

**7th. Judicial Circuit 707
Charging Affidavit - FLAGLER**

Arrest # _____

Bk # 17-1469

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:	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 2017-00057704	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# <u>1801049374</u>		UCR:	Date Arrested: 07/08/2017
ADDRESS OF ARREST: SR 100 E AND 195, HWY, Palm Coast, Florida, 32164-		Arrested By: Stogdon Brad		ID Number: 727	
DEFENDANT		Name (L.F.M.): THOMAS, JOHNNIE, SPYDALE		A.K.A.:	
DOB: 05/27/1993	Age: 24	Driver's Lic ID No.: T520437931870	State: Florida	Year Expires:	S.S. #: _____
Height: 5 11	Weight: 172	Hair: Black	Eyes: Brown	POB (City, St, Country)	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos:	Business & Occupation:		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)		(CITY)	(STATE)	ZIPCODE	RESIDENCE PHONE
Address-Local (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIPCODE	RESIDENCE PHONE
118 ESPANOLA RD		BUNNELL	Florida	32110-	(386)868-8527
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 checked="" type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: 1	
#1	Charge: Felony Flee & Elude	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORD: 316.1935.2	Citation No.: A6LPFAE	Bond: 2500
#2	Charge:	FEL <input type="checkbox"/> MISD <input 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 a probable cause to believe the above names defendant, on the <u>8th</u> day of <u>July</u> , 2017, at approximately <u>05:42</u> <u>X</u> A.M. <u></u> P.M. at <u>INTERSTATE 95 MM 287 HWY S</u> within <u>Flagler</u> County, violated the law and did then and there.					
Johnnie Thomas Jr did operate a vehicle, having knowledge that he/she had been ordered to stop such vehicle by a duly authorized law enforcement officer, did willfully refuse or fail to stop the vehicle in compliance with such order, or having stopped in knowing compliance with such order, did willfully flee in an attempt to elude the officer, while the officer was in an authorized law enforcement 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). (3 DEG FEL) (LEVEL1)					
On Saturday, July 8, 2017, at approximately 0535 hours, I, Deputy Stogdon, was dispatched to the area					
Supervisor Approved: Emery, Ryan D 07/08/2017					
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 HERIN 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>8th</u> day of <u>July</u> 2017.		I swear affirm the above statements are correct and true.		Rt Thumb	
Name: <u>Ben - 736</u>		OFFICER'S/COMPLAINANT'S SIGNATURE			
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		NAME(PRINTED) <u>D/S B. Stogdon</u>		ID NUMBER <u>727</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: THOMAS, JOHNNIE, SPYDALE		Agency Case Number: 2017-00057704	
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"/>	
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:

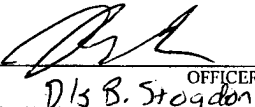
of Interstate 95 and SR 100 E in reference to a vehicle that was fleeing and attempting to elude deputies with lights and sirens activated.

Prior to my arrival on scene, Deputy West made contact with witnesses on the scene of a series of commercial burglaries. Deputy West was questioning the witnesses when one of the witnesses pointed out a Silver Hyundai four door vehicle as the vehicle involved in the burglaries. Deputy West then attempted to conduct an investigatory stop on the vehicle due to the witness positively identifying the vehicle as the suspect vehicle. The vehicle then quickly accelerated to speeds in excess of 100 miles per hour, endangering the public traffic on the roadway. Deputy West stated his and Deputy Dawson's lights and sirens were activated on their marked patrol vehicles in an attempt to indicate to the driver to stop. Deputy West stated the driver came to a complete stop on interstate 95 at mile marker 287 but quickly accelerated again as he and Deputy Dawson were positioning their vehicles to conduct a felony stop on the vehicle. Deputy West stated the driver then turned the headlights and tail lights off on the vehicle and nearly collided with a semi-truck near mile marker 285. Deputy West stated the vehicle then quickly took the exit ramp at Exit 284, crossed over the median of SR 100 E, became airborne, and came to a final stop in a retention pond at the intersection of SR 100 E and Interstate 95.

Upon my arrival, I made contact with Flagler County Sheriff's Office deputies on scene where the vehicle that was fleeing crashed into a retention pond at the above location. All three individuals in the vehicle had already been secured and positively identified with their DAVID photographs and information. I was informed from deputies on scene, Raven Preston was in the passenger seat of the vehicle while Johnnie Thomas Jr was driving and a third passenger was seated in the back seat. I assisted deputies on scene and transported Raven to the Flagler County Sheriff's Office Operations Center for questioning. Deputy Malta transported Johnnie to the Operations Center as well. After questioning was completed at the Operations Center, Johnnie was transferred into my custody and arrested for fleeing and attempting to elude a police officer (see supplement report by Deputy West for a more detailed account of the incident in reference to the fleeing and attempting to elude). Johnnie was transported to the Flagler County Inmate Facility without incident.

Axon video was uploaded to evidence.com.

Nothing further to report.

Sworn to and subscribed before me, the undersigned this <u>8th</u> day of <u>July</u> , 20 <u>17</u> .	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>Bain 736</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE <u>D/S B. Stogdon</u>	<u>727</u>
Type of Identification:	NAME (PRINTED)	ID NUMBER

707-B - COURT COPY



FLAGLER COUNTY SHERIFF'S DEPARTMENT

CASE NARRATIVE SUPPLEMENT

1001 Justice Ln
Bunnell, FL
32110

CASE NO.

2017-00057704

DETECTIVE ASSIGNED

E V E N T	REPORTED DATE/TIME	INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED TO DATE/TIME	LOCATION OF OCCURRENCE

O F F E N S E	SECTION - TYPE	ATTEMPT/COMMIT	COUNTS	DESCRIPTION
1				
2				
3				

V I C T I M I N G	SUBJECT CODE			NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	STATEMENT TYPE			ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)					OTHER PHONE	
	DOB	AGE	RACE	SEX	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	SOCIAL SECURITY	
	INJURY TYPE		INJURY - MEDICAL TREATMENT		INJURY - TRANSPORTED BY			OTHER CONTACT INFO		
	SCHOOL/EMPLOYER NAME							SCHOOL/EMPLOYER PHONE		
	SCHOOL/EMPLOYER ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)									

S U S P E C T	SUBJECT CODE			NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	STATEMENT TYPE			ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)					OTHER PHONE	
	DOB	AGE	RACE	SEX	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	SOCIAL SECURITY	
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	SCHOOL/EMPLOYER NAME							SCHOOL/EMPLOYER PHONE		
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	SCHOOL/EMPLOYER NAME							SCHOOL/EMPLOYER PHONE		
	SCHOOL/EMPLOYER ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)									

REPORTING OFFICER West, Jacob, R,	DATE 07/08/2017	REVIEWING OFFICER Dopp, Jonathan, Aaron,	DATE 07/08/2017
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On July 8, 2017 at approximately 5:18 AM I, Jacob West, responded to 1210 Palm Coast Pkwy SW. Palm Coast Florida 32137, in reference to a commercial burglary. Upon arrival I made contact with the reporting party, Cody Bassett and Tara Sanfilippo who were sleeping on the bench in front of Bealls.

Cody stated he observed a silver in color vehicle, possible a Lexus or Toyota, stop in front of Subway, located at 1230 Palm Coast Pkwy. SW. Cody stated he observed three or four individuals wearing masks and dark clothing exit the vehicle. Cody stated he heard glass smash and thought it was coming from Bealls. Cody stated he observed three to four people run back to the silver vehicle and drive eastbound through the parking lot towards Cypress Point Pkwy. Cody stated the suspects were out of the vehicle for approximately two minutes. Cody stated he believed it was one female, possible white, and two or three black males.

At this time, I observed glass on the ground in front of Subway and Fivestar Pizza. As I approached the businesses I observed both glass doors were shattered and it appeared someone made forced entry into the business.

As I was providing Cody with a voluntary witness statement, I observed a silver in color vehicle enter the Winn Dixie Plaza parking lot from the south entrance at Cypress Point Pkwy. And Cypress Edge Dr. Cody observed the vehicle and stated something to the effect of "That's the vehicle right there."

I observed the driver of the vehicle, who would later be identified as Johnnie Thomas JR., look at me with a white cloth over his face. I ran to my patrol car to conduct an investigatory stop on the vehicle. I observed the silver in color vehicle exit Winn Dixie Plaza and travel eastbound on Palm Coast Pkwy. SW. Once I was able to get onto Palm Coast Pkwy SW. I observed the vehicle was travelling at a high rate of speed. I activated my emergency lights to affect a traffic stop.

Deputy Dawson was at the intersection of Palm Coast Pkwy. SW. and Cypress Point Pkwy. Deputy Dawson observed the silver in color vehicle travelling eastbound at a high rate of speed, my emergency lights, and then activated his emergency lights.

The vehicle merged on to Interstate 95 southbound and accelerated to speeds well over 100 MPH. At this time, I checked with Sgt. Dopp via radio if a pursuit was authorized. Sgt. Dopp advised try to obtain the vehicle license plate and keep a visual until air support could launch.

Deputy Dawson and I maintained a visual on the vehicle to mile marker 287, where the vehicle came to a complete stop. Deputy Dawson and I set up for a felony stop on the vehicle. As soon as Deputy Dawson and I exited our patrol cars, the vehicle took off southbound at a high rate of speed. Deputy Dawson and I continued to maintain a visual on the vehicle southbound on Interstate 95 until air support launched. I observed the vehicle had turned its lights off and almost crashed into a semi near mile marker 285.

The vehicle quickly exited at mile marker 284. At this time, I observed the vehicle strike a curb, go airborne, and crash into a pond located on the southwest corner of Interstate 95 and State Road 100.

Johnnie Thomas Jr., Rico Ransom, and Raven Preston were quickly removed from the vehicle due to the vehicle sinking into the pond. No one was reporting injuries at this time. I secured Johnnie Thomas Jr. and conducted a

Case Supplement Narrative Report

(Narrative Continued)

search of his person.

It should be noted that Johnnie Thomas JR. made several spontaneous statements that his girl had "nothing to do with it."

Axon video available. Subjects were turned over to the oncoming shift. I have nothing further to report at this time.



FLAGLER COUNTY SHERIFF'S DEPARTMENT

CASE NARRATIVE SUPPLEMENT

1001 Justice Ln
Bunnell, FL
32110

CASE NO.

2017-00057704

DETECTIVE ASSIGNED

E V E N T	REPORTED DATE/TIME	INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED TO DATE/TIME	LOCATION OF OCCURRENCE

O F F E N S E	SECTION - TYPE	ATTEMPT/COMMIT	COUNTS	DESCRIPTION
1				
2				
3				

V I C T I M E M I S S I O N G	SUBJECT CODE			NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	STATEMENT TYPE			ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)					OTHER PHONE	
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	SCHOOL/EMPLOYER NAME							SCHOOL/EMPLOYER PHONE		
	SCHOOL/EMPLOYER ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)									

REPORTING OFFICER Dawson, Marcus, T,	DATE 07/08/2017	REVIEWING OFFICER Dopp, Jonathan, Aaron,	DATE 07/08/2017
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FLAGLER COUNTY SHERIFF'S DEPARTMENT
NARRATIVE

1001 Justice LN
Bunnell, FL
32110

CASE NO.

2017-00057704

Narrative

On July 8th, 2017, I, Deputy M. Dawson responded to the area Cypress Point Parkway and Palm Coast Parkway to canvass the area for possibly a silver in color Toyota or Lexus type 4 door vehicle. The lead deputy on scene requested that I check local gas stations for the vehicle in question.

As I approached the intersection of Cypress Point Parkway and Palm Coast Parkway SW, I observed a Silver in color Hyundai Elantra traveling at a high rate of speed east bound on Palm Coast Parkway SW. As the vehicle was crossing the intersection, I observed the occupants of the vehicle look at my prominently marked patrol car as I was stopped at the stoplight. I then observed the vehicle, change lanes into the far left lane and accelerate faster. At this time, I activated my emergency lights and sirens on my prominently marked Flagler County Sheriff's Office (FCSO) Patrol Vehicle # 5073.

After turning right onto Palm Coast Parkway SW, I called out what I observed and then observed Deputy West behind me with his emergency lights activated. I then observed the silver in color Hyundai, veer sharply from the far left lane of Palm Coast Parkway SW to the right to enter the on ramp to I 95 Southbound.

As I was attempting to catch up to the vehicle, I observed the vehicle traveling at a speed in excess of 115 mph in a 70 mph zone in the far left lane of I 95 southbound. The traffic on I 95 southbound was light, the weather was clear, and the roads were in normal condition. After I closed the distance on the vehicle, the vehicle changed from the far left lane to the middle lane of travel.

At this time, I was able to get directly behind the vehicle while my emergency lights and sirens were still activated. Once directly behind the vehicle, I positioned myself in such a way that my vehicle and all of my emergency lights were visible in all three mirrors. During this close encounter with the vehicle, I was able to relay the license plate (Florida; AFNE11) to FCSO Emergency Communications Center (ECC). In addition to this, I changed the tone on my siren to gain the vehicle operators attention. It should be noted, that at the time that I was directly behind the vehicle, the Silver 2017 Hyundai Elantra SE bearing Florida Tag AFNE11, the aforementioned vehicle was the sole vehicle in this area of I 95 Southbound.

The Silver Hyundai then merged into the far right lane and applied its brakes as if it was finally going to stop. At this point, we have reached Mile Marker 287 of I 95 southbound. The Silver Hyundai subsequently pulled off onto the far right shoulder and came to a complete stop while putting their vehicle in park. While Deputy West and I initiated a high risk traffic stop on the vehicle, the vehicle accelerated rapidly and got back onto the I 95 traveling southbound.

Once again, the Silver Hyundai reached speeds in excess of 115 mph in a 70 mph zone. At approximately mile marker 286, I observed the Silver Hyundai turn off its vehicle lights and travel at a distance of approximately 1.4 mile at a high rate of speed without any exterior vehicle lights on.

The Silver Hyundai then proceeded to exit the interstate at mile marker 284. While the vehicle was half way down the off ramp, the Silver Hyundai then turned its vehicle lights back on. The vehicle attempted to turn right onto State Road 100 E from I 95. As the vehicle was turning right onto State Road 100 E, I observed the vehicle swerve to the left to avoid hitting the spike strips that were deployed by Deputy Jurec. The vehicle subsequently struck the spike strips while crossing all lanes of travel on State Road 100 E, in an attempt to get back onto I 95 South. I then observed the vehicle drive off of the roadway and into the pond adjacent to the I 95 Southbound on ramp.

Due to this observation, I safely closed my distance on the vehicle and egressed from my vehicle to ensure positive control of all occupants inside of the vehicle. All occupants had to be told repeatedly to keep their hands visible. During the initial vehicle challenge, the vehicle operator (who was later identified

Case Supplement Narrative Report

(Narrative Continued)

as Johnnie Thomas Jr.) continued to drop one of his hands and make furtive movements while staring at deputies on scene. Johnnie continued to refuse to obey my commands which prompted me to become more verbally aggressive with him and the other occupants of the vehicle who soon followed suit. Subsequently, all occupants were removed from the vehicle by deputies on scene and secured without incident.

Upon making contact with the vehicle, I observed; Johnnie Thomas Jr. was the operator of the vehicle, Raven Preston in the front passenger seat, and Rico Ransom in the rear passenger seat.

Upon initial contact with Johnnie, Johnnie exclaimed that "his girlfriend had nothing to do with it, it was all him and Rico." Johnnie further admitted to him driving without a valid driver's License. Due to his events of spontaneous utterances, Johnnie and all parties involved were read their Miranda Rights by deputies on scene. All subjects were segregated and transported to FCSO Operations Center for further investigation by FCSO Criminal Investigation Division.

At no time during any interaction with the Silver Hyundai, did I observe any windows come down or any objects being thrown out of the window. It should also be noted that; as I was passing Cypress Point Parkway and Cypress Edge Drive South, I observed this same vehicle pull into the Winn Dixie Plaza area. However, due to the fact that I did not have all of the information initially, I did not believe that this vehicle was related.

Deputy Gonzalez completed an FCSO Tow Disposition form for the Silver Hyundai. The Silver Hyundai was towed to FCSO Operations Center for Evidence. I completed an FCSO Evidence/ Property Receipt for the Silver Hyundai. This form was turned over to Deputy D. Malta to submit the vehicle into FCSO Evidence. All forms will be submitted in accordance with agency policy.

Deputy R. Towns took several photos of the Silver Hyundai and the entire scene. These photos have been uploaded to AEGIS LERMS.

The Taser Axon Mobile Video Recorder Footage of the Felony Stop has been uploaded to www.evidence.com under the case number of 2017-00057704.