

# Sheriff



**Larry Ashley, Okaloosa County Sheriff**

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

February 6, 2013

## **OCSO K9 UNIT FINDS BURGLARY AND CAR THEFT SUSPECT HIDING IN TRASH CAN**



A burglary suspect in a stolen car led Okaloosa County Sheriff's deputies on a chase through a Fort Walton Beach neighborhood Thursday morning before an OCSO K9 team tracked him to his hiding place in a garbage can.

The hunt for 36-year old Daniel Charles Kelly of Niceville actually started Wednesday, February 5<sup>th</sup>, after a Florida Highway Patrol trooper got a call for a reckless driver in Destin. He located the car, a 2008 black Audi, at the Fresh Market on West Commons Drive. He learned the driver, Daniel Kelly of 117 Wright Circle in Niceville, had a warrant with the Okaloosa County Sheriff's Office for a January 2<sup>nd</sup> burglary. While deputies were enroute and the trooper was confirming Kelly's information, Kelly took off, hitting a car in the parking lot. The trooper learned the Audi had been reported stolen February 5<sup>th</sup> from Silver Shells Condominiums in Destin.

Around 7:30 this morning (February 6<sup>th</sup>) an Okaloosa County Sheriff's deputy spotted the stolen Audi heading westbound on Okaloosa Island and tried to pull over the driver, identified as Kelly.

But Kelly instead went across the Brooks Bridge and then bailed out of the car on Alder Avenue when it ran out of gas, sparking a foot chase.

A search began and OCSO K9 Handler Deputy Tim Patterson and K9 "Dax" also responded. They eventually tracked Kelly to Chicago Avenue, where they found him trying to hide in a trash can.

Kelly was taken into custody on active warrants for the January 2<sup>nd</sup> burglary at the Alexan Henderson Apartments Fitness Center in Destin and for the February 4<sup>th</sup> car theft at Destin's Silver Shells Condominiums.

Additional charges are pending.

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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

WARRANT/OTTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR000649

Jail Booking No	Offense No OCSO14OFF000056	Other No OCSO14CAD000683	OBTS 4601096053
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[ SUSPECT ]

Last                      First                      Middle                      Title Race Sex DOB                      Age Hgt Wgt  
 KELLY                      DANIEL                      CHARLES                                           W    M    10/5/1977                      36    6'01"    165

Eyes Hair MNI Number                      SSN                      ID. No.                      St    Type                      OCA/Agency ID  
 BLU    BRO    OCSO00MNI011620                      [REDACTED]                                           FL    DL                      198569

Birth Location: City: SUFFOLK County: State: VIRGINIA Nation: UNITED STATES Citizenship: UNITED STATES  
 Address

177 WRIGHT CR NICEVILLE FL 32578

Occupations (Current/Last Known is Listed First)

Business: UNEMPLOYED, Job Title: , Entered: 2/6/2014

Business: DK BEACH SERVICE, Job Title: LABOR, Entered: 12/20/2013

Business: UNEMPLOYED, Job Title: BEACH SERVICES, Entered: 10/19/2012

Business: SILVER SHELLS, Job Title: BEACH ATTENDANT, Entered: 4/7/2011

Suite: DESTIN

Business: SILVER SHELLS BEACH SERVICE, Job Title: BEACH ATTENDANT, Entered: 5/22/2010

Suite: DESTIN

Business: WYNDAM RESORTS, Job Title: UNKNOWN, Entered: 12/7/2007

Suite:

Business: PHILLIPS CONVENIENCE STORE, Job Title: , Phone: (850)902-0881 Entered: 11/1/2006

Suite:

Business: ATLANTA BRAVES, Job Title: SPORTS, Entered: 6/25/2002

Suite:

Aliases (Last, First Middle Title DOB)

KELLY, CHARLES D 10/5/1977

KELLY, DAVID

Street Names

\* none found in MNI \*

[ INCIDENT INFORMATION ]

Occurred Date Range: 1/2/2014 01:51 to 1/2/2014 01:53 Lat / Long 30.39076 / -86.45014  
 No. Di Street Apt/Lot City ST Zip (GEO)  
 4111 W COMMONS DR DESTIN FL 32541 3 - 27 - -

[ CHARGES ]

810.02.4a

BURGLARY

OF STRUCTURE/ UNARMED W/O PERSON INSIDE

<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	Third	Principal	2200		2299	

[ STATEMENT OF PROBABLE CAUSE / NARRATIVE ]

On 10/25/2013, the defendant Daniel Kelly was issued a formal trespass warning, OCSO13TWN001326, by Deputy Frank Taylor and Alexan Henderson Maintenance Supervisor, Chris Flowers, for the property of Alexan Henderson Apartments in Destin, FL.

On 01/02/2014, an employee of Alexan Henderson, Jackie Russell, discovered what appeared to be an attempt to steal a flat-screen television from the Complex's Fitness Center which is inside of 4141 W. Commons Drive, Destin, Florida. The flat-screen television was turned sideways and one coaxial cable was disconnected; however, the television

COPY

**COPY**

WARRANT/OTTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR000649

was not permanently damaged and was still in possession. The security camera inside of this area was also found covered by a black jacket.

Jackie Russell and Chris Flowers reviewed security surveillance video of the fitness center and observed a white male that they recognized as the defendant Daniel Kelly enter the fitness center wearing all black: black pants, a black jacket, a black baseball cap and carrying a black broom stick. The defendant then turned off the lights in an obvious attempt to conceal his actions from the camera and any passerby's. The defendant looked directly into the security camera and then covered it with his black jacket. The time frame from the video was 01/02/2014 around 01:51 AM to 01/02/2014 around 01:53 AM. Russell and Flowers recognized the defendant due to previous incidents in the past. Russell provided a sworn written statement and Flowers provided a verbal statement. The black jacket, the black broomstick, and a pair of scissors were left on scene.

The property Assistant Manager, Krystle Stephens, provided a sworn affidavit of complaint and a verbal statement. Stephens indicated that they wished to press charges and that the defendant is not a tenant and never has been a tenant. Stephens explained that the defendant is the ex-boyfriend of a resident, Christie Owens, and they have had previous issues with the defendant on the property.

Christie Owens provided a verbal statement that although she dated the defendant in the past, the defendant has never lived with her. Owens stated she did not invite the defendant to Alexan Henderson apartments on 01/02/2014. Owens advised that the last time she invited Kelly to the apartment was between 12/27/13 and 12/30/13 to return some of her personal belongings and a key only. Furthermore, Owens stated that the defendant came to Alexan Henderson uninvited and knocked on her front door between 12/31/13 and 01/01/14. Owens also told Deputy M. Kuntz that the defendant had knowledge of her common access code to the apartment building and common access areas. The fitness center of the apartment complex requires such a common access code.

On 01-02-14, I spoke to the defendant via a telephone number, 850-496-5140, that was listed as the defendant's most recent number within the Okaloosa County Sheriff's Office Master Name Index. Additionally, the defendant confirmed his identity by providing his name and date of birth. The defendant refused to meet me because he advised he was at work. The defendant admitted knowledge of the trespass warning and advised that the warning was from "a long time ago." When asked about the last time that the defendant was at Alexan Henderson apartments, the defendant stated "sometime after Christmas" but only to return a key to "his girlfriend." The defendant refused to identify Owens by her name, not knowing that I had already spoken to her about this incident.

Various additional attempts to meet with the defendant in person and through telephone after my initial phone conversation with him were unsuccessful.

Based upon the facts and evidence which includes security video, statements from Stephens, Flowers, Russell and Owens and the telephone conversation with the defendant where he acknowledges the trespass warning, I have reason to believe and do believe that the defendant knowingly, intentionally and willfully entered the locked and enclosed area of the complex's fitness center which is inside of a building which houses several separate dwellings. The fitness center is not open to the general public. The defendant entered such area where he was not a guest nor a resident as evidenced by his formal trespass warning. Upon entering such area, the defendant's actions in turning the lights off, carrying a black stick while committing the offense, and covering the security surveillance video with his jacket demonstrated his intent to commit a crime within. This is further evidenced by the tampering of the flat-screen television. Furthermore, the defendant's neglect to mention returning to Alexan Henderson twice after he indicated he returned a key to Owens demonstrates his deception and intent to commit the offense.

This is in violation of F.S.S. 810.02.4a Burglary to a structure. These offenses did occur within Okaloosa County, Florida where I am a sworn Law Enforcement Officer with the Office of the Sheriff.

Signature (Arresting Officer)

DANIEL, CURTIS L JR  
Name

221  
ID/SSN

OCSO14ARR000649

Printed On: 2/6/2014 9:26:35 AM

**COPY**

Page 2 of 4

[GOLETAC 1/20/2014 07:09]

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

COPY

WARRANT/OTTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR000649

Subscribed and sworn to (or affirmed) before me this 6 day of February A.D., 2014 by \_\_\_\_\_

who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature \_\_\_\_\_ Notary Public \_\_\_\_\_ LEO \_\_\_\_\_ CO

Commission No: \_\_\_\_\_ My Commission Expires \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_ Supervisor Name ( Please Print ) \_\_\_\_\_ Rank \_\_\_\_\_

[ PHYSICAL EVIDENCE ] [NO PHYSICAL EVIDENCE LISTED]

[ ARREST INFORMATION ]

Arrested	Residency	Injured	Extent of Injury	Resist
2/6/2014	08:39	Within jurisdiction	None	N/A
		Arrested Prior	Arrest Jurisdiction	Alcohol
		Yes	Within jurisdiction	No
No.	Di	Street	A/L	City
114		CHICAGO AVE		FORT WALTON BEAC FL
Arresting Officer				ST
221	DANIEL, CURTIS L JR			Zip
Reporting Officer				32548
271	GOLETA, CHADWICK			(GEO) 2 - 19 - -
Forward to for approval				Officer Type
OCSO/FSV/EAST/BD/B-SHIFT/DES				Original Offense Jurisdiction
				OCSO

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

- None
- ROR
- Cash
- Pro

Bond Set by Judge	<input type="checkbox"/> None	<input type="checkbox"/> ROR/Sign
\$2,500.00	<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> PTR
	<input type="checkbox"/> Any	
	<input checked="" type="checkbox"/> Pro	
	<input type="checkbox"/> PtrIQ	

Purge UNSERVED  
 SC \_\_\_\_\_

Return Court: CIRCUIT COURT: FELONY Date: 3/18/2014 Time: 3:30  
Instructions: 1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL

COPY

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

COPY

OKALOOSA CO SHERIFF'S OFFICE

WARRANT/OTTC SERVED

REPORT NO: OCSO14ARR000649

[ COURT INFORMATION ]

Court	Judge	Date
Sent		
Rcvd <b>CIRCUIT</b>	<b>GRINSTED</b>	<b>1/24/2014</b>
Court Case Number <b>14-56</b>		

Assigned To:

[ 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>	

[ ADDITIONAL PERSONS ]

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

WARRANT/OTTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR001143

Jail Booking No	Offense No OCSO14OFF001175	Other No OCSO14CAD020413	OBTS 4601096053
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[ SUSPECT ]

<u>Last</u>	<u>First</u>	<u>Middle</u>	<u>Title</u>	<u>Race</u>	<u>Sex</u>	<u>DOB</u>	<u>Age</u>	<u>Hgt</u>	<u>Wgt</u>
KELLY	DANIEL	CHARLES		W	M	10/5/1977	36	601	165
<u>Eyes</u>	<u>Hair</u>	<u>MNI Number</u>	<u>SSN</u>	<u>ID. No.</u>	<u>St</u>	<u>Type</u>	<u>OCA/Agency ID</u>		
BLU	BRO	OCSO00MNI011620	XXXXXXXXXX		FL	E	199033		

Birth Location: City: SUFFOLK County: State: VIRGINIA Nation: UNITED STATES Citizenship: UNITED STATES  
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Suite: DESTIN

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Business: ATLANTA BRAVES, Job Title: SPORTS, Entered: 6/25/2002

Suite:

Aliases (Last, First Middle Title DOB)

KELLY, CHARLES D 10/5/1977

KELLY, DAVID

Street Names

\* none found in MNI \*

[ INCIDENT INFORMATION ]

Occurred Date Range:	2/3/2014	17:45 to 2/4/2014	07:45	Lat / Long				
No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)	
15300		EMERALD COAST PW	602	DESTIN	FL	32541	3 - 27 - PG53 - U-42	

[ CHARGES ]

812.014.2c6

VEHICLE THEFT

GRAND THEFT OF MOTOR VEHICLE

<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	Third	Principal	2400		2404	

[ STATEMENT OF PROBABLE CAUSE / NARRATIVE ]

On 02-04-14, Okaloosa County Deputy Holly Suhi responded to Apartment 602 of the Silver Shells Condominiums, located at 15300 Emerald Coast Parkway, Destin, Florida, in reference to a stolen vehicle complaint. Per verbal and sworn affidavit of complaint from victim Arnold Clare, the vehicle, a black in color 2008 Audi A6, VIN WAUDH74F18N181980, bearing Minnesota registration plate of 945AMR, was stolen from the parking garage of the St. Croix building, where his apartment is located. Victim Clare stated the vehicle was stolen sometime after he parked it on 02/03/14 at approximately 1745 hours and when he went to use it on 2/04/14 at 0745 hours. Victim Clare estimated the value of the vehicle to be \$20,000.

COPY

**COPY**

WARRANT/OTTIC SERVED  
REPORT NO: OCSO14ARR001143

OKALOOSA CO SHERIFF'S OFFICE

On 02/05/14, Trooper Eric Diaz received a call for a reckless vehicle, which he located in the parking lot of the Fresh Food Market, located at 4495 W. Commons Drive, Destin, Florida. The vehicle was a 2008 Audi A6, black in color, bearing Minnesota registration plate 945AMR. Trooper Diaz made contact with the driver, who identified himself as Daniel Charles Kelly, date of birth 10-05-77. While verifying defendant Kelly's personal and vehicle information, defendant Kelley fled the scene, striking a parked vehicle in the parking lot. Trooper Diaz attempted to stop the vehicle but lost contact. Trooper Diaz was able to verify defendant Kelly's identification through the use of Florida's Driver and Vehicle Identification Database (DAVID). Okaloosa County Sheriff's Office Communication confirmed the vehicle was stolen through FCIC/NCIC.

Based upon the fact that defendant Kelly was driving the vehicle which was reported stolen, coupled with the fact that he fled the scene with the vehicle indicating a clear consciousness of guilt, I have reason to believe and do believe the defendant took the vehicle without the permission of the owner, thereby violating F.S.S. 812.04(2)(c)(6). This offense did occur in Okaloosa County, Florida, where your affiant is a sworn law enforcement officer.

Signature (Arresting Officer) \_\_\_\_\_ DANIEL, CURTIS L JR \_\_\_\_\_ 221  
Name ID/SSN

Subscribed and sworn to (or affirmed) before me this 6 day of February A.D., 2014 by \_\_\_\_\_  
who is personally known to me or has produced \_\_\_\_\_ as identification.

Signature \_\_\_\_\_ Notary Public \_\_\_\_\_ LEO \_\_\_\_\_ CO

Commission No: \_\_\_\_\_ My Commission Expires \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_ Supervisor Name ( Please Print ) \_\_\_\_\_ Rank \_\_\_\_\_

[ PHYSICAL EVIDENCE ] [NO PHYSICAL EVIDENCE LISTED]

[ ARREST INFORMATION ]

Arrested	Residency	Injured	Extent of Injury	Resist
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		Arrested Prior	Arrest Jurisdiction	Alcohol
		Yes	Within jurisdiction	No
No.	Di	Street	A/L	City
114		CHICAGO AVE		FORT WALTON BEAC FL
Arresting Officer				ST
221	DANIEL, CURTIS L JR			Zip
Reporting Officer				32548
086	UPTMOR, PATRICK J			Lat / Long
				Officer Type
				Original Offense Jurisdiction
				OCSO

Forward to for approval  
OCSO/FSV/INV/CID

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

- ( ) None
- ( ) ROR
- ( ) Cash
- ( ) Pro

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

COPY

WARRANT/OTTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR001143

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Bond Set by Judge \_\_\_\_\_ (X) None ( ) ROR/Sign  
 \_\_\_\_\_ ( ) Cash ( ) PTR  
 \_\_\_\_\_ ( ) Any  
 \_\_\_\_\_ ( ) Pro  
 \_\_\_\_\_ ( ) PtIQ

( )Purge UNSERVED  
 ( )SC \_\_\_\_\_

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Return Court: CIRCUIT COURT: FELONY Date: 3/18/2014 Time: 3:30  
 Instructions: 1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL

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[ COURT INFORMATION ]

Court	Judge	Date
Sent		
Rcvd <b>CIRCUIT</b>	<b>STONE</b>	<b>2/5/2014</b>
Court Case Number <b>141175</b>		

Assigned To:

[ 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>
		<u>No</u>
<u>Released To</u>		
<u>Court DispositionType</u>	<u>Court Disposition Description</u>	

[ ADDITIONAL PERSONS ]

COURT DISPOSITION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(right index)

No Bill / Petition     Issue Warrant     Prosecution Approved

Signature of Assistant State Attorney

Date