

# Sheriff



**Larry Ashley, Okaloosa County Sheriff**

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Sept. 22, 2014

## **CRESTVIEW MAN CHARGED WITH AGGRAVATED ASSAULT IN ROAD RAGE INCIDENT**



A Crestview man accused of shooting his firearm during a road rage incident on the Mid-Bay Bridge Connector Road is charged with two counts of aggravated assault with a deadly weapon. 77-year old Ted Simmons of 429 Mara Drive was arrested today by the Okaloosa County Sheriff's Office. Deputies responded to a report of an armed disturbance on the road around 9:15 Monday morning. A Fed Ex driver, 32-year old Tim Pierson of Crestview, says he saw Simmons stop and flail his

arms out the window of his Mercedes. Pierson says he stopped to see if Simmons was okay. He says Simmons got out of his car with a gun and began yelling threats as he walked towards the delivery truck. Pierson says Simmons then began hitting him and fired the gun near his head as he got out of the truck with his hands up. A trainee riding with the Fed Ex driver was able to come up behind Simmons and grab him. Both he and Pierson then wrestled Simmons to the ground and took away the gun. Simmons complained of a shoulder injury and was taken to Twin Cities Hospital in Niceville for treatment prior to his arrest.

Investigators say Simmons told them the Fed Ex truck was tailgating him on State Road 85 southbound prior to getting on the merge ramp onto the Connector Road. He claims he grabbed Pierson's leg to try to pull him out of the truck and Pierson and the trainee jumped him. Simmons says he pulled his gun and fired it over Pierson's head because he was outnumbered and in fear.

Investigators made contact with two independent witnesses, who both corroborated Pierson's statement.

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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

OKALOOSA CO SHERIFF'S OFFICE

ARREST REPORT  
REPORT NO: OCSO14ARR009945

Jail Booking No	Offense No OCSO14OFF011518	Other No OCSO14CAD172211	OBTS 4601099547
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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>
SIMMONS	TED	ROBERT		W	M	7/27/1937	77	5'11"	214
<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>		
GRN	BLN	OCSO10MNI017458			FL	E	203418		

Birth Location: City: GAP County: LANGESTER State: PENNSYLVANIA Nation: UNITED STATES Citizenship: UNITED STATES

Address

429 MARA DR CRESTVIEW FL 32536

Occupations (Current/Last Known is Listed First)

Business: UNEMPLOYED, Job Title: DISABLED, Entered: 9/22/2014

Aliases (Last, First Middle Title DOB)

\* none found in MNI \*

Street Names

\* none found in MNI \*

[ INCIDENT INFORMATION ]

Occurred Date Range:	9/22/2014 09:16 to 9/22/2014 09:16	Lat / Long			
No.	Di Street	Apt/Lot	City	ST	Zip (GEO)
	MIDBAY BRIDGE CONNEC		NICEVILLE	FL	32578 3 - 8 - -

[ CHARGES ]

784.021.1a

AGGRAV ASSLT - WEAPON

W DEADLY WEAPON WITHOUT INTENT TO KILL

<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>
2	Felony	Third	Not Applicable	130A		1315	

[ STATEMENT OF PROBABLE CAUSE / NARRATIVE ]

On September 22, 2014 the Okaloosa County Sheriff's Office responded to the Midbay Bridge Connector on ramp from State Road 85, in Niceville, Florida, for an aggravated assault with a firearm incident. The investigation determined the following series of events that stemmed from a road rage incident.

The victim #1 Timothy Pierson was operating a Fed Ex Truck on Hwy 85 when the Defendant, Ted Roberts Simmons, who was operating a Mercedes, started making hand gestures and stopped on the side of the road. Pierson also stopped his vehicle. The defendant Simmons exited his vehicle displaying a firearm, pointing it at Pierson and at victim #2 his passenger Wesley Eitel. Simmons began yelling "I'm going to blow your fucking head off" as he walked towards Pierson's vehicle. The defendant Simmons came to Pierson's side of the vehicle demanding Pierson get out of the vehicle. Defendant Simmons began striking and pulling on Pierson trying to pull him out of the vehicle. Defendant Simmons discharges the firearm near Pierson's head as he exited the vehicle with his hands up. Eitel observed the defendant pointing the firearm at the back of Pierson's head, exited the vehicle came up behind defendant Simmons and grabbed him. Pierson and Eitel began to wrestle with defendant Simmons and removed the firearm from him. Pierson and Eitel both stated they were in fear of being shot.

The defendant Simmons stated post Miranda stated Pierson was tail gating him and he motioned for Pierson to back off. Defendant Simmons stated he pulled his vehicle over and walked over to Pierson and told him to get out of the vehicle. Defendant Simmons stated Pierson stated "fuck you" and refused to exit the vehicle. Defendant Simmons stated he grabbed Pierson's leg trying to pull him out and that is when they jumped him. Defendant Simmons stated he pulled his firearm and discharged it over Pierson's head because he was out numbered, and in fear.

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**COPY**

**ARREST REPORT**

**OKALOOSA CO SHERIFF'S OFFICE**

REPORT NO: **OCSO14ARR009945**

Investigation revealed two independent witnesses who corroborated Pierson's statement.

Based on the sworn statements by the victims, witnesses and the defendant, I do believe the defendant Simmons did intentionally and unlawfully threaten by word or act to do violence to the person(s) of Pierson and Eitel, coupled with an apparent ability to do so, and did point a firearm at Pierson and Eitel, which created a well-founded fear that such violence was imminent when the defendant Simmons fired his weapon near Pierson's head, committed (2) two counts of Aggravated Assault with a Firearm, in violation of Florida Statute 784.021(1) (a). This offense occurred in Okaloosa County, Florida, where I am a sworn law enforcement officer.

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) \_\_\_\_\_ **STEVENSON, DEBRA L** Name **086** ID/SSN

Subscribed and sworn to (or affirmed) before me this 22 day of September 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 \_\_\_\_\_

[ PHYSICAL EVIDENCE ] [NO PHYSICAL EVIDENCE LISTED]

[ ARREST INFORMATION ]

Arrested	Residency	Injured	Extent of Injury		Resist		
9/22/2014 09:16	Within jurisdiction	None					
		Arrested Prior	Arrest Jurisdiction	Alcohol	Drugs		
		No	Within jurisdiction	No	No		
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
		<b>MIDBAY BRIDGE CONNEC</b>		<b>NICEVILLE</b>	<b>FL</b>	<b>32578</b>	
Arresting Officer			Unit	(GEO)	3 - 8 - -		Officer Type
<b>086</b>	<b>STEVENSON, DEBRA L</b>		<b>OCSO/FSV/INV</b>				
Reporting Officer			Unit				Original Offense Jurisdiction
<b>192</b>	<b>BOLLING, CHRISTOPHER J</b>		<b>OCSO/FSV/EAST/AC/C-SHIFT</b>				<b>OCSO</b>
Forward to for approval							
<b>OCSO/FSV/EAST/AC/C-SHIFT</b>							

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

- None
- ROR
- Cash
- Pro

Bond Set by Judge  None  ROR/Sign

Cash  PTR

Any

**COPY**

COPY

ARREST REPORT

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO14ARR009945

( ) Pro

( ) PtiQ

( )Purge

( )SC

Return Court: CIRCUIT COURT: FELONY Date: 11/4/2014 Time: 15:30

Instructions:

[ 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

Released To

<u>Court DispositionType</u>	<u>Court Disposition Description</u>

[ ADDITIONAL PERSONS ]

COURT DISPOSITION:

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(right index)

No Bill / Petition     Issue Warrant     Prosecution Approved

Signature of Assistant State Attorney    Date

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