

Sheriff

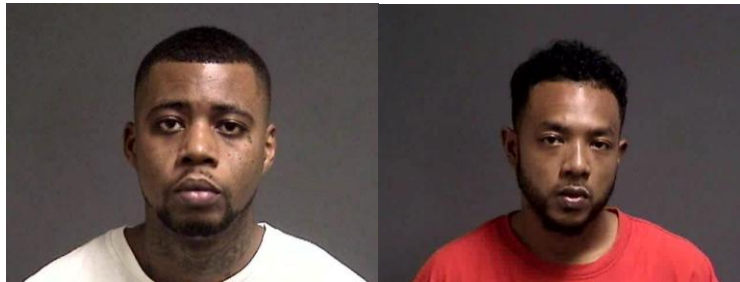


Larry Ashley, Okaloosa County Sheriff

1250 Eglin Parkway • Shalimar, Florida 32579-1234
Phone: (850) 651-7410 • Email: sheriff@sheriff-okaloosa.org

April 11, 2013

TWO CHARGED IN BLUEWATER BAY ARMED ROBBERY



Stephen Whitner

Otis Miller Jr.

The Okaloosa County Sheriff's Office has charged two men in connection with an attempt to rob a man sitting in a car parked at a Niceville area restaurant.

The 28-year old victim, an employee of the restaurant, says he was sitting in the Sonic Drive-In parking lot at State Road 20 around four p.m. Thursday, April 10th when a man walked up and put a gun in his stomach. He says the man, later identified as 31-year old Otis Chan Miller Jr. of Fort Walton Beach, told him to put his hands on the steering wheel. The employee instead grabbed the gun. He says after a brief struggle, he pushed Miller back, who then pointed the gun at him and pulled the trigger. The gun misfired. The victim ran away as Miller got into a blue Toyota Camry and headed south on Bluewater Bay Boulevard with another man.

School Resource Officers from area schools and other deputies quickly set up a perimeter and a deputy spotted the suspect car at the intersection of Bay Drive and Highway 20. Whitner and the driver, 25-year old Stephen Whitner of Valparaiso, were detained and later arrested on a charge of armed robbery.

The gun was not recovered.

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The Okaloosa County Sheriff's Office is accredited by the Commission for Florida Law Enforcement Accreditation.

"The Okaloosa County Sheriff's Office provides equal access and equal opportunity in employment and services and does not discriminate"

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO13ARR003840

Jail Booking No	Offense No OCSO13OFF003668	Other No OCSO13CAD057717	OBTS 4601091740
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[SUSPECT]

<u>Last</u> MILLER	<u>First</u> OTIS	<u>Middle</u> CHAN	<u>Title</u> JR	<u>Race</u> B	<u>Sex</u> M	<u>DOB</u> 10/3/1981	<u>Age</u> 31	<u>Hgt</u> 6'00"	<u>Wgt</u> 175
<u>Eyes</u> BRO	<u>Hair</u> BLK	<u>MNI Number</u> OCSO99MNI056125	<u>SSN</u> [REDACTED]	<u>ID. No.</u> [REDACTED]	<u>St</u> FL	<u>Type</u> DL	<u>OCA/Agency ID</u> 194385		

Birth Location: City: SAN ANTONIO County: State: TX Nation: US Citizenship: USA
Address

210 PELHAM ROAD Apt/Lot: 216C FORT WALTON BEACH FL 23547

Occupations (Current/Last Known is Listed First)

- Business: UNEMPLOYED, Job Title: NONE, Entered: 4/27/2011
Suite:
- Business: YOUNG TYME ENTERTAINMENT, Job Title: DJ/RAPPER, Entered: 3/21/2011
Suite:
- Business: UNEMPLOYED, Job Title: , Entered: 4/21/2009
Suite:
- Business: LIKE NEW CAR DETAILER, Job Title: CAR DETAILER, Entered: 3/20/2009
Suite:
- Business: FT WALTON BEACH GLASS, Job Title: INSTALLER, Entered: 11/21/2002
Suite:
- Business: OWCC, Job Title: STUDENT, Entered: 10/10/2001
Suite:
- Business: J B SAND COMPANY, Job Title: LABORER, Entered: 9/21/2001
Suite:
- Business: QUINCY'S STEAKHOUSE, Job Title: COOK, Phone: (850)243-5220 Entered: 8/4/2000
= Suite:

Aliases (Last, First Middle Title DOB)

- , OVA TYME
- OVA TYME,
- , OVER TIME
- , OT
- , O'DOG

Street Names

* none found in MNI *

[INCIDENT INFORMATION]

Occurred Date Range:	4/11/2013	16:03	to	4/11/2013	16:03	Lat / Long	27.2875 / -80.28806
No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
4573	E	STATE ROAD 20		NICEVILLE	FL	32578	3 - 9 - -

[CHARGES]

812.13.2a

ROBBERY

ROBBERY WITH FIREARM

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
1	Felony	First	Attempt	1200		1299	

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

On April 11, 2013 I responded to Sonic Drive-In Restaurant, located at 4573 State Road 20, Niceville, Florida in reference to a robbery.

The victim, Michael Evans, stated he was in the parking lot of Sonic. While sitting in the driver seat of his vehicle, Otis

COPY

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: **OCSO13ARR003840**

Miller Jr approached him, removed a firearm from his sweatshirt, and put it in Evan's stomach. Miller ordered Evans to put his hands on the steering wheel. Evans grabbed the gun and began fighting over it with Miller. After a short struggle, Evans pushed Miller back. Miller pointed the gun at Evans and pulled the trigger, but the gun misfired. As Miller was attempting to fix the malfunction of the firearm, Evans ran away. Evans stated the suspects left the area in a blue Toyota Camry, bearing Florida tag I000SL. The vehicle was last seen traveling south on Bluewater Bay Blvd.

Approximately 8 minutes after the initial call, a perimeter deputy located the vehicle at the intersection of Bay Dr. and Hwy 20 and a traffic stop was conducted. Both the Miller and the co-defendant were detained.

Evans arrived for a show up and positively identified Miller as the person who attempted to rob him.

During post Miranda interview, Miller admitted to going to Sonic to attempt to rob Evans. Miller further denied having a firearm and stated Evans had the firearm.

My investigation, which is based on statements from the suspect, victim, witnesses, and collection of physical evidence, revealed Otis Miller Jr. did violate F.S.S. 812.13(2a) - Attempted Robbery. This incident occurred in Okaloosa County, Florida.

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

Signature (Arresting Officer) _____ **LANDIS, MITCHELL R** **219**
Name ID/SSN

Subscribed and sworn to (or affirmed) before me this 12 day of April A.D., 2013 by _____
who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public _____ LEO _____ CO

Commission No: _____ My Commission Expires _____

[PHYSICAL EVIDENCE] [NO PHYSICAL EVIDENCE LISTED]

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist			
4/11/2013 16:03	Within jurisdiction	None	N/A	No			
	Arrested Prior	Arrest Jurisdiction	Alcohol	Drugs			
	Yes	Within jurisdiction	No	No			
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
4573	E	STATE ROAD 20		NICEVILLE	FL	32578	27.2875 / -80.28806
Arresting Officer	Unit	(GEO)	3 - 9 - -	Officer Type			
219 LANDIS, MITCHELL R	OCSO/FSV/EAST/BD/D-SHIFT						
Reporting Officer	Unit			Original Offense Jurisdiction			
219 LANDIS, MITCHELL R	OCSO/FSV/EAST/BD/D-SHIFT			OCSO			
Forward to for approval							
OCSO/FSV/EAST/BD/D-SHIFT							

Bond Set by LEO at Time of Arrest & Booking: \$0.00

() None
() ROR

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO13ARR003840

- Cash
- Pro

Bond Set by Judge _____

- None
- Cash
- Any
- Pro
- PtIQ

ROR/Sign

PTR

Purge _____

SC _____

Return Court: CIRCUIT COURT: FELONY Date: 5/14/2013 Time: 15:30

Instructions: OKALOOSA COUNTY COURTHOUSE ANNEX EXT

[DISPOSITION]

<u>Disposition Type</u>	<u>Release Type</u>	<u>Other Desc</u>
<u>Release Date</u>	<u>Release Time</u>	<u>Release Officer</u>
		<u>Printed</u> <u>Printed By</u>
		No
<u>Released To</u>		

<u>Court DispositionType</u>	<u>Court Disposition Description</u>
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[ADDITIONAL PERSONS]

WITNESS STATEMENT

Last	First	Middle	Title	R	S	DOB
MILLER	OTIS	CHAN	JR	B	M	10/03/1981

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

ID / SSN MILLER JR , OTIS CHAN

COURT DISPOSITION: _____

(right index)

- No Bill / Petition
- Issue Warrant
- Prosecution Approved

Signature of Assistant State Attorney Date

COPY

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO13ARR003841

Jail Booking No	Offense No OCSO13OFF003668	Other No OCSO13CAD057717	OBTS 4601091739
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[SUSPECT]

<u>Last</u> WHITNER	<u>First</u> STEPHEN	<u>Middle</u> JAMES	<u>Title</u>	<u>Race</u> B	<u>Sex</u> M	<u>DOB</u> 8/30/1987	<u>Age</u> 25	<u>Hgt</u> 509	<u>Wgt</u> 170
<u>Eyes</u> BRO	<u>Hair</u> BLK	<u>MNI Number</u> OCSO02MNI011944	<u>SSN</u> [REDACTED]	<u>ID. No.</u>	<u>St</u> FL	<u>Type</u> DL	<u>OCA/Agency ID</u> 194384		

Birth Location: City: PENSACOLA County: ESCAMBIA State: FLORIDA Nation: U.S.A. Citizenship: US Address

332 W CHICAGO AV VALPARISO FL 32580

Occupations (Current/Last Known is Listed First)

Business: BEACH STREET TAXI, Job Title: DRIVER, Phone: 8503761995 Entered: 4/11/2013
200 ANN CIRCLE Suite: DESTIN FL 32541
Business: DAILY NEWS, Job Title: NEWSPAPER DELIVERY, Entered: 10/16/2012

Business: HOLIDAY INN, Job Title: , Entered: 3/3/2010
Suite:

Business: BP GAS STATION, Job Title: CLERK, Entered: 9/27/2007
Suite:

Business: UNEMPLOYED, Job Title: , Entered: 6/27/2007
Suite:

Business: NETWORK VIDEO, Job Title: , Entered: 5/1/2007
Suite:

Business: UNEMPLOYED, Job Title: , Entered: 3/23/2007
Suite:

Business: WHATABURGER, Job Title: CREW PERSON, Entered: 10/16/2006
Suite:

Business: MCDONALDS, Job Title: CREW PERSON, Entered: 3/15/2006
Suite:

Business: OKALOOSA ACADEMY, Job Title: STUDENT, Entered: 11/14/2003
Suite:

Business: NICEVILLE HIGH, Job Title: STUDENT, Phone: 850 Entered: 7/8/2002
Suite:

Aliases (Last, First Middle Title DOB)

WHITNER, TYME

Street Names

YOUNG TYME

[INCIDENT INFORMATION]

Occurred Date Range:	4/11/2013	16:03	to	4/11/2013	16:03	Lat / Long	27.2875 / -80.28806
No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
4573	E	STATE ROAD 20		NICEVILLE	FL	32578	3 - 9 - -

[CHARGES]

812.13.2a

ROBBERY

ROBBERY WITH FIREARM

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
1	Felony	First	Attempt	1200		1299	

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

On April 11, 2013 I responded to Sonic, located at 4573 State Road 20, Niceville, Florida in reference to a robbery.

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ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: **OCSO13ARR003841**

The victim, Michael Evans, stated he was in the parking lot of Sonic, located at 4573 State Road 20, Niceville, Florida. While sitting in the driver seat of his vehicle co-defendant approached him, removed a firearm from his sweatshirt, and put it in Evan's stomach. The co-defendant ordered Evans to put his hands on the steering wheel. Evans grabbed the gun and began fighting over it with Miller. After a short struggle, Evans pushed co-defendant back. The co-defendant pointed the gun at Evans and pulled the trigger, but the gun misfired. As the co-defendant was attempting to fix the malfunction of the firearm, Evans ran away. Evans stated the suspects left the area in a blue Toyota Camry, bearing Florida tag I000SL. The vehicle was last seen traveling south on Bluewater Bay Blvd.

Approximately 8 minutes after the call the initial call, a perimeter deputy located the vehicle at the intersection of Bay Dr. and Hwy 20 and a traffic stop was conducted. The driver, Stephen Whitner, and the co-defendant were detained.

During post Miranda interview, the co-defendant admitted to going to Sonic to attempt to rob Evans. The co-defendant further stated it was Whitner's idea. Whitner denied even being present during the incident, but did admit to driving the vehicle.

My investigation, which is based on statements from the suspect, victim, witnesses, and collection of physical evidence, revealed Stephan Whitner did violate F.S.S. 812.13(2a) – Attempted Robbery (Principal). This incident occurred in Okaloosa County, Florida.

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

Signature (Arresting Officer) **LANDIS, MITCHELL R** **219**
Name ID/SSN

Subscribed and sworn to (or affirmed) before me this 12 day of April A.D., 2013 by _____
who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public _____ LEO _____ CO

Commission No: _____ My Commission Expires _____

[PHYSICAL EVIDENCE] [NO PHYSICAL EVIDENCE LISTED]

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist			
4/11/2013 16:03	Within jurisdiction	None	N/A	No			
	Arrested Prior	Arrest Jurisdiction	Alcohol	Drugs			
	Yes	Within jurisdiction	No	No			
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
4573	E	STATE ROAD 20		NICEVILLE	FL	32578	27.2875 / -80.28806
Arresting Officer	Unit	(GEO)	3 - 9 - -	Officer Type			
219 LANDIS, MITCHELL R	OCSO/FSV/EAST/BD/D-SHIFT						
Reporting Officer	Unit	Original Offense Jurisdiction					
219 LANDIS, MITCHELL R	OCSO/FSV/EAST/BD/D-SHIFT	OCSO					
Forward to for approval							
OCSO/FSV/EAST/BD/D-SHIFT							

Bond Set by LEO at Time of Arrest & Booking: \$0.00
() None

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO13ARR003841

- () ROR
() Cash
() Pro

- Bond Set by Judge: () None, () ROR/Sign, () Cash, () PTR, () Any, () Pro, () PtIQ

- () Purge
() SC

Return Court: CIRCUIT COURT: FELONY Date: 5/14/2013 Time: 15:30
Instructions: OKALOOSA COUNTY COURTHOUSE ANNEX EXT

[DISPOSITION]

Table with columns: Disposition Type, Release Type, Other Desc, Release Date, Release Time, Release Officer, Printed, No, Printed By

Released To

Table with columns: Court Disposition Type, Court Disposition Description

[ADDITIONAL PERSONS]

WITNESS STATEMENT

Table with columns: Last, First, Middle, Title, R, S, DOB. Whitner Stephen James B M 08/30/1987

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

Form for court disposition with signature line and date field. Includes text: (right index)

No Bill / Petition Issue Warrant Prosecution Approved
Signature of Assistant State Attorney Date