

**7th. Judicial Circuit 707
Charging Affidavit - Volusia**

Arrest # _____ Bk # _____ Pg # 1 of 3

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/> ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2022 301585 MMDB	
(ORI) FL: <u>FL0640100</u>	Agency Name: <u>DAYTONA BEACH POLICE DEPARTMENT</u>	Agency Case Number: <u>220003077</u>	
FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OBTS # _____	U.C.R. _____	Date Arrested: <u>02-23-2022</u> Time of Arrest: <u>0130</u>
ADDRESS OF ARREST (Street, City, State, Zip): <u>DAYTONA BEACH FL 32114</u>		Arrested By: <u>WAGNER, SEAN</u>	ID Number: <u>D55763</u>
DEFENDANT	NAME (Last) <u>MCCLAFFERTY</u> (First) <u>JEFFERY</u> (Middle) <u>W</u>	A.K.A.: _____	Sex: <u>M</u> Race: <u>W</u>
DOB: <u>10-17-1985</u>	Age: <u>36</u> Driver's Lic./ ID No.: _____	State: <u>FL</u> Year Expires: <u>2029</u>	S.S.# - _____
Height: <u>6' 05</u>	Weight: <u>250</u> Hair: <u>BLD</u> Eyes: <u>BRO</u>	P.O.B. (City, State, Country): <u>FL</u>	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Scars, Marks, Tattoos: _____	Business & Occupation: _____	Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address - Mailing/Permanent (STREET, APT. NUMBER) <u>1851 LPGA BLVD #2306</u>		(CITY) <u>DAYTONA BEACH</u> (STATE) <u>FL</u>	ZIP CODE <u>32114</u> RESIDENCE PHONE _____
Address - Local (STREET, APT. NUMBER) _____		(CITY) _____ (STATE) _____	ZIP CODE _____ RESIDENCE PHONE _____
Address - Other (Employer/School) (STREET, APT. NUMBER) _____		(CITY) _____ (STATE) _____	ZIP CODE _____ BUS/SCHOOL PHONE _____

CHARGES	DOMESTIC VIOLENCE? Yes <input checked="" type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input checked="" type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input checked="" type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	Total Charges: <u>1</u>
#1 Charge: <u>Battery Touch/Strike</u>	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>784.03(1)(A)1</u>	Citation No.: _____ Bond: <u>NO BOND</u>
#2 Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No.: _____ Bond: _____
#3 Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No.: _____ Bond: _____

CO-DEFENDANT	Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>
#1 NAME (Last) _____ (First) _____ (Middle) _____	Race: _____ Sex: _____ DOB: _____	Age: _____
#2 NAME (Last) _____ (First) _____ (Middle) _____	Race: _____ Sex: _____ DOB: _____	Age: _____

NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 23 day of February, 2022, at approximately 1120 a.m. p.m. at DAYTONA BEACH within Volusia County, violated the law and did then and there:

1 *****VICTIM WANTS MARSY'S LAW PROTECTION*****
 2
 3 commit the crime of battery by intentionally throwing a cup filled with a beverage at V-1 striking her.
 4
 5 V-1 and D-1 have been together for 4 years and have lived together as a family unit at this residence since June of 2021.
 6
 7 On 02/23/2022, at approximately 0051 hours, Officer Wagner was dispatched to _____ for a battery.
 8
 9 Officer Wagner arrived on the scene at approximately 0103 hours and contacted V-1 in the residence. Officer Wagner positively identified V-1 via her
 10 Tennessee-issued Driver's license. V-1 stated that she was involved in a verbal argument with D-1 in D-1's 2010 Black Nissan Pickup. V-1 stated the
 11 argument was over her family. When they arrived at the residence V-1 was getting out of the vehicle and D-1 threw V-1's cup of soda at her. V-1
 12 stated the cup hit her and the contents splashed all over her. V-1 stated after D-1 threw the cup at her she threw a to-go box of food at D-1. V-1
 13 stated D-1 then revved his engine causing his tires to spin and then took off at a high rate of speed. When the truck sped off, it caused the passenger
 14 side door to close on V-1. V-1 fell back onto the pavement and hit the back of her head. V-1 stated her neighbor came out and saw her laying on the
 15 ground. V-1 informed Officer Wagner that D-1 is a Patrol Deputy for Volusia County Sheriff's Office. V-1 was offered medical treatment and refused.

NOTICE TO APPEAR	MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT: _____
-------------------------	---	--	-------------------------------

I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.

SIGNATURE OF DEFENDANT _____	Date _____	RELATIONSHIP TO JUVENILE _____	JUVE DISP. _____
		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN _____	CITATION No. _____

Sworn to and subscribed before me, the undersigned this <u>23</u> day of <u>February</u> , <u>2022</u> , Name: <u>[Signature]</u>	I swear/affirm the above statements are correct and true <u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE	Rt Thumb _____
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>	<u>WAGNER, SEAN</u> <u>D55763</u> NAME (PRINTED) ID NUMBER	
Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>	Type of Identification: _____	

OFFICIAL USE ONLY Inmate Number & Facility: _____

Volusia**Notice to Appear Instruction Sheet**

Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- Mandatory Court Appearance -- You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.**
- Court Appearance Not Mandatory -- You MUST comply with EITHER A or B:**

**PAYMENTS SHOULD BE MADE PAYABLE TO:
CLERK OF THE COURT.**

A. Pay the Fine: You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. ***Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court . (DO NOT MAIL CASH.)***

Total fine and costs you must pay: \$ _____

B. Contest the Citation: You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

COUNTY CLERK'S OFFICES:

- Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
- Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
- Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.

DEFENDANT'S SIGNATURE (MANDATORY): _____

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. **THIS IS NOT A COURT INFORMATION LINE.**

Plea and Waiver Information

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

- In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty or nolo contendere (no contest) .
- In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
- By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature: _____
(First) (Middle) (Last)

Date: _____

Defendant's Name (print): _____

Defendant's Address: _____

Narrative Supplement 707-B

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant (Last) Name: MCCLAFFERTY		(First) JEFFERY	(Middle) W	Agency Case Number: 220003077
CHARGES	DOMESTIC VIOLENCE? Yes <input checked="" type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/> Statement(s) <input checked="" type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input checked="" type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>		Total Charges: 1
	Charge: #	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:
	Charge: #	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:
	Charge: #	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:

16 Officer Wagner did not observe any marks, scratches, or bruises on V-1. Sgt. Booth and Lt. Conde were on the scene and aware of this incident.
 17
 18 V-1 filled out a sworn written statement and wishes to prosecute. Officer Wagner offered V-1 all appropriate domestic violence paperwork and V-1
 19 refused all of it. Officer Wagner offered V-1 access to the shelter and she refused. Two photos were taken of V-1.
 20
 21 Officers on the scene contacted W-1 at her residence. W-1 stated she heard the commotion outside and went downstairs into the parking lot. W-1
 22 stated she did not see what happened but saw V-1 laying on the ground.
 23
 24 While Officers were on scene D-1 pulled into the parking lot in his vehicle. Officers contacted D-1 at the vehicle and informed him a domestic battery
 25 investigation was being conducted. D-1 stated, "Well I bet you are." D-1 was asked for his last name. D-1 stated, "Why." As Officers attempted to
 26 explain they were conducting an investigation D-1 stated, "come on, I'm not playing this fucking game." D-1 was detained at this time and advised of
 27 Miranda by Officer Fletcher. D-1 stated he understood his rights and wished to speak with officers on the scene. D-1 was asked what happened
 28 earlier he stated, "When." Officers stated let's start with when you got back from the bar. D-1 stated, "What Bar." D-1 was asked what happened in
 29 this parking lot. D-1 stated, "Nothing happened in the parking lot. Nothing at all." D-1 paused for a few seconds and then stated, "I pulled up here.
 30 She got out of the car. She threw food in my face. I got out of the car. My neighbors came down and hung out." Sgt. Booth started to speak with D-1
 31 about the incident and D-1 stated, "Nothing happened." D-1 was asked if his story was "nothing happened." D-1 stated, "Nothing Happened." D-1
 32 was placed in the back of a patrol vehicle at this time. D-1's keys and personal effects were placed inside his residence per his instruction. D-1's
 33 vehicle was secured by Officers per his request.
 34
 35 Volusia County Sheriff's Office Command Staff was notified and they responded.
 36
 37 Officer Wagner transported D-1 to the transfer facility at 129 Valor Blvd. The photos of V-1 were uploaded via Axon Capture. Officer Wagner turned
 38 in the sworn written statement to records. Officer Wagner was wearing his Agency issued Axon Body Worn Camera and uploaded the footage via
 39 evidence.com.

Sworn to and subscribed before me, the undersigned this <u>23</u> day of <u>February</u> , 2022 Name: <u>[Signature]</u>	I swear/affirm the above statements are correct and true <u>[Signature]</u> 55763	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	OFFICER'S/COMPLAINANT'S SIGNATURE WAGNER, SEAN NAME (PRINTED)	D55763 ID NUMBER

Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant (Last) (First) (Middle) Name: MCCLAFFERTY JEFFERY W			Agency Case Number: 220003077						
Name: (Last) (First) (Middle) [Redacted]			Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: W	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: 30	DOB: [Redacted]	SSN: [Redacted]	
Address (#, Street, City, State): [Redacted]			Zip: [Redacted]		Home: [Redacted]	Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				
Name: (Last) (First) (Middle) BEVERIDGE KELLY N			Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>		Race: W	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>	Age: 28	DOB: 04-30-1993	SSN: [Redacted]
Address (#, Street, City, State): 1851 LPGA BLVD #2203 DAYTONA BEACH FL			Zip: 32114		Home: Phone: (954) 999-9727	Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):			Zip:		Home: Phone:	Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):			Zip:		Home: Phone:	Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):			Zip:		Home: Phone:	Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):			Zip:		Home: Phone:	Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Bus/School Address:			Zip:		Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:		Phone:				

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

WAGNER, SEAN
Investigating Officer

Sean Wagner 55763 D55763
ID Number

DBPD
Agency