

☐ ARREST ☒ SWORN COMPLAINT ☐ HOLD

☐ JUVENILE ☐ NOTICE TO APPEAR

OBTS NUMBER:

OFFICE OF THE INSPECTOR GENERAL

SPN NUMBER:

AGENCY ORI NUMBER:

FL037275C

PROBABLE CAUSE AFFIDAVIT

AGENCY CASE REPORT NUMBER:

19-04619

DEFENDANT

NAME OF SUBJECT (LAST, FIRST, MI):

Lopez, Gabriel N.

ALIAS / MAIDEN:

N/A

911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.):

22298 NE C.R. 200B - Lawtey C.I.

CITY:

Lawtey

STATE:

FL

ZIP CODE:

32058

TELEPHONE NUMBER:

904-782-2000

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

CITY:

STATE:

ZIP CODE:

TELEPHONE NUMBER:

MMAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS):

SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):

RACE:

☒ WHITE ☐ AMERICAN INDIAN

☐ BLACK ☐ ASIAN / ORIENTAL

SEX:

M

DATE OF BIRTH:

12/02/1979

HEIGHT:

5'09"

WEIGHT:

205

HAIR COLOR:

Black

EYE COLOR:

Brown

COMPLEXION:

Medium

BUILD:

Medium

DRIVERS LICENSE / STATE ID NUMBER:

N/A

STATE OF DL

N/A

SOCIAL SECURITY NUMBER:

[REDACTED]

PHOTO NUMBER:

PLACE OF BIRTH:

Texas

COUNTRY OF CITIZENSHIP:

USA

SUBJECT'S OCCUPATION:

None / Inmate

SPN NUMBER:

AGENCY ORI NUMBER:

FL037275C

SO ID / AGENCY ID / NUMBER:

BOOKING NUMBER:

LOCATION OF ARREST:

DATE OF ARREST:

TIME OF ARREST (MILITARY):

DATE OF BOOKING:

TIME OF BOOKING (MILITARY):

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.):

SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.):

CO-DEF.

(NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

☐ ARRESTED
☐ SWORN COMPLAINT

☐ FELONY
☐ MISDEMEANOR

JUVENILE:

☐ YES
☐ NO

(NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

☐ ARRESTED
☐ SWORN COMPLAINT

☐ FELONY
☐ MISDEMEANOR

JUVENILE:

☐ YES
☐ NO

(NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

☐ ARRESTED
☐ SWORN COMPLAINT

☐ FELONY
☐ MISDEMEANOR

JUVENILE:

☐ YES
☐ NO

(NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

☐ ARRESTED
☐ SWORN COMPLAINT

☐ FELONY
☐ MISDEMEANOR

JUVENILE:

☐ YES
☐ NO

JUVENILE

JUVENILE DISPOSITION:

☐ RELEASED TO JAC
☐ ISSUED NTA AND RELEASED

NAME OF PARENT / GUARDIAN (NOTIFIED ☐ YES ☐ NO):

WORK TELEPHONE NUMBER:

PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.):

CITY:

STATE:

ZIP CODE:

HOME TELEPHONE NUMBER:

WITNESS

(NAME):

Andrew Johnson

ADDRESS:

7765 S. C.R. 231 - RMC, Lake Butler, Fl. 32054

TELEPHONE NUMBER

386-623-6000

(NAME):

Adrian Tucker

ADDRESS:

7765 S. C.R. 231 - RMC, Lake Butler, Fl. 32054

TELEPHONE NUMBER

386-234-9018

(NAME):

Hillary Watson

ADDRESS:

22298 NE C.R. 200B - Lawtey C.I., Lawtey, Fl. 32058

TELEPHONE NUMBER:

904-782-2000

(NAME):

Kayla Kahre

ADDRESS:

921 N. Davis Street, Building E, Jacksonville, Fl. 32209

TELEPHONE NUMBER:

800-226-6481

CHARGE 1

OFFENSE DESCRIPTION:

Introduction, removal or possession of contraband

☒ FELONY
☐ MISDEMEANOR
☐ TRAFFIC ☐ NTA

COMPLETE STATUTE / ORDINANCE NUMBER:

944.47(1)(a)(c)

VICTIM NOTIFICATION:

ARREST: ☐ YES
☐ NO
RELEASE: ☐ YES
☐ NO

☐ WARRANT ☐ JUVENILE PU ORDER ☐ CIVIL ORDER ☐

CITATION

☐ CAPIAS

NUMBER:

DATE OF OFFENSE:

03/19/2019

TIME OF OFFENSE:

8:30 AM

BAIL AMOUNT:

VICTIM'S TELEPHONE NUMBER:

904-782-2000

VICTIM (NAME):

State of Florida

ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

Lawtey Correctional Institution -

22298 NE C.R. 200B

CITY:

Lawtey

STATE:

FL

ZIP CODE:

32058

CHARGE 2

OFFENSE DESCRIPTION:

Trafficking in phenethylamines

☒ FELONY
☐ MISDEMEANOR
☐ TRAFFIC ☐ NTA

COMPLETE STATUTE / ORDINANCE NUMBER:

893.135(1)(k)1a

VICTIM NOTIFICATION:

ARREST: ☐ YES
☐ NO
RELEASE: ☐ YES
☐ NO

☐ WARRANT ☐ JUVENILE PU ORDER ☐ CIVIL ORDER ☐ CITATION

☐ CAPIAS

NUMBER:

DATE OF OFFENSE

03/19/2019

TIME OF OFFENSE:

8:30 AM

BAIL AMOUNT:

VICTIM'S TELEPHONE NUMBER:

904-782-2000

VICTIM (NAME):

State of Florida

ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

Lawtey Correctional Institution -

22298 NE C.R. 200B

CITY:

Lawtey

STATE:

FL

ZIP CODE:

32058

CHARGE 3

OFFENSE DESCRIPTION:

☐ FELONY
☐ MISDEMEANOR
☐ TRAFFIC ☐ NTA

COMPLETE STATUTE / ORDINANCE NUMBER:

VICTIM NOTIFICATION:

ARREST: ☐ YES
☐ NO
RELEASE: ☐ YES
☐ NO

☐ WARRANT ☐ JUVENILE PU ORDER ☐ CIVIL ORDER ☐ CITATION

☐ CAPIAS

NUMBER:

DATE OF OFFENSE:

TIME OF OFFENSE:

BAIL AMOUNT:

VICTIM'S TELEPHONE NUMBER:

VICTIM (NAME):

ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

CITY:

STATE:

ZIP CODE:

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): Lawtey Correctional Institution, 22298 NE C.R. 200B	CITY OF: Lawtey	COUNTY OF: Bradford	STATE OF: FLORIDA
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Your affiant is Law Enforcement Senior Inspector E. J. Whatley of the Office of the Inspector General, Florida Department of Corrections.

Your Affiant has probable cause to believe that on or about March 19, 2019, while at the Lawtey Correctional Institution, in Bradford County Florida, Inmate Gabriel Lopez #J10624 did commit the offense of Introduction, Removal or Possession of Contraband in a correctional Institution; in violation of § 944.41(1)(a)(c) and Trafficking in Phenethylamines; in violation of § 893.135(1)(k)1a; when a tan substance which tested positive for Eutylone (3,4-Methylenedioxy-alpha-ethylaminobutyrophenone), weighing 69.12 ±0.14 grams, was found concealed between the sheet and mattress of the bunk belonging to Inmate Lopez.

Captain Andrew Johnson, a certified, uniformed Correctional Officer, reported that on March 19, 2019, while assigned to the office of intelligence, where he operated a narcotic certified K9, at Lawtey Correctional Institution, Lawtey, Florida, conducting a K9 search of the compound. While searching B-Dormitory at Lawtey Correctional Institution, his narcotic certified K9, alerted to the odor of narcotics coming from bunk 108L, which was which is the assigned bunk belonging to Inmate Gabriel Lopez DC #J10624. When Captain Johnson peeled back the sheets, between the sheets and the mattress, there was a plastic bag containing a tannish color powder substance, weighing approximately 69.3 grams. He tested the substance and it yielded a positive result for methamphetamine. Inmate Lopez committed the criminal offense of Introduction, Removal or Possession of Contraband in a correctional Institution; in violation of § 944.41(1)(a)(c) and Trafficking in Phenethylamines; in violation of § 893.135(1)(k)1a Florida State Statute.

Captain Adrian Tucker, a certified, uniformed Correctional Officer, reported on March 19, 2019, while assigned to the office of intelligence, he was at Lawtey Correctional Institution, Lawtey, Florida, conducting K9 search of Lawtey Correctional Institution, with Captain Andrew Johnson and Sergeant Hillary Watson the STG (*Security Threat Group*) sergeant. He did not witness Captain Johnson discover the contraband, he was at a different location at the time. He was present during the testing of the contraband, it tested positive for meth (*methamphetamine*).

Sergeant Hillary Watson, a certified, uniformed Correctional Officer, reported on March 19, 2019, while assigned as the security threats group coordinator and Lawtey Correctional Institution, Lawtey, Florida, remembers being in B-Dormitory while Captain Johnson and Captain Tucker conducted K-9 searches of the dormitory. Sergeant Watson was not present during the time the substance was found, however Captain Johnson showed the substance found to him. Sergeant Watson indicated Inmate Lopez was asked what the substance was, the inmate said it was Crystal Lite (*Powder drink mix*) and admitted the substance was his.

A post Miranda recorded interview was taken from Inmate Gabriel Lopez. In his statement Inmate Lopez advised the substance found belonged to him, but the substance was a work out substance called Factor9. Inmate Lopez admitted to telling the officers it was kool-aid, because it tasted like lemonade. Inmate Lopez admitted the substance was under the cover on his mattress.

On November 21, 2019, a report was received from Crime Laboratory Analyst Kayla Kahre, with the Jacksonville Regional Operations Center of the Florida Department of Law Enforcement. The report described the substance tested was Eutylone (3,4-Methylenedioxy-alpha-ethylaminobutyrophenone), weighing 69.12 ±0.14 grams.

Your affiant respectfully submits that based on the recorded statements provided by Captain Johnson, Captain Tucker, Sergeant Watson, Crime Laboratory Analyst Kahre and Inmate Lopez probable cause has been established that Inmate Gabriel Lopez #J10624 committed the crime of Introduction, Removal or Possession of Contraband in a correctional Institution; in violation of § 944.41(1)(a)(c) and Trafficking in Phenethylamines; in violation of § 893.135(1)(k)1a as defined in Florida State Statute 784.07(2)(b).

<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT:	DATE OF APPEARANCE:	TIME OF APPEARANCE:
I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.		DEFENDANT (SIGNATURE):
DATE:		<input type="checkbox"/> AM <input type="checkbox"/> PM

JURAT

SWORN TO AND SUBSCRIBED BEFORE ME THIS:

17th DAY OF March, 2020

SIGNATURE: 

TITLE:



JEFFREY RONALD HETZ

MY COMMISSION # FF 986189

EXPIRES: April 26, 2020

Bonded Thru Budget Notary Services

I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME (PRINT): Senior Inspector E. J. Whatley

SIGNATURE: 

AGENCY: FDC - OIG LEO ID NUMBER: 41515