

## PROBABLE CAUSE AFFIDAVIT

OBTS #		1. Arrest Affidavit 2. Notice to Appear 3. Complaint Affidavit 4. Request for Capias 5. Teen Court Referral	4	Juvenile	N
ORI #	FL037275C	<b>Office of Inspector General - FDC</b>	Report #	19-20803	
Location of Offense <b>Taylor Correctional Institution</b>		Date of Offense 11/25/2019		Date of Arrest	
Name: <b>Ashley Kristine Leighton</b>					
Race W - White B - Black	I - Indian American O - Oriental Asian	Sex W F	DOB or Age 02/14/1989	Height 5'06"	Weight 185
Eye Color Brown		Hair Color Brown		Complexion Med	Build Med
Address (Street, Apt, Number) LKA: 2435 SAINT PAULS DR.			(City) TITUSVILLE	(State) FL	Phone 321-362-8486
<input type="checkbox"/> 1. Parent <input type="checkbox"/> 2. Legal Custodian <input type="checkbox"/> 3. Other			Name of Parent or Custodian (Last, First, Middle)		Residence Phone ( ) -
Address (Street, Apt, Number)			(City)	(State)	Business Phone ( ) -
Notified By: (Name)		Date	Time	Juvenile Disposition 1. Handled / Processed within Dept and Released 2. Turned over to DOH/C&F 3. Incarcerated (County Jail)	
Released to: (Name)			Relationship	Date	Time
Activity: S. Sell N. N/A P. Posses	R. Smuggle D. Deliver E. Use	K. Dispense / Distribute	M. Manufacture / Produce / Cultivate	Z. Other	Type: N. N/A A. Amphetamine
		B. Barbiturate	H. Hallucinogen	P. Paraphernalia / Equipment	U. Unknown Z. Other
		C. Cocaine	M. Marijuana	O. Opium / Deriv	S. Synthetic
Charge Description <b>Introduction of Contraband (electronic transmissions/ written communication)</b>		Counts 1	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number: 944.47(1)(a)1	
Activity N		Amount / Unit	State Attorney Number		Court Number
<input type="checkbox"/> PC #	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU
		<input type="checkbox"/> Citation	Date Issued	Writt. Att. #	<input type="checkbox"/> Domestic Viol Inj. <input type="checkbox"/> Order of Arrest
Charge Description <b>Unlawful use of a two-way communication device</b>		Counts 1	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number: 934.215	
Activity N		Amount / Unit	State Attorney Number		Court Number
<input type="checkbox"/> PC #	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU
		<input type="checkbox"/> Citation	Date Issued	Writt. Att. #	<input type="checkbox"/> Domestic Viol Inj. <input type="checkbox"/> Order of Arrest
Charge Description <b>Conspiracy to Introduce Contraband</b>		Counts 1	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number: 777.04(3) & 944.47	
Activity		Amount / Unit	State Attorney Number		Court Number
<input type="checkbox"/> PC #	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU
		<input type="checkbox"/> Citation	Date Issued	Writt. Att. #	<input type="checkbox"/> Domestic Viol Inj. <input type="checkbox"/> Order of Arrest

The Undersigned Certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following Violation of the law:  
 On the 25th day of November 2019 at 2:15  AM,  PM (Specially include facts constituting cause for arrest)

Your Affiant is Senior Inspector Chip Potter with the Office of Inspector General for the Florida Department of Corrections, and the defendant is Ashley Leighton (*Ms. Leighton*), a FDC Visitor. Your affiant has investigated a Conspiracy to Introduce Contraband into a state institution, Introduction of Contraband, and Unlawful use of a two-way communication device, in response to Ms. Leighton being identified via telephone number and association with Inmate James Leighton (*her brother, Inmate Leighton*) as utilizing a cell phone to communicate with Inmate Leighton while Inmate Leighton was using a contraband cell phone and housed at Taylor Correctional Institution (TCI).

On November 25, 2019, Taylor County Sheriff's Deputy Anthony Fenton (*Deputy Fenton*) with the assistance of Taylor Correctional Institution (TCI) canine officers, arrested Malcom Major (*Mr. Major*) for possessing cell phones while on state correctional institution property, possession of marijuana, and possession of drug paraphernalia. Mr. Major was also in possession of a drone and drone case, with the intent on flying the contraband into the secure facility at TCI.

The drone which was housed in a solid yellow suit case style case was sent UPS to Mr. Major from Ms. Ashley Leighton, the phone number associated with Ms. Leighton on the UPS label was 321-362-8486.

Your affiant was made aware of the arrest on the morning of November 25, 2019 and began an investigation of Conspiracy to introduce contraband (*cell phones located on Mr. Major's possession*). Mr. Major's personal cell phone was seized, by this writer, for data extraction, via search warrant, because it is believed he used it to communicate with an inmate inside the perimeter of TCI to coordinate the drone drop. Evidence from the cell

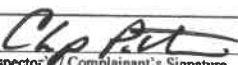
phone showed text messages and phone calls made between he and an inmate named "Chevy" "Chevy2", and "ChevyZ" all later identified as Inmate Leighton, who goes by the nickname "Chevy". Inmate Leighton is the brother to defendant Ashley Leighton and was housed at TCI Main Unit at the time of the attempted drone drop. The phone number utilized by Inmate Leighton, was from a contraband cell phone with the number 321-324-9003. A subpoena for records from cell phone number 321-324-9003 was served and messages between that cell phone number and Mr. Major's phone indicated Inmate Leighton had knowledge of Mr. Major's attempts to introduce the contraband. There were also several phone calls between Mr. Major and Inmate Leighton, utilizing 321-324-9003, during the date and time Mr. Major was in the woods outside of TCI.

The phone number associated with Ms. Leighton on the UPS label was 321-362-8486, is the same phone number which Ms. Leighton provided for her visitation records. Subpoenaed phone records from the contraband cell phone (321-324-9003) used by Inmate Leighton show Ms. Leighton made numerous calls and text messages to Inmate Leighton's contraband phone number 321-324-9003 while he was housed at TCI, long before Mr. Major's arrest and days after the arrest. There were Jpay messages which are an acceptable form of transmission between Inmate Leighton and Ms. Leighton indicating knowledge of the planned introduction of the contraband, and in one message Inmate Leighton advises Ms. Leighton that "everything is a go with Malcom (Mr. Major's first name) let Malcom know its back on." Throughout the course of this investigation Inmate Leighton was found to have used another contraband phone with the number 850-567-3128, this number also shows up on Ms. Leighton's phone records dating back to June 2019 where she was regularly talking and texting back and forth with Inmate Leighton.

The Jpay messages stop and do not pick up again until November 27, 2019 after Inmate Leighton is identified as a coconspirator and is put in confinement. On November 27, 2019, Inmate Leighton sent a message, via Jpay, to Ms. Leighton attempting to coach her on how to explain away the UPS label on the box, stating the package could have been sent by anyone, in an attempt to set up a defense should anyone contact her.

Your Affiant respectfully submits probable cause has been established indicating Ashley Leighton did commit the violation of Introduction of Contraband into a state institution (*electronic transmissions/ written communication*) in violation of FSS 944.47(1)(a)1 and Unlawful use of a two-way communication device in violation of FSS 934.215 as well as Conspiracy to Introduce Contraband in Taylor County, Taylor Correctional Institution on and between September 2018 and May 2019. Your Affiant respectfully requests a warrant be issued for Malcom Major for one count of FSS 944.47(1)(a)1 Introduction of contraband into a state institution (*electronic transmissions/ written communication*), one count of FSS 934.215, Unlawful use of a two-way communication device, and one count FSS 777.04(3) & 944.47, Conspiracy to introduce contraband.

All supporting documents referred to in this affidavit will be available for judicial review and will be further explained in your affiant's report of investigation.

PC. Exists for Charge(s)		Judge's Signature	Date					
<input type="checkbox"/> Miranda Warning	Hold for Agency Name:	Verified By:	Date:	Bond Charge #	Bond Charge #	Bond Charge #		
Adults Only	Hold for First Appearance		Bond Type	3. Surety	5. Cert	Type	Type	Type
<input type="checkbox"/> Do not Bond Out Reason:			1. ROR	4. Bail / Bond	6. Other			
I swear/Affirm the above and attached statements are true and correct		Sworn to And subscribed before me, the undersigned authority this <u>20</u> day of <u>Nov</u> 20 <u>20</u>	Returnable Court Date		Returnable Court Time <input type="checkbox"/> AM <input type="checkbox"/> PM			
		Name/Title of Person Authorized to Administer Oath	Release Date		Release Time <input type="checkbox"/> AM <input type="checkbox"/> PM			
Inspector / Complainant's Signature			Releasing Officer		Page 2 of 2			
Chis Potter 74749 / 4 Name (Printed) ID# / Dist								