSISTANT STATE ATTORNEY
Florida Bar No.: 0499625
1769 EAST MOODY BLVD BLDG 1
THIRD FLOOR
BUNNELL, FL 32110
(386) 313-4300
ESERVICEFLAGLER@SAO7.ORG

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA

FILED IN THE OFFICE OF THE
CLERK OF CIRCUIT COURT
Flagler County, Florida

AFFIDAVIT FOR SEARCH WARRANT

SEP 21 2018

STATE OF FLORIDA
COUNTY OF FLAGLER

By _____ Deputy Clerk
Paper No _____


BEFORE ME, the undersigned Judge, in and for Flagler County, Florida, personally appeared to me Detective Arthur Erlandson of the Flagler County Sheriff's Office, who being by me first duly sworn, deposes and says:

Your Affiant believes and has good reason to believe that in those certain residence located in Flagler County, Florida, described as follows, to-wit:

To arrive at the location, begin at the intersection of Pine Lakes Parkway North and Belle Terre Parkway., Turn left (North) on Belle Terre Parkway, turn right (East) on Bird of Paradise Drive, turn left (North) on Birchwood Drive, turn right (East) on Big Bear Lane. The residence will be on the right side of the roadway identified by the number "12" above the garage door.

The single family residence address is 12 Big Bear Lane, Palm Coast, FL 32137.

Said property being the residence under the control of **Victor E. Williams**. This information was verified by a search of the Florida Driver and Vehicle Information Database.

VICTOR EUGENE WILLIAMS		DLID: W452-885-78-296-0 SSN: 283-77-5800	
Class: E		STATUS: VALID	
Previous DUI: 0		Previous DWLS: 1	
	Address: 12 BIG BEAR LN PALM COAST, FL 32137-9356		
Original License Issue Date: 09/11/1991	Issued: 09/07/2011	Gender: MALE	Height: 5'10"
Expires: 09/16/2020	Replaced: 06/15/2015	CDL Status:	
Form Number: F791506150011	EIN: 0100252500514244	Citizen Status: US CITIZEN	
Race: AFRICAN AMERICAN	Country of Birth: US OF AMERICA	State of Birth: FLORIDA	
ORGAN DONOR			

And there is now being kept in or on the above described property;

Controlled substances or precursor chemicals as listed in Florida State Statute, 893.03, items used to manufacture, sell, possess, package, use, alter, or traffic in controlled substances and specifically cocaine, items commonly used to support the manufacturing, selling, possessing, packaging, use, altering, or trafficking in controlled substances specifically to include but not limited to vehicles, United States Currency, surveillance equipment, ledgers, cell phones.

Which said property will be located on the above said premises that the facts tending to establish the grounds for this application and the probable cause to believe said property is being kept and used, in violation of the laws of the State of Florida, to-wit: Possession, use, production, manufacture, storage, and/or sale of controlled



substances Florida State Statute, 893.13.

The following narrative details an incident that occurred during the morning hours of Thursday, September 13th, 2018:

Detective Nicole A. Quintieri had executed a search warrant at 12 Big Bear Lane for a Sexual Battery investigation which was signed by the Honorable Judge Moore-Stens. In the probable cause narrative of the sexual battery warrant the juvenile victim stated they were provided two different pills by Victor Williams. The victim described one of the pills as oval and white and the other as orange and triangular. During the search, narcotics, which were not in the scope of the original search warrant, were located.

A black leather courier bag was located on the sofa in the middle of the living room at approximately 0600 hours. Corporal Hristakopoulos and Detective Quintieri began searching the bag and located a small mason jar containing narrow yellow pills that are marked R039. These pills were identified as Alprazolam 2mg.

Because the target of the investigation, Victor E. Williams was identified as, giving the victim of the sexual battery different pills on at least two occasions, Detectives continued to search the bag.

The black leather bag contained the following additional items; styrofoam soup container with a chalk like substance (possibly cocaine per Corporal Hristakopoulos), spoon with white residue, digital scale, and a box of empty sandwich bags.

A smaller black bag was located on the sofa as well and contained \$533 dollars in U.S. Currency.

This search warrant is being requested to seize the additional illegal narcotics that were located inside the residence of 12 Big Bear Lane in Palm Coat, Florida.

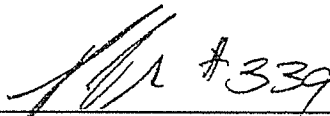
Your Affiant, Detective Arthur Erlandson was born in New York in 1970. There I attended high school and graduated in 1988. I entered military service in 1988 and retired in 2014 serving in United States Marine Corp Reserve and National Guard. Between the years 2004 and 2014, I deployed three times to a combat zone and twice as a Military Police Section Sergeant. In January 2006, I began my employment with the Flagler County Sheriff's Office serving in several different capacities. Currently assigned Investigative Services Division Special Investigations Unit, My primary duties involve narcotic related crimes. This has allowed me to gain experience in the handling of confidential sources, writing and executing search warrants, surveillance operations, and undercover operations. In the past, your affiant was assigned to the Corrections Division, Community Policing Division, Crime Suppression Team, and Investigations. These past duties have provided me experience in investigating crimes ranging from homicide to theft. As a result have become well versed in narcotic identification, packaging, paraphernalia, transporting, and concealment as well as conducting criminal investigations and recovering stolen property. Since serving as a sworn law enforcement officer, I have completed the following training; Certified Law Enforcement and Corrections Officer in the State of Florida, Drug Identification, Introduction to Patrol Drug Operations, Highway Vehicle Stops and the Drug Trafficker, Narcotic and Dangerous Drug Investigations, Surveillance Operations, Criminal Street Gangs, FGIA Intermediate Gang Specialist, Understanding Street Gangs and Officer Safety, Patrol Response to Outlaw Motorcycle Gangs, Outlaw Motorcycle Gang Investigations, and the New Detective's Academy.

WHEREFORE, Your Affiant prays that a search warrant will be issued according to law, commanding the



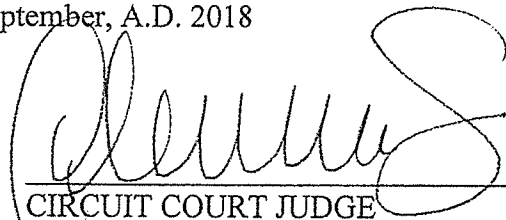
Sheriff or any Deputy Sheriff of Flagler County, Florida, to search the described dwelling, property, curtilage, and any other sheds, buildings, vehicles, vessels, personal property that would indicate control of the premises where contraband is found who shall be reasonably believed to be in connection with the violation of the laws of the State of Florida relating to Possession, use, production, manufacture, storage, and/or sale of controlled substances Florida State Statute, 893.13.

WHEREFORE, Affiant makes this affidavit and prays the issuance of a Search Warrant in due form of law for the search of the Premises for the said property heretofore described, and for the seizure and safekeeping thereof, subject to the order of a Court having jurisdiction thereof, by the duly constituted officers of the law.



AFFIANT
Detective Arthur Erlandson

SWORN TO and subscribed before me this 13th day of September, A.D. 2018



CIRCUIT COURT JUDGE
SEVENTH JUDICIAL CIRCUIT
FLAGLER COUNTY, FLORIDA

SEP 21 2018

SEARCH WARRANT

By _____ Deputy Clerk
Paper No _____

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR FLAGLER COUNTY, FLORIDA.

STATE OF FLORIDA)
COUNTY OF FLAGLER)

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR: To all the State Attorney Investigators of the Honorable R.J. Larizza, State Attorney for the Seventh Judicial Circuit, State of Florida, and to Fredrick J. Staly, Sheriff of Flagler County, and his Lawful Deputies and Crime Scene Investigators; The commissioner of the Florida Department of Law Enforcement, or any of his Duly constituted special agents.

WHEREAS, complaint on oath and in writing supported by affidavit of Arthur Erlandson, a Detective with the Flagler County Sheriff's Office, and a credible witness, has this day been made before me the undersigned Judge of the Circuit Court, in and for Flagler County, Florida.

WHEREAS, said facts know to me and considered by me have caused me to certify and find that said facts set forth in said affidavit show and constitute probable cause for the issuance of this warrant, and the Court being satisfied of this existence of said grounds set forth in the affidavit and that the laws of the State of Florida have been and are being violated in or on a certain dwelling residence in Flagler County, Florida, being known and described as follows:


Your Affiant believes and has good reason to believe that in those certain residence located in Flagler County, Florida, described as follows, to-wit:

To arrive at the location, begin at the intersection of Pine Lakes Parkway North and Belle Terre Parkway., Turn left (North) on Belle Terre Parkway, turn right (East) on Bird of Paradise Drive, turn left (North) on Birchwood Drive, turn right (East) on Big Bear Lane. The residence will be on the right side of the roadway identified by the number "12" above the garage door.

The single family residence address is 12 Big Bear Lane, Palm Coast, FL 32164.

Said property being the residence under the control of **Victor E. Williams**. This information was verified by a search of the Florida Driver and Vehicle Information Database.



VICTOR EUGENE WILLIAMS		DUID: W452-865-76-298-0	SSN: 263-77-5809	Male
Class: E		Previous DUI: 0 Previous DWL: 1		
	Address:	Date of Birth:	Gender:	Height:
	12 BIG BEAR LN PALM COAST, FL 32137-9356	09/16/1976	MALE	5' 10"
	Original License Issue Date:	Issued:	Expires:	Replaced:
	09/11/1991	06/07/2011	09/16/2020	06/15/2015
CDL Status:	Form Number:	EIN:		
	F791506150011	01002535900614344		
Citizen Status:	Country of Birth:	State of Birth:		
US CITIZEN	US OF AMERICA	FLORIDA		
Race:	AFRICAN AMERICAN			

ORGAN DONOR

And there is now being kept in or on the above described property;

Controlled substances or precursor chemicals as listed in Florida State Statute, 893.03, items used to manufacture, sell, possess, package, use, alter, or traffic in controlled substances and specifically cocaine, items commonly used to support the manufacturing, selling, possessing, packaging, use, altering, or trafficking in controlled substances specifically to include but not limited to vehicles, United States Currency, surveillance equipment, ledgers, cell phones.

Which said property will be located on the above said premises that the facts tending to establish the grounds for this application and the probable cause to believe said property is being kept and used, in violation of the laws of the State of Florida, to-wit: Possession, use, production, manufacture, storage, and/or sale of controlled substances Florida State Statute, 893.13.

WHEREFORE, Your Affiant prays that a search warrant will be issued according to law, commanding the Sheriff or any Deputy Sheriff of Flagler County, Florida, to search the described dwelling, property, curtilage, and any other sheds, buildings, vehicles, vessels, personal property that would indicate control of the premises where contraband is found who shall be reasonably believed to be in connection with the violation of the laws of the State of Florida relating to Drug Abuse Prevention and Control Prohibited Acts Florida State Statute, 893.13.

NOW THEREFORE, you or either of you, with such lawful assistance as may be necessary, are hereby commanded in the name of the State of Florida, in the daytime or in the nighttime as the exigencies of the occasion may demand or require or on Sunday, to serve this warrant upon the person(s) in charge of or living upon or within the place or things searched pursuant to this warrant, and in the absence of any such person, to leave the duplicate warrant at the place or thing searched pursuant to this warrant, and to enter the described residence or persons thereof and to diligently search for certain evidence relating to the crimes of Drug Abuse Prevention and Control Prohibited Acts Florida State Statute, 893.13.

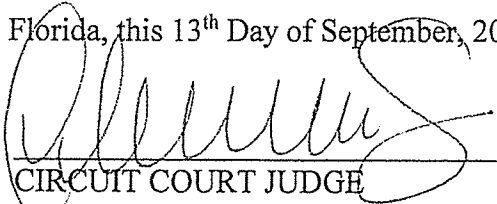
and to seize the property described above, or the means by which a felony has been committed, or evidence relevant to proving said felony, and if the specified property sought herein, or any part thereof, is found within the place for things you have been directed to search then you are commanded to seize and secure the specified property, to prepare in duplicate a verified inventory and receipt for the specified property seized, to deliver a duplicate of the verified copy inventory and receipt to the person(s) named in this warrant, or in his or her absence to the person in charge of, or living, upon or within the place or thing searched pursuant to this warrant, and in the absence of any



such person, to leave the duplicate inventory and receipt at the place or thing searched pursuant to this warrant.

You are further commanded to bring any person arrested in connection with the specified property seized before me or some other Court having jurisdiction of the violation(s) of the Law(s) of The State of Florida as recited in this warrant, and to forthwith make a sworn return of your doings upon executing this warrant and to return and file the original of this warrant, the original affidavit for this warrant, and the original inventory within (10) days from the date of issuance of this warrant.

Witness my hand and seal at Bunnell, Flagler County, Florida, this 13th Day of September, 2018.



CIRCUIT COURT JUDGE
SEVENTH JUDICIAL CIRCUIT,
FLAGLER COUNTY, FLORIDA



INVENTORY AND RETURN

APPROX 13.6 grams of a white chunk like-substance (COCAINE)
white cupcake type liner, plastic bag, 19 1/4 Adderall
pills, glass jar, black digital scale, spoon w/ white
powder residue, styrofoam cup, open box of
Good sense sandwich bags, NO FURTHER ITEMS 11/6/18 339

(STATE OF FLORIDA
COUNTY OF FLAGLER)

I, DET ERLANDSON received this Search Warrant on the 13th day of SEPT, 2018, and I executed the same in FLAGLER County, Florida, on the 13th day of SEPT, 2018, by making a search as therein directed and I do swear that the above INVENTORY contains a true and detailed account of all the property taken by me on the warrant and that I have delivered a copy of the Search Warrant and this INVENTORY AND RETURN to:
Flagler County Clerk of Court.

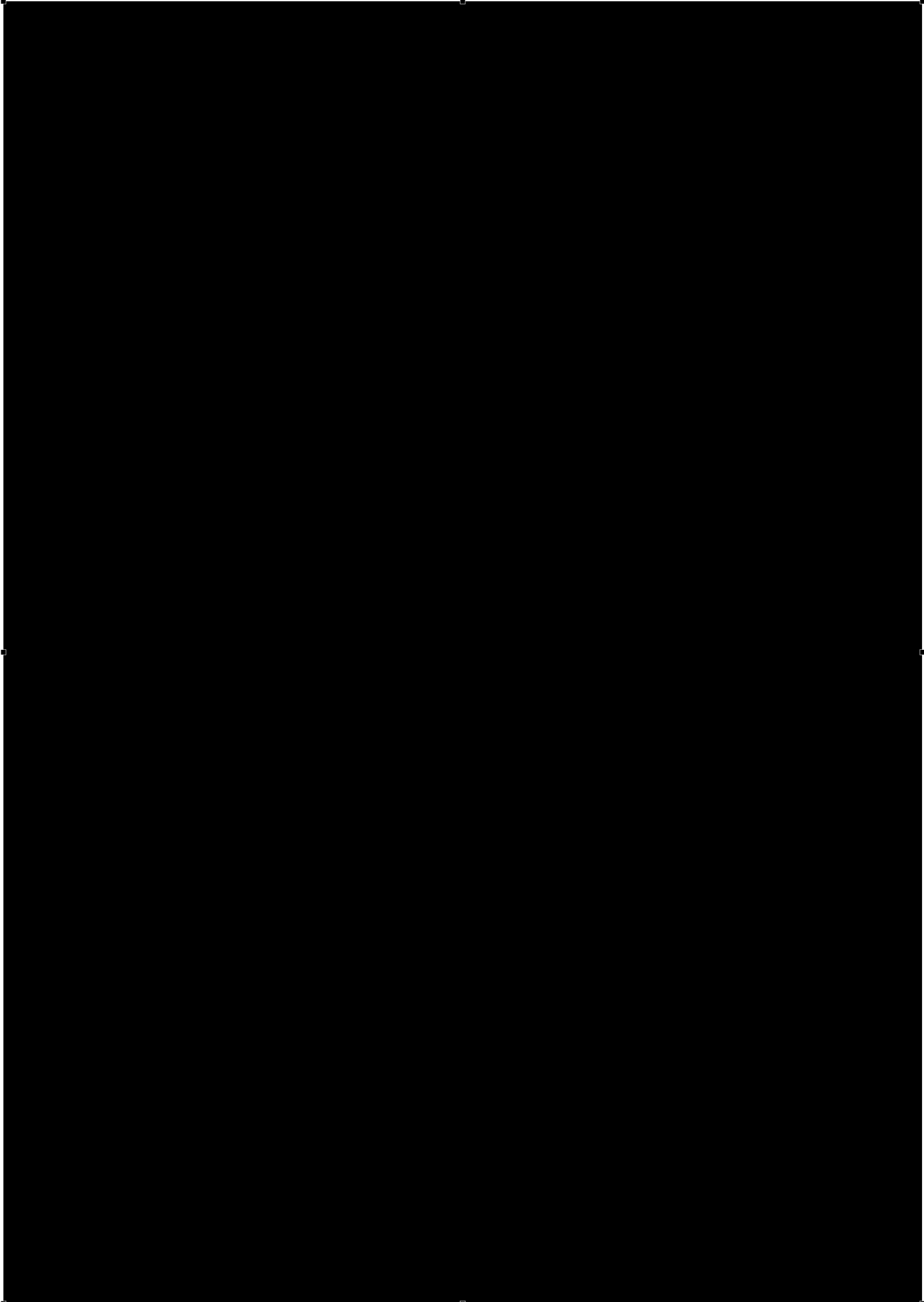
[Signature]
LAW ENFORCEMENT OFFICER

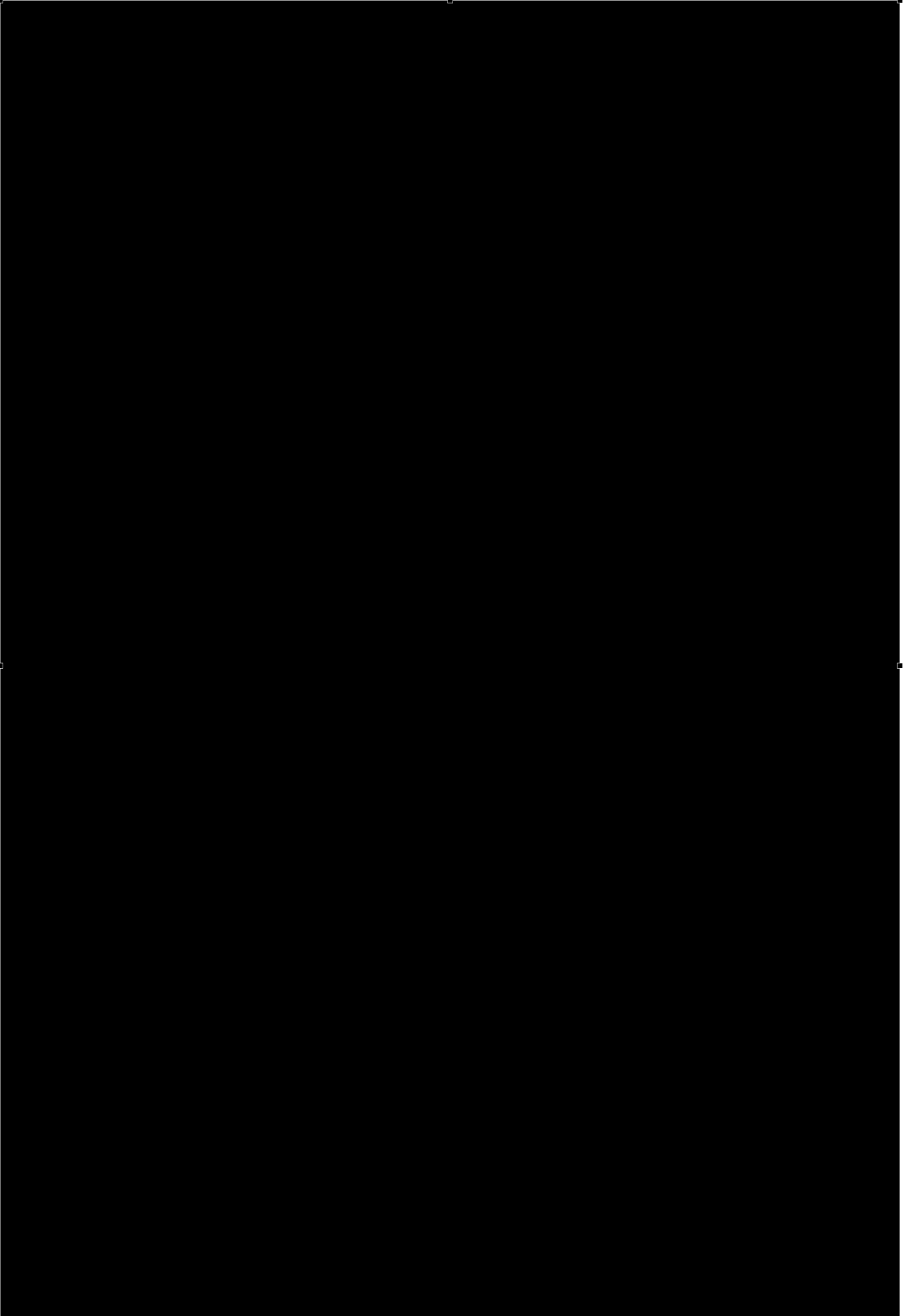
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Sworn to and subscribed before me this 13th day of SEPT, 2018.

[Signature]
Notary Public/Law Enforcement Officer

16-01-857





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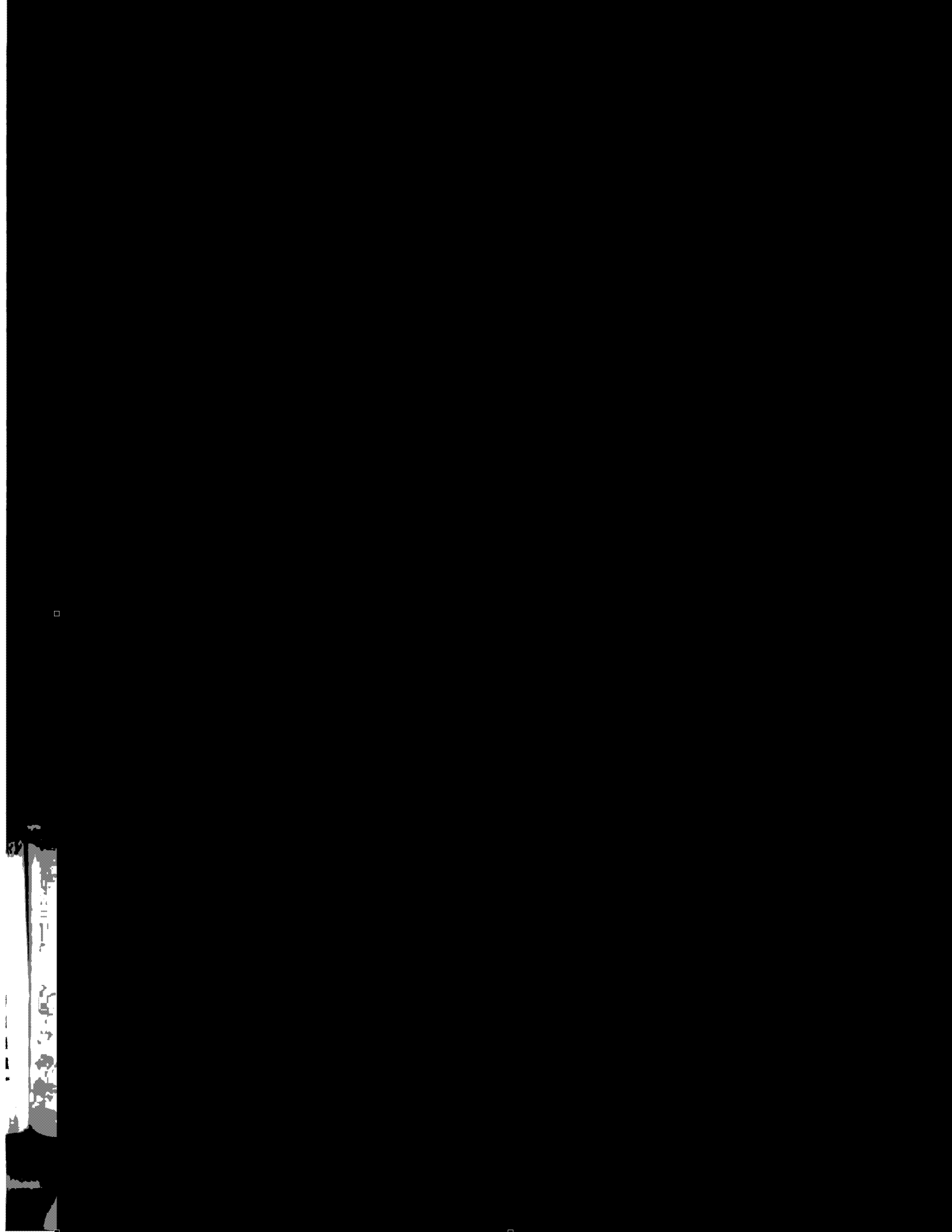
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