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

CASE NO.: 16-01082-CFFA

STATE OF FLORIDA

VS.

TYRONE OXENDINE /

DOB: 10/09/1981, SSN: | B/M, HT: 508, WT: 190

STATE'S SECOND MOTION TO REVOKE BOND

COMES NOW, the State of Florida, by and through the undersigned Assistant State Attorney, and pursuant to Fla. Statute 903.0471, hereby moves this Honorable Court to revoke the present bond of the defendant because there is probable cause to believe the defendant committed a new offense while on pretrial release in this case. Specifically the State would show:

- 1. On December 20, 2016, the Defendant was arrested on a warrant signed by the Honorable Judge R. Lee Smith for committing the instant offense of Burglary of a Dwelling. He subsequently bonded out of the Putnam County Branch Jail on a monetary bond. A copy of the warrant in this case and affidavit of arrest were attached to the State's previous Motion to Revoke Bond filed on January 12, 1018.
- 2. After posting bond, the defendant was arrested on January 9, 2018, by Crescent City Police Department, for the charge of Resisting Arrest Without Violence, a first degree misdemeanor. That case is currently pending in Putnam County Court, case number 2018-0111MMA. A copy of the charging affidavit attesting to those charges was attached in the State's previous Motion to Revoke Bond filed on January 12, 2018.
- 3. The defendant was arrested a second time by the Crescent City Police Department on January 10, 2018. On that date, the defendant was arrested for the offenses of Criminal Mischief, a first degree misdemeanor, Trespass, a second degree misdemeanor, and Threatening a Witness, a third degree felony. That case is currently pending in Circuit Court in Putnam County, case number 2018-0095CF. A copy of the charging affidavit attesting to those charges is attached to this motion for the Court's review.
- 4. Because there is now probable cause to believe that the defendant has committed new crimes while on pre-trial release, as contemplated in Fla. Statute 903.0471, the State requests that this Court revoke the defendant's bond and hold him in custody until the instant case is resolved.

WHEREFORE, the State of Florida respectfully requests this Court enter an Order revoking the defendant's bond and to hold the defendant in custody without bond during the pendency of this case.

R.J. LARIZZA, STATE ATTORNEY

By: <u>s/MELISSA L CLARK</u>

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 JAMES D CROCK, 444 SEABREEZE BLVD., SUITE 650, DAYTONA BEACH, FL 32118, on January 18, 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

| 1 | 3 | FOIC CHECK: YES NO OBTS # Agency ORI Number | | | 7TH | / NOT ENILE | REFE | RRAL | AR | | 1. Arrest 2. Notice 3. Arrest | to Appear Affidavit | 4. Compl. 5. Reques 6. Juvenile | 1 Capias | 3 | Juvenile |
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| | ADMINISTRATIVE | | . Felony | y | 2. Traffi | ic Felony | Weapon | Seized? | | Туре | Agenc | 1 | or Court C | 15e # | | yn * |
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| | l | 01/10/2018 | | | | ouking | J | ail Date | | Jail | Time | ' حت | nnted By: Only | AFIS | Г | Criminal |
| | _ | 3.11 | | Ot | her ID# | | F | CIC/NCIC | ; # | *** | DOC | C# | ····· | FBI | # | |
| | | Name (Last, First, Middle, Suffix) OXENDINE | | | TYRO | \\$.IF | | | | - | <u></u> | | | Alias/l | Maiden | · · · · · · · · · · · · · · · · · · · |
| | | Race: W-White I-American Indian 8-Black A-Oriental/Asian O-Other B Sep |] | Date C | Of Birth | Heig | | Weight | Т | Eye Colo | or | Hair Colo | r Con | plexion | - | Build |
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| | ME L | 4 | | | | | | | | | | | Indication of Alcohol Influence Drug Influence | Jence | ПП | Vonk. |
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| | ŀ | DL.# DL State | | | c. Sec. # | | | | | Zip Code | | Phor | | | ccupati | on |
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| 00.05 | i L | | | | | | Race | Sex | | Date Of Bir | th | Arres | <u></u> | Felony | | Juvenile |
| S | | Co-Defendant Name (Last, First, Middle) | | | | | Race | Sex | | Date Of Bir | th | At Lar | | Misdem Felony | eanor | b-0 |
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OFFENSE-INCIDENT REPORT

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| OTI | HER CONTAC | etc.) | | SYNOPSIS OF INVOLVEMENT | | | | | | | | |
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PROBABLE CAUSE CONTINUATION

| Agency ORI Number | Agency Name | PONTINOATION | |
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| FL0540200 Name (Last, First, Middle, Suffix) | CRESCENT CITY POLICE DEPA | Agency Case # 18-01-100024 | OBTS# |
| OXENDINE | TYRONE | | Date Of Birth 10/9/1981 |
| The undersigned certifies and swears to | hat he/she has just and reasonable grounds to believe | that the above named defendant committed the | following violation of law: |
| On 01/10/2018 , at Charge: 1 | (Specifically include facts constituting cause for | r arrest.) | |
| | | | |
| than one thousand (1,000,00 | fully, willfully and maliciously, injure or urt, Crescent City, FI, 32112, the proper I) dollars, to wit: Tyrone Oxendine brok Id, contrary to Florida Statute 806.13 | r damage, or place graffiti thereon rty of Lucretia Saunders, such dan se the rea passenger door handle c | or commit an act of nage not being more on her vehicle and |
| Charge: 2 | | | |
| Tyrone Oxendine did actuall 32112 after a proper warning 810.08. | y and intentionally trespass in or on th g had been issued, and Tyrone Oxendir | e property located at: 627 Gunby (ne knew of such warning, contrary | Court, Crescent City, FI, to Florida Statute |
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Officer's / Complainant's Signature

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Page 2 of 4

Name (Printed)

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PROBABLE CAUSE CONTINUATION

| Agency ORI Number FL0540200 | Agency Name CRESCENT CITY PO | OLICE DEPA | Agency Case | |)A | OBTS# |
|---|---|--|---|---|--|--|
| Name (Last, First, Middle, Suffix) OXENDINE | TYRO | <u>L</u> . | | 01 10002 | - 1 | Date Of Birth 10/9/1981 |
| First Name Street Addres | Middle | | st Name | | Suffix | Phone #1 |
| Street Addres | s | City | s | tate 2 | Zip Code | Phone #2 |
| First Name | Middle | La | st Name | | Suffix | Phone #1 |
| Street Addres | s | City | S | tate 2 | Lip Code | Phone #2 |
| Mantal Status # of Dependent | s Length in County | Property Owner | Addres | ss of Property | | |
| Place of Employment (Name and address) | | Length of Employmen | t Previou | us Employment | (if current less than | n 2 years) |
| The Defendant named on the Arrest/Notic 20, at, am/pm , and against him/her, his/her right to counsel, i his/her counsel, family or friends, and tha | and if he/she is fine-sight week | ge against nim/ner, nis/ | her right to remain | i silent, that a | day of any statements b inted: of his/her | y him/her may be used right to communicate with |
| | I FL | URTHER CERTIFY TH | AT: | | | |
| Defendant has advised the couretained counsel, or will retain | ounsel. | | appearance | lant walved only. | right to counse | l at the first |
| The court investigated the Define Defendant solvent and financial | endant's solvency and found the | he | The Court probable c | reviewed the ause to hold | Advisory and the bind over t | linds (there is / there is not he Defendant for trial. |
| The court investigated the Defe appointed the Public Defender | endant's solvency and to represent Defendant | | | | | nereby passed 72 hours. |
| BOND ACTION TAKEN, If any | | Į. | , | o Imprisonm | | |
| I, having been found solvent and | financially able to seems assure | | JUDGE; | | | |
| request for a review of my solven I hereby waive right to counsel at | | | | , | The second secon | sace of difficult time a written |
| I hereby acknowledge receipt of a | | | | *************************************** | | |
| Defendant's Signature | 3 3 | | int's Attorney Sign | ature | | |
| have been advised of my rights to a Prer and do hereby waive my right to such Preli | miminary Hearing in Case Numb | | | | I am the defenda | ant, and I desire to waive |
| Defendant's Signature | | rine charges against m | e in said case(s). | | | |
| Said Defendant was arraigned for trial on nearing the evidence and duly considering NDJUDGED that you, the Defendant, are T IS, THEREFORE, the judgement, Order, he term of days, and pay a finite formatted to the County Jail of DONE, ORDERED, AND ADJUDGED in OUDGE | the same, the Court finds you, t | rged of said offense(s) you, the Defendant, be the cost of County, F | and set forth here imprisoned in the herein; and in del days. L, on | of said in. county jail of fault of such | of charge(s); ANI of payment that you | s) as set forth herein, After D IT IS ORDERED AND County, FL, for u, the Defendant, stand |
| Charge | | COUNTY COUR Action | T in and for | | Cou | nty, Florida. |
| | | Action | | | Da | te |
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| STREATED BY (Judge): | | Cash/Surety: | Receipt # | | | The same and the s |
| O O O |) | | Date: | | | |
| (P. Kuil) | °5 | Α | ם | AIL | C5 | Page |
| Officer's / Complainar | ni's Signature | Name (Prin | | I I | ID NO | 3 of 4 |

Name (Printed)

ID NO.

PROBABLE CAUSE CONTINUATION

| A | jency ORI Number | | Agenc) | y Name | | ···· | Age | ncy Case # | ¥ | | *************************************** | | QE | TS# | |
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| - | FL0540200 Name (Last, First, Middle, Suffix | | CRE | SCENT CIT | Y POL | ICE DEPARTM | | | 01-10 | 0024 | | | | | |
| | OXENDINE | | | | TYRO | NE | | | | | | | e Of Birth 19/1981 | | |
| Γ | Charge Description | | | | | | Counts | F | .\$.\$ | T | State Stat | ule | 0 | rdinance | # |
| ## | Drug Activity | Drug Ty | /Da | | | A | <u> </u> | | dinance | | | | | | |
| CHARGE | Didg Activity | Diag iy | /pe | | Drug | Amount | State | Attorney | Numb | Ċr . | Cou | t Number | | Bond / | Amount |
| M | ☐PC ☐AC ☐ | FW | | Juv. PU | # | * | Offense/ | ssued Da | ate | Writ. | Att. 1 | njunction | | 1 | |
| | Capias BW Charge Description | PW | | Citation | # | | | | | | Order of Arre | st | # | | |
| | Charge Description | | | | | | Counts | <u> </u> | .s.s. | | State Stat | ute | 0 | rdinance | # |
| CHARGE # | Drug Activity | Drug Ty | /pe | | Drug | Amount | State | Attorney | Numbe | | Cour | t Number | | l Bond (| Amount |
| 4RC | PC AC | | | | <u> </u> | | | | | | | | | J Boild / | MINGUIN |
| F | PC AC BW | FW PW | | Juv. PU Citation | # | | Offense/I | ssued Da | ate | Writ. | 1 | njunction | # | | |
| _ | First Name | | | Middle | | | ast Name | | | | order of Arre Suffix | st | Phone # | 1 | *************************************** |
| WITNESS | Ctro | et Address | | ····· | _ | | | | | | | | i none # | • | |
| ¥. | 3116 | er Address | | | | City | | Sta | ate | Zip | Code | | Phone #2 | 2 | |
| Γ | The undersigned certifies and t | swears that | he/sh | e has just and i | reasonat | ole grounds to believe | that the abo | ve name | d defer | ndant c | ommitted th | e following | violation | of law | |
| | On 01/10/2018 , at | | | | | constituting cause for | | | | | | | , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | 01 141 | |
| | Tyrone Oxendine did a | ctually a | and | knowingly | use in | timidation or ni | weical fo | arca o | r did | thra | ton I iio | ratio Sa | undan | | |
| 1 1 | accompany to do so, or el | iyaye in | IIIIIS | ieading coi | nauct : | IOWard Lucretia | Saunde | TE AT | affor | DAMI | nian, ha | mafit ar | main s. | | etia |
| 1 1 | warraning to mit. I him | HE OVEH | 101116 | s, uiu. or ca | usen | or inquiced anoi | nor nore | on to | tarith) | anid t | actimon | V | ithhald | | d, |
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| | | | Pu | oo, contrary | , 101-1 | onua Statute 91 | 4.22 | | | | | | | | |
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| | Officer's / C | omplaihan | nt's Si | ignature | | Name (P | rinted) | · | | | מו | NO. | L | | |

| On 01/10/2017 at approximately 8:30 I was dispatched to 627 Gunby Court, Crescent City, FI, in reference to a vehicle being vandalized. Once I arrived on scene I spoke with Lucretia Saunders. Lucretia stated that her vehicle had been vandalized sometime during the night. Lucretia stated that Tyrone Oxendine was trespassed from the property on 01/09/2017 and had made verbal threats that he was going to get her back. Lucretia stated that she did not see him do it but she has a strong feeling that it was him. I provided Lucretia with a case number to reference to her insurance. |
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| number to reference to her insurance. |
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| CASE STATUS JAIL NUMBER | ADULT / JUV OBTS NUMBER | | m the above and attac are transand correct | ched | Swom and subscribed bell authority this day of | fore me, the undersigned |
| CLEARANCE TYPE | DATE CLEARED | ASHLEY Name(Printed) | Complement's Signature | C5 | Signature of Person A | dministering Oath |