

Lakeland Police Department

AFFIDAVIT
CONTINUATION

Event Number

Agency ORI
Number
FL0531200

DEFENDANT: DUNN, Michael Christopher, W/M, DOB 08/23/1971

2018-19733

IN THE CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA PROBABLE CAUSE CONTINUATION

Your Affiant is a Police Officer/Detective with the city of Lakeland Police Department. Your Affiant is currently assigned to the Criminal Investigation Section of the Lakeland Police Department as a Detective. In this assignment, your Affiant is primarily responsible for the investigation of homicides and other violent crimes that occur within the city limits of Lakeland, Florida.

On October 3, 2018 at approximately 1434 hrs., Officer Simmons and other Lakeland Police Department patrol personnel were dispatched to 819 Florida Avenue N, (Vets Army Navy Surplus) Lakeland, Polk County, Florida in regard to a shoplifter being shot by the store owner. Officer Simmons arrived on scene and observed the business owner/suspect standing over the decedent with his firearm still drawn and pointing at the decedent. The suspect (Michael Dunn) made the unprompted statement to Officer Simmons, "I think he expired!"

On October 3, 2018 at approximately 1440 hrs., Your Affiant was requested to respond to the scene and was assigned as the Lead Detective for this investigation.

The business is affixed with video surveillance cameras inside and outside. The entire incident was captured on the various cameras throughout the business. The video surveillance did not record the audible conversations.

The video surveillance camera footages captured the victim (Christobal Lopez) removing a hatchet from a display rack inside the store and concealing it in the front of his pants and underneath his shirt that was bloused outside his pants. The suspect, who is the store owner, witnessed the concealing of the hatchet from his store office. The suspect is seen on the surveillance exiting the office concealing his firearm in the waistband of his pants and walking to the front of the store. The suspect is seen on the surveillance camera standing in the immediate area of the front door, presumably to prevent the victim from leaving the store with the hatchet.

A few minutes passed while the victim's father, witness Cristobal Lopez III, purchased a boonies cap at the front counter. The victim and his father start to leave the store when the victim is confronted by the suspect and questioned about paying for the hatchet. The hatchet falls down the victim's pant leg onto the floor. The victim picked up the hatchet, at this time, according to witness Arndt, the victim made the statement, "I will pay, I will pay!" as he walked back toward the cash register counter area. The surveillance shows that he victim stood at the counter for a moment before hastily attempting to leave the business with the hatchet in hand.

The video surveillance camera footage captured the suspect pushing the victim with an open left hand while he pointed his firearm at the victim as the victim attempted to leave the business. After the initial shove, the victim continued his efforts to leave the business by pushing the entry/exit door with his left hand. The suspect is observed grabbing the victim by his shirt and attempting to pull the victim back into the business while holding his firearm in a "low ready" position. The victim is seen grabbing the entry/exit door framing to pull away from the suspect. At that time, the victim can be seen with the hatchet in his right hand, holding the blade of the hatchet in the palm of his hand. When the suspect lost grip of the victim's shirt, the suspect raised his firearm to "eye-level" and fired two successive shots. The first shot struck the victim to the left side of his upper torso and second shot struck the victim to his mid back. The victim died at the scene because of his injuries. At no time did the victim appear to have made any threatening movements towards the suspect. Further, witness testimony of Duncan and Arndt revealed that the victim did not make any verbal threats towards the suspect.

Sworn to and subscribed to me, the undersigned authority, this

19

Day of October 2019

DEPUTY CLERK/NOTARY PUBLIC
LAW ENFORCEMENT OFFICER

Detect. [Signature] #148 (Pough)

AFFIANT

Witness: Patrick Arndt 1139 S Lakeshore Blvd. Lake Wales (53) (863) 409-9716
NAME ADDRESS PHONE

Witness: NAME ADDRESS PHONE

LPD 053/05-93

CF18-009710

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During a Post Miranda interview with the suspect he did not indicate that the victim made any threatening statements. The suspect also admitted to shooting the victim twice because he was stealing the hatchet from his business. The suspect stated he was in fear, but when he was asked what would have happened if he let go of the victim, the suspect replied, "It might be fair to say, that if I just stepped back and let somebody come in and take what they want, that there would be no issue!" Further, the suspect made no attempt to render aid to the victim. Given the above, the suspect (Michael Dunn) shot and killed the victim (Christobal Lopez) without lawful justification.

Investigation concerning the victim (Christobal Lopez) and victim's father (Cristobal Lopez III) revealed that both were homeless and living in the Wauchula area prior to September 20, 2018. Both had sought assistance from the Hardee Help Center in Wauchula. Through that assistance, the victim had been accepted into a residential program at the Lighthouse Ministries in Lakeland and the victim's father had been accepted into the shelter at the Lighthouse Ministries. On September 20, 2018, both the victim and his father had been brought from Wauchula to the Lighthouse Ministries in Lakeland.

Sworn to and subscribed to me, the undersigned authority, this

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Day of October 2019


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AFFILIANT

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