

FILED
2018 APR 13 PM 1:56
CLERK OF COURT
LEON COUNTY FLORIDA

AFFIDAVIT FOR SEARCH WARRANT

IN THE COUNTY COURT
IN AND FOR LEON COUNTY
STATE OF FLORIDA
COUNTY OF LEON

BEFORE ME, the undersigned Judge of the COUNTY Court in and for LEON County Florida, personally came, Investigator Jeffery Mazerac, who, being first duly sworn, deposes and says: That affiant is a citizen and resident of LEON County, Florida, and that he/she has reason to believe and does believe that certain evidence, more particularly described herein below is being kept in or upon a certain residence located in LEON COUNTY, Florida, described as follows, to-wit: 810 South Lipona Road Tallahassee Florida, 32304.

From the intersection of Jackson Bluff Road and South Lipona Road travel south on South Lipona Road approximately 318 feet to 810 South Lipona Road. 810 South Lipona Road is located on the west side of the South Lipona Road and faces East. 810 South Lipona Road is a single-story, single-family dwelling of approximately 1,164 square-feet in total area with tan colored siding. The house is numbered with "810" in approximately two-inch numbers, located on the black mailbox at the beginning of the driveway and on a support post, near the front door and is the only 810 South Lipona Road in Tallahassee.

Being the premises occupied by or under the control of Deondre Francois and Diamond Lindsey and there is being kept on or in said residence certain CONTROLLED SUBSTANCES and evidence, TO-WIT: CANNABIS, WEAPONS, FIREARMS, LETTERS, TELEPHONE AND ADDRESS LISTS, PHOTOS, ACCOUNTING LEDGERS, OTHER DOCUMENTS, PHOTOGRAPHS, ETC. THAT WOULD ESTABLISH OWNERSHIP OF THE PLACE TO BE SEARCHED AND PROVIDE AFFIRMATIVE LINKS TO, AND/OR RECORDS PERTAINING TO CONTROLLED SUBSTANCE POSSESSION AND TRANSACTIONS, INCLUDING CELLULAR PHONES, COMPUTERS, AND OTHER ELECTRONIC DEVICES AND STORAGE DEVICES, AND THEIR CONTENTS, WHICH COULD INCLUDE LEDGERS, PHONE NUMBERS, SUBSCRIBER IDENTITY MODULE(S), MASS MEDIA STORAGE DEVICES, MEDIA DATA TO INCLUDE PICTURE AND VIDEO CONTENT, TEXT MESSAGES AND MOBILE MESSAGING, EMAILS, CONTACT/PHONEBOOK INFORMATION, INCOMING AND OUTGOING CALL INFORMATION, DOCUMENTS, DATA/META DATA INFORMATION, CALENDER ENTRIES, PASSWORDS, PHONE APPLICATION INFORMATION, STORED LOCATION DATA, AUDIO FILES, INFORMATION REGARDING THE SPECIFIC ELECTRONIC DEVICE TO INCLUDE SUBSCRIBER AND EQUIPMENT IDENTITY, AND OTHER INFORMATION PERTAINING TO CONTROLLED SUBSTANCE POSSESSION AND TRANSACTIONS, U.S. CURRENCY,

AND PARAPHERNALIA UTILIZED IN CONTROLLED SUBSTANCE POSSESSION, USE OR TRANSACTIONS which is being kept and used in violation of the Laws of the State of Florida, or evidence of a crime to wit the law prohibiting the POSSESSION OF CANNABIS WITH INTENT TO SELL contrary to Chapter 893 Florida Statutes.

PROBABLE CAUSE

This the facts tending to establish the grounds for this application and the probable cause of affiant believing that such facts exist and are as follows:

On Thursday February 22nd, 2018 I received a tip from an anonymous source, who is known to law enforcement, reporting a drug-related crime taking place at 810 South Lipona Road. The anonymous source said that he/she had been inside of the home at 810 South Lipona Road within the past ten days and saw what he believed to be a large paper grocery type bag full of cannabis inside of the house.

Based on my training and experience, I believed a conservative estimate of the weight of a large grocery bag of cannabis would be approximately two pounds.

On average approximately 908 cannabis cigarettes can be gleaned from a pound of cannabis with the average intoxication period for the consumption of one cannabis cigarette being approximately two hours. Based on these estimates two pounds of cannabis would produce approximately 1,816 cannabis cigarettes that would produce a "high" period of approximately 3,632 hours or 151 days. I believed this to be in excess of what a common "user" of cannabis might have on hand at any given point.

Due to the estimated amount of cannabis that could be present in the house I initiated an investigation into the possibility that the crime of possession of cannabis with intent to sell was taking place at 810 South Lipona Road.

The house was confirmed by various sources to be a rental property. A check of the City of Tallahassee Utilities database revealed an active utility account at 810 South Lipona Road that was opened on June 2nd, 2017 in the name of Deondre Francois.

A check of a Tallahassee Police Department database revealed two prior police reports at 810 South Lipona Road; one in November of 2017 in which Deondre Francois was listed as a victim and another in January of 2018, in which he was listed as the suspect. Both reports listed 810 South Lipona Road as the residence of Deondre Francois and the report from January 2018 also listed the location as the home of Diamond Lindsey. The report indicated that Ms. Lindsey was Mr. Francois girlfriend and that both had residency at the location.

I then conducted surveillance of 810 South Lipona Road. On multiple occasions and at varying times of the day and night I saw primarily only two vehicles parked in the driveway of 810 South Lipona Road. One was a gold colored 2008 Chrysler sedan, bearing State of Florida license plate 3480XQ, and the other was a maroon colored 2015 Honda sedan, bearing State of Florida license

plate HYTX31. A check of the State of Florida's Department of Highway Safety and Motor Vehicles database revealed that the cars were registered to Janice Francois and Diamond Lindsey, respectively.

Due to the circumstances of the physical environment in the area of 810 South Lipona Road, the ability to conduct static surveillance operations was minimalized. However, Deondre Francois and Diamond Lindsey, who were both recognizable from the State of Florida driver license photographs, were both seen coming and going to and from the house at will on multiple days and at varying times of day and/or night.

During the course of the investigation, starting near the end of February 2018, I conducted an inspection of the discarded garbage from 810 South Lipona Road. The inspection revealed several pieces of drugs and/or drug paraphernalia. The items included documents addressed to 810 South Lipona Road and the names of Deondre Francois, Diamond Lindsey and Calvin Brutus; Francois and Lindsey being believed to be the present residents and Brutus being believed to have been a former resident. The only link between Calvin Brutus and 810 South Lipona Road that could be located was a police report from 2008 in which Brutus was one of three victims of a burglary at 810 South Lipona Road. Neither of the other two victims were Francois or Lindsey and no link to current residence at 810 South Lipona Road could be established for either individual. Additionally, as of January 2016 Brutus' State of Florida driver license was updated to reflect an address in Fort Myers, Florida.

Also found during the inspection was a small hand grinder with cannabis residue inside, and plastic zip-close bags with cannabis residue in them. The bags with cannabis residue that were found in the garbage were of the type commonly used to package cannabis for personal use, sale and on-site consumption. It should be noted that the bags were of an approximate quart size and had a "G" drawn on them with a black marker.

Also found in the discarded garbage was two small plastic canisters with cannabis residue in them. One of the canisters bore a label indicating that the canister held "medical marijuana" of the strain "gorilla glue"; a name for common strain of cannabis.

I tested the cannabis residue from the bags and canisters with department issued field test kits and they presented presumptive positive for cannabis.

In the beginning of March 2018 investigators of the Tallahassee Police Department's General Narcotics Unit retrieved the discarded garbage from 810 South Lipona Road and transported the garbage to police headquarters and turned it over to me. They then assisted me in conducting an inspection of the garbage. Several documents in the name of Deondre Francois were located in the garbage, but nothing of an illegal nature was found. It should be noted however, that while it was not of an exclusively illegal nature, the innards of "blunt" type cigars was found in the garbage and was recognized, based on my training and experience, to be consistent with someone removing the innards and replacing it with cannabis, as has I have seen countless times in the past.

At the end of March 2018, I conducted another inspection of the discarded garbage from 810 South Lipona Road. The inspection revealed documents in the name of Deondre Francois, less than one

gram of cannabis, plastic bags with cannabis residue; the bags being consistent with the type commonly used to package cannabis for personal use, sale and on-sight consumption and several cannabis "blunts"; being a common way in which cannabis is consumed in which the innards of a blunt-style cigar are partially or totally removed and replaced with cannabis to be smoked.

At the beginning of April 2018, I conducted a fourth inspection of the discarded garbage from 810 South Lipona Road. The inspection revealed documents in the name of Deondre Francois, six small plastic bags with cannabis residue, plastic sandwich-type bag containing less than one gram of cannabis and an "instant test cup" in a sealed package. The package listed numerous types of drugs for which it tested. The cannabis was tested, in my presence, by Investigator R. Lindsay, utilizing a department issued field test kit and presented presumptive for cannabis.

It should also be noted that during the inspection three plastic bags of the same type found during the first inspection were found; plastic zip-close bags with "G" drawn on them with a black marker. A smell that I recognized from my training and experience to be that of cannabis emanated from the bags and they appeared to have a small amount of cannabis residue. However, due to biological contaminants from being in the garbage the bags could not be tested or impounded.

During all of the trash inspections, the trash receptacle from which the trash was recovered, a large plastic garbage can with wheels, was out on the street in front of 810 South Lipona Road, in an area where it was accessible to the public without entering onto the property of 810 South Lipona Road and was consistent with placement for pick up by sanitation workers. It should also be noted that the various items were located in various areas of the trash receptacle, from top to bottom, and all bags in the receptacle were alike; being white plastic bags of an approximate 35-gallon size that were tied in knots at the tops of the respective bags. During all inspections documents in the name of Deondre Francois were found in the same bags as the cannabis, plastic bags and etc. During all inspections, the garbage was recovered by your affiant or other sworn law enforcement investigators, as previously stated, and transported to the Tallahassee Police Department for inspection by me. All of the recovered items were impounded at the Tallahassee Police Department.

This series of inspections of the discarded garbage from 810 South Lipona Road showed evidence of on-going criminal activity taking place at 810 South Lipona Road and was consistent with activity frequently encountered during the commission of the crime of possession of cannabis with intent to sell.

Your Affiant has been a sworn law enforcement officer with the Tallahassee Police Department since 2004. Your Affiant has been assigned as a Patrol Officer, Field Training Officer, and Investigator. Your Affiant has been assigned as an Investigator with the Special Investigations Section since March 2015. Your Affiant has attended well over 300 hours of narcotics related training, including, but not limited to the Clandestine Laboratory Investigations and Narcotic and Dangerous Drug Investigation School, as well as the Institute of Police Technology and Management's Undercover Drug Enforcement Techniques, and Surveillance Operations Training. Your Affiant has been involved in multiple operations involving the purchase of illegal contraband, to include but not limited to cocaine, cannabis, molly and pharmaceuticals, and has acted in the role of case agent, undercover investigator, or assisting investigator during those

operations. Your Affiant has been involved in the service of search warrants, as case agent or assisting investigator. Your Affiant has investigated all manner of narcotics related crimes, including, but not limited to, the possession, sale, and trafficking of controlled substances, the diversion of pharmaceuticals, and the cultivation of cannabis.

On the basis of your affiant's experience and from the facts set forth herein, your affiant believes and had good reason to believe that certain evidence, more particularly described herein of the crime of POSSESSION OF CANNABIS WITH INTENT TO SELL, is now being kept within said premises.

WHEREFORE, affiant makes this affidavit and prays the issuance of a search warrant in due form of law for the search of the above described property for the hereinbefore described evidence to be seized and for the seizure and return thereof, subject to the order of the Honorable Court having competent jurisdiction, by the duly authorized officers of the Law.



Affiant

Sworn to and subscribed
before me this _____
day of April
A.D., 2018.



Judge in and for Leon County, Florida.

The above application for Search Warrant coming on to be heard and having examined the application under oath and the above sworn affidavit set forth and the facts alleged therein and thereupon being satisfied that there is probable cause to believe that the grounds set forth in said application and the facts alleged do exist and that the Law is being violated as alleged, I so find a Search Warrant is hereby allowed and issued.

This 6 day of April, A. D., 2018.



Judge in and for Leon County, Florida

(1) to be completed and left with defendant or, in his absence, upon the premises searched.
(2) to be returned to Clerk of the Court within ten (10) days of issuance.

2011 APR 13 PM 1:56
CLERK OF THE COURT
LEON COUNTY, FLORIDA

SEARCH WARRANT

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA
IN THE NAME OF THE STATE OF FLORIDA:

TO: CHIEF MICHAEL J. DELEO, EACH AND ALL SINGULAR OFFICERS OF THE TALLAHASSEE POLICE DEPARTMENT

WHEREAS, complaint on oath and in writing, supported by affidavit has this day been made before me, the undersigned Judge of the COUNTY Court, in and for LEON County, Florida, by Investigator Jeffery Mazerac. That affiant has reason to believe and does believe certain evidence more particularly described herein below is being kept in or upon a certain residence located in LEON County, Florida, described as follows, to-wit: 810 South Lipona Road Tallahassee, Florida 32304.

From the intersection of Jackson Bluff Road and South Lipona Road travel south on South Lipona Road approximately 318 feet to 810 South Lipona Road. 810 South Lipona Road is located on the west side of the South Lipona Road and faces East. 810 South Lipona Road is a single-story, single-family dwelling of approximately 1,164 square-feet in total area with tan colored siding. The house is numbered with "810" in approximately two-inch numbers, located on the black mailbox at the beginning of the driveway and on a support post, near the front door and is the only 810 South Lipona Road in Tallahassee.

Being the premises occupied by or under the control of a Deondre Francois and Diamond Lindsey and there is being kept on or in said residence certain CONTROLLED SUBSTANCES and evidence, TO-WIT: CANNABIS, WEAPONS, FIREARMS, LETTERS, TELEPHONE AND ADDRESS LISTS, PHOTOS, ACCOUNTING LEDGERS, OTHER DOCUMENTS, PHOTOGRAPHS, ETC. THAT WOULD ESTABLISH OWNERSHIP OF THE PLACE TO BE SEARCHED AND PROVIDE AFFIRMATIVE LINKS TO, AND/OR RECORDS PERTAINING TO CONTROLLED SUBSTANCE POSSESSION AND TRANSACTIONS, INCLUDING CELLULAR PHONES, COMPUTERS, AND OTHER ELECTRONIC DEVICES AND STORAGE DEVICES, AND THEIR CONTENTS, WHICH COULD INCLUDE LEDGERS, PHONE NUMBERS, SUBSCRIBER IDENTITY MODULE(S), MASS MEDIA STORAGE DEVICES, MEDIA DATA TO INCLUDE PICTURE AND VIDEO CONTENT, TEXT MESSAGES AND MOBILE MESSAGING, EMAILS, CONTACT/PHONEBOOK INFORMATION, INCOMING AND OUTGOING CALL INFORMATION, DOCUMENTS, DATA/META DATA INFORMATION, CALENDER ENTRIES, PASSWORDS, PHONE APPLICATION INFORMATION, STORED LOCATION DATA, AUDIO FILES, INFORMATION REGARDING THE SPECIFIC ELECTRONIC DEVICE TO INCLUDE SUBSCRIBER AND EQUIPMENT IDENTITY, AND OTHER INFORMATION PERTAINING TO CONTROLLED SUBSTANCE POSSESSION AND TRANSACTIONS, U.S. CURRENCY, AND PARAPHERNALIA UTILIZED IN CONTROLLED SUBSTANCE POSSESSION, USE OR TRANSACTIONS which is being kept and used in violation of the Laws of the State of Florida,

or evidence of a crime to wit the law prohibiting the POSSESSION OF CANNABIS WITH INTENT TO SELL contrary to Chapter 893 Florida Statutes.

And it appears to the Court that affiant is a reputable citizen of LEON County, Florida, and that the facts set forth in said affidavit show and constitute probable cause for the issuance for this WARRANT and the Court being satisfied of the existence of said grounds in said application, or that there is probable cause to believe in their existence.

NOW, THEREFORE, you, or any of you, are hereby COMMANDED IN THE NAME OF THE STATE OF FLORIDA, in the daytime or in the night time, upon any day of the week, including Sunday, to enter the hereinbefore specified property, and the curtilage thereof, and to search therein, and to search any persons or vehicles arriving, leaving or present at the hereinbefore specified property and/or on other property immediately adjacent thereto, who are believed to be involved in violating any laws pertaining to controlled substances, for said property, and if the same, or any part thereof shall be found on said premises, then you are hereby authorized and commanded to seize said property and to bring it before this court or a court of competent jurisdiction and to arrest any person or persons found violating the law in connection with the same, and to bring them before the Honorable Court of competent jurisdiction to be dealt with according to law, and to forthwith make return of your doing in the premises upon the execution of this warrant, which you are hereby ordered to execute within ten days of issuance, as provided by law.

YOU ARE FURTHER COMMANDED, in the event that you seize any of the said property hereinbefore described, to make up, at the time and place of seizure, a full and complete inventory of all things seized and taken, in person duplicate, signed by you, and to deliver one copy of said duplicate to the person named in the warrant, if said person is not present or should no person be named herein, then to some person in charge of, or living on the premises, and in the absence of such person, to leave the same on said premises.

WITNESS my hand and seal this 6 day of April, A.D., 2018.

(x)

[Signature]
JUDGE in and for Leon County, Florida.

Received this Search Warrant on 12th Apr, 2018, and served the same on 12 Apr, 2018, at 810 S Lipona Rd by delivering a true copy thereof to Diamond Lindsey and at the same time showing Diamond Lindsey this original Search Warrant and reading to Diamond Lindsey, and explaining to Diamond Lindsey, the contents thereof, and upon which search I found:

ITEM NO. DESCRIPTION LOCATION OFFICER/AGENT

ITEM NO.	DESCRIPTION	LOCATION	OFFICER/AGENT
1	Black iPhone	Master Bedroom	Lindsey
2	White iPhone	Master Bedroom	↓
3	Black iPhone	Master Bedroom	
4	Cannabis	Master Bedroom	
5	Drug paraphernalia	Master Bedroom	
6	Drug paraphernalia	Living Room	
7	Rx vials	Hallway closet	
8	Drug paraphernalia	Crystal vehicle	

I, Investigator Mazerac, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of the all the items taken by me on this said warrant.

Sworn and subscribed before me
 this 12 day of Apr, 2018

[Signature] 738

[Signature]
 AFFIANT

2018 APR 13 PM 1:56
 CLERK OF COURT
 COUNTY OF FLORIDA