

Adult Def PC Arrest
 Juvenile Def Application for
Warrant/Capias

AFFIDAVIT – COMPLAINT

Clerk's Case No. _____

SA Case No.(s) _____

PAGE 01 of 2

ORI # FL037275C

1. Agency Name: Florida Department of Corrections Office of the Inspector General		2. Agency Report Number: 18-19061		3. Charge Type: <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Misdemeanor w/associated felony <input type="checkbox"/> Municipal <input type="checkbox"/> County		3a. Ordinance Type: (If applicable) <input type="checkbox"/> Municipal <input type="checkbox"/> County	
4. Date/Time of Offense: 12/6/2018 - 9:54		5. Date/Time of Arrest: 12/6/2018 - 2:00 PM		6. Arresting Officer: Senior Inspector Steven Donaldson		7. Investigating Officer: Law Enforcement Senior Inspector Steven Donaldson	

8. Defendant's Name: (Last) Clemons			(First) Misty			(Middle) Sue			ALIAS Misty Sue Padgett Misty Sue Cruce			9. OBTS:		
10. Race/Sex: W/F		11. Date of Birth: [REDACTED]		12. Residence Type: <input type="checkbox"/> City <input checked="" type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State			13. Weapon Seized <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14. Controlled Substance Seized: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TYPE & QUANTITY:					
15. Height: 5'03"		16. Weight: 198 lbs		17. Eye Color: Blue		18. Hair Color: Blond		19. Scars, marks, tattoos, unique physical features: (Location, type & description) various tattoos birds on upper back with brave wings she flies, cross on arm, lower back (tramp stamp)						
20. Driver's License Number/State: [REDACTED]			21. Social Security Number: [REDACTED]			22. Residential Telephone: [REDACTED]			23. Business Telephone: N/A					
24. Address: (Street, Apartment Number) [REDACTED]			(City) [REDACTED]			(State) [REDACTED]			(Zip) [REDACTED]					

25. Defendant's Name: (Last) N/A			(First)			(Middle)			ALIAS			26. OBTS:		
27. Race/Sex:		28. Date of Birth:		29. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State			30. Weapon Seized <input type="checkbox"/> Yes <input type="checkbox"/> No		31. Controlled Substance Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No TYPE & QUANTITY:					
32. Height:		33. Weight:		34. Eye Color:		35. Hair Color:		36. Scars, marks, tattoos, unique physical features: (Location, type & description)						
37. Driver's License Number/State:			38. Social Security Number:			39. Residential Telephone:			40. Business Telephone:					
41. Address: (Street, Apartment Number)			(City)			(State)			(Zip)					

42. Defendant's Name: (Last) N/A			(First)			(Middle)			ALIAS			43. OBTS:		
44. Race/Sex:		45. Date of Birth:		46. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State			47. Weapon Seized <input type="checkbox"/> Yes <input type="checkbox"/> No		48. Controlled Substance Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No TYPE & QUANTITY:					
49. Height:		50. Weight:		51. Eye Color:		52. Hair Color:		53. Scars, marks, tattoos, unique physical features: (Location, type & description)						
54. Driver's License Number/State:			55. Social Security Number:			56. Residential Telephone:			57. Business Telephone:					
58. Address: (Street, Apartment Number)			(City)			(State)			(Zip)					

59. Charge Description: (# 1) 11 counts of Unlawful use of a two-way communication device				60. Statute or Ordinance Number: 934.215				<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord.			
61. Charge Description: (# 1) Introduction or possession of certain articles unlawful				62. Statute or Ordinance Number: 944.47(1)(a)6				<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord.			
63. Charge Description: (# 1) 12 counts of Introduction or possession of certain articles unlawful written or recorded communication or currency				64. Statute or Ordinance Number: 944.47(1)(a)1				<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord.			

65. Victim's Name: (If business, list legal business name) (Last) STATE OF FLORIDA FDC / Office of the Inspector General			(First)			(Middle)			66. Race/Sex N/A		67. Date of Birth: N/A		68. Telephone Number: N/A	
69. Contact Person if victim is deceased, a minor child, or business: (Last) N/A			(First) N/A			(Middle) N/A			70. Race/Sex N/A		71. Date of Birth: N/A		72. Telephone Number: N/A	
73. Address: (Street, Apartment Number) 7819 NW 228TH STREET			(City) Raiford			(State) FL			(Zip) 32026			74. Secondary Phone Number:		
75. Victim Notification of Arrest: NOTIFIED BY: N/A DATE: _____ TIME: _____								76. Information Given: Victim <input type="checkbox"/> Rights Card <input type="checkbox"/> App. Info <input type="checkbox"/> Arrest Info <input type="checkbox"/> Domestic <input type="checkbox"/> Viol. Info						

77. Physical Evidence collected in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		78. Witness Statements taken in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		79. I certify that all of the above information is true and correct to the best of my knowledge			
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Evidence Custodian's Name: Senior Inspector Steven Donaldson

Person responsible for statements: Senior Inspector Steven Donaldson

and is page 01 of a 2 page affidavit/complaint.

Senior Inspector Steven Donaldson
Officer/Complainant Signature

Type or print Complainant name

PAGE 01 MUST HAVE PAGE 02 (MORE IF REQUIRED) TO BE A VALID AFFIDAVIT/COMPLAINT

- Adult Def
- PC Arrest
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- Application for Warrant/Capias

AFFIDAVIT – COMPLAINT (PROBABLE CAUSE NARRATIVE)

Clerk's Case No. _____

SA Case No.(s) _____

ORI # FL037275C

80. Agency Name: Florida Department of Corrections Office of the Inspector General	81. Agency Report Number: 18-19061	82. Date/Time of Arrest: 12/6/2018 - 2:00 PM	83. Investigating Officer: Law Enforcement Senior Inspector Steven Donaldson
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84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the heretofore named defendant did commit the violations of law as stated above and the factual basis for this belief is as follows:

Your Affiant is Law Enforcement Senior Inspector Steven Donaldson of the Office of the Inspector General, Florida Department of Corrections.

Your Affiant has probable cause to believe that on December 6, 2018, at approximately 5:56 AM, FDC Correctional Officer Misty Sue Clemons (known to FDC as Misty S. Cruce on official records, also known as Misty Sue Padgett) DOB [REDACTED] did commit the crimes of; one count of Introduction, or possession of certain articles unlawful F.S.S. 944.35 (1)(a)6, eleven counts of Unlawful use of a two-way communication device F.S.S. 934.215, twelve counts of Introduction or possession of certain articles unlawful written or recorded communication or currency F.S.S. 944.47(1)(a)1 on Florida Department of Corrections Property while acting in her official capacity as a Correctional Officer at the Florida State Prison.

Due to information being received from Florida State Prison regarding the incident concerning Officer Padgett/Cruce an Office of the Inspector General Investigation was initiated revealing that evidence of Officer Padgett/Cruce in a romantic relationship with Florida State Prison Inmate Todd D. Patterson DC#X12770. Officer Padgett/Cruce was communicating with Inmate Patterson via love letters hand delivered, as well as written communication via electronic J-Pay factitious account she created. Officer Padgett/Cruce was sending monies to Inmate Patterson via the inmates J-Pay account from her factitious account she created. On December 1, 2018, Officer Padgett/Cruce stated in an electronic message "And save it [REDACTED]...I love you and I miss you most! Unconditionally" The phone number of [REDACTED] was Officer Padgett/Cruce personal cell phone number on file with the FDC records. In other messages Inmate Patterson provided his illegal inmate cell phone he was in possession in prison after being transferred to Jefferson Correctional Institution. Prison Officials provided information Officer Padgett/Cruce was communicating with Inmate Patterson on December 6, 2018, at approximately 4:30 AM leading up to 8:30 AM while Officer Padgett/Cruce was on-duty inside a prison tower armed with firearms. Inspector Donaldson accompanied with Florida Sytate prison officials entered said prison tower on FDC prison property and requested Officer Padgett/Cruce personal cell phone which she provided.

On December 6, 2018, a sworn recorded post Miranda interview was conducted with Correctional Officer Misty Clemons who identified herself as Misty Padgett / Misty Cruce at the Florida State Prison. [REDACTED]

Your Affiant respectfully submits that probable cause has been established that Correctional Officer Misty Cruce aka Misty Padgett aka Misty Clemons did commit the criminal offense of Introduction, or possession of certain articles unlawful F.S.S. 944.35 (1)(a)6, eleven counts of Unlawful use of a two-way communication device F.S.S. 934.215, twelve counts of Introduction or possession of certain articles unlawful written or recorded communication or currency F.S.S. 944.47(1)(a)1 on Florida Department of Corrections Property while acting in her official capacity as a Correctional Officer at the Florida State Prison.

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of 3 pages is true and correct to the best of his/her knowledge

[Handwritten Signature] #72344

Signature of Officer/Complainant

Senior Insp. S. Donaldson #72344

Officer/Complainant's Name (Printed)

ID Number

Sworn to and subscribed before me this 6th day of December 2018

[Handwritten Signature: Brenda C Starling]

Signature of Person Administering Oath

Personally Known Other Identification

Seal



BRENDA C STARLING ID Type

MY COMMISSION # GG 056705

EXPIRES: January 1, 2021

Bonded Thru Budget Notary Services

87. Adult's Relation to Juvenile Defendant: _____ 88. Adult's Name: (Last) _____ (First) _____ (Middle) _____

Parent Legal Guardian Other _____

89. Address: (Street, Apartment Number) _____ (City) _____ (State) _____ (Zip) _____ 90. Residential Phone: _____ 91. Business Phone _____

92. Notified By: (Name) _____ 93. Date/Time: _____ 94. Notification Method: _____

95. Law Enforcement Disposition of Juvenile Contact:
(Check one and complete release data)

Transferred to
 Secure Detention

Released to
 HRS Intake Officer, not detained

Processed within the agency and released
 to other than HRS

Person

Telephone

Release Date: _____ Release Time: _____ Released to (Name): _____