

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: OCSO15ARR009612

Jail Booking No	Offense No OCSO15OFF012290	Other No OCSO15CAD175388	OBTS 4601104829
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[ SUSPECT ] \* JUVENILE ON DATE OF ARREST \* \* JUVENILE ON DATE OF OCCURRENCE \*

<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>
SWAIN	ANTONIO	RASHOD		B	M	11/1/1999	15	5'07"	190
<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>		
BRO	BLK	OCSO04MNI019367	- -				209843		

Birth Location: City: MARIANA County: State: FL Nation: UNITED STATES Citizenship: UNITED STATES

Address

312 ELAINE AVE Apt/Lot: D FORT WALTON BEACH FL 32547

Occupations (Current/Last Known is Listed First)

Business: OKALOOSA ACADEMY, Job Title: STUDENT, Entered: 9/27/2014

Aliases (Last, First Middle Title DOB)

\* none found in MNI \*

Street Names

\* none found in MNI \*

[ INCIDENT INFORMATION ]

Occurred Date Range: 9/29/2015 09:30 to 9/29/2015 09:47 Lat / Long 30.42618 / -86.65139

No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
312	NW	ELAINE AV	D	FORT WALTON BEAC	FL	32547	2 - 17 - PG49 - I-40

[ CHARGES ]

782.04.1a1

Domestic Violence Related

HOMICIDE

MURDER FIRST DEGREE PREMEDITATED

<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	Capital	Attempt	130A		912	

784.021.1a

Domestic Violence Related

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>
1	Felony	Third	Principal	130A		1315	

[ STATEMENT OF PROBABLE CAUSE / NARRATIVE ]

On September 29, 2015, Deputy Dowdy responded to 312-D Elaine Avenue, Fort Walton Beach, in reference to a Domestic Violence 911 call where the victim, Anthony Jerome "A.J." Nix, stated he had been shot by his brother and ran into the woods to get away. Upon arrival, Deputy Dowdy made contact outside with Tina Denise Swain, the mother of the victim and suspect. Sergeant Merchant arrived on scene as the suspect, Antonio Rashod Swain, was coming out of the residence. Sergeant Merchant detained the suspect who admitted he had shot his brother. He said he threw the weapon in the wooded area behind his house. However, a .40 caliber semi-automatic handgun with a round in the chamber was later located in the top of the suspect's closet.

Upon my arrival, I made contact with Tina Swain who provided a sworn verbal statement that her sons were arguing and physically fighting while she was trying to get ready for work. She said they knocked over the television as they fought and made threats to each other. Tina said A.J. accused Antonio of acting strange and the disagreement escalated. Tina said A.J. told Antonio, "You gonna walk up on me nigga?...I'm gonna kill you." Antonio said, "You gonna kill me?...I'm gonna kill you" and then he ran into his bedroom and got a handgun. Tina said A.J. was standing up, packing a bag when she saw Antonio point the gun at A.J. and shoot him in the midsection. She heard a "pow" and described smelling gunpowder. Tina said A.J. fell to the ground and pleaded, "Bro, bro, please, I'm sorry, I'm sorry" while Antonio stood over him pointing the gun at him saying, "I'm going to shoot you again." Tina said A.J. begged, "Please don't shoot me,

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I'm your brother." Tina said she stood in between A.J. and Antonio; Antonio was pointing the gun at Tina. Tina told Antonio that he would have to shoot her if he wanted to shoot A.J. again. Tina said Antonio lowered the weapon to his side and she and A.J. ran out of the house. Antonio came out of the house and continued to fire the handgun. Tina advised she was afraid and scared and ran out of the house.

Further investigation revealed, prior to the shooting, during the altercation, Antonio walked from the living room into the kitchen and armed himself with a large kitchen knife. Tina informed investigators that she took the knife from Antonio's hand and placed it in the sink. Antonio then went and armed himself with the firearm.

Investigator Kelly made contact with the victim at Baptist Hospital; he was treated and later released for a gun shot wound to the abdomen. The victim repeatedly said, "I can't believe my brother shot me." A.J. said his brother shot him just inside the front door. He said he was "in fear for my life" and ran out into the woods to get away. He heard additional gun shots and thought Antonio also shot his mother. A.J. said his brother had also come after him with a butcher knife just minutes before shooting him. Their mother took the knife away from Antonio, and that is when he went to his room and got the gun.

Crime scene investigation revealed three spent .40 caliber casings at the entrance located at the west-side of the residence. Inside the living room, one spent .40 caliber casing was located on the floor, near the television--where Tina described witnessing the shooting.

Based on my investigation, I have probable cause to believe and do believe that Antonio Rashod Swain did commit the crime of attempted murder against Anthony Jerome "A.J." Nix, through an intentional act of shooting him with a firearm while stating "I'm gonna kill you", in violation of F.S.S. 782.04.1a1.

I have probable cause to believe and do believe that Antonio Rashod Swain committed aggravated assault with a deadly weapon when he intentionally and knowingly pointed a loaded firearm at his brother, Anthony Jerome "A.J." Nix, and mother, Tina Denise Swain, while making verbal threats to kill, which caused a well-founded fear of imminent danger, in violation of F.S.S. 784.021.1a.

These offenses did occur in Okaloosa County 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.

_____	<b>TOWNER, GLENDA K</b>	<b>076</b>
Signature (Arresting Officer)	Name	ID/SSN

Subscribed and sworn to (or affirmed) before me this 29 day of September A.D., 2015 by \_\_\_\_\_  
who is personally known to me or has produced \_\_\_\_\_ as identification.

_____	____ Notary Public	____ LEO	____ CO
Signature			

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

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[ PHYSICAL EVIDENCE ] SPENT CASINGS, FIREARM, BODY WORN VIDEO

[ ARREST INFORMATION ]

Arrested	Residency	Injured	Extent of Injury	Resist			
9/29/2015 09:59	Within jurisdiction	None	N/A	No			
	Arrested Prior	Arrest Jurisdiction	Alcohol	Drugs			
	Yes	Within jurisdiction	Unknown	Unknown			
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
312	NW	ELAINE AV	D	FORT WALTON BEAC	FL	32547	30.42618 / -86.65139
Arresting Officer		Unit	(GEO)	2 - 17 - PG49 - I-40	Officer Type		
076 TOWNER, GLENDA K		OCSO/FSV/INV/CID					
Reporting Officer		Unit	Original Offense Jurisdiction				
076 TOWNER, GLENDA K		OCSO/FSV/INV/CID		OCSO			
Forward to for approval							
OCSO/FSV/SOUTH/BD/D-SHIFT							

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	
	( ) Pro	
	( ) PtiQ	

- ( ) Purge  
( ) SC

Return Court: CIRCUIT COURT: JUVENILE Date: 11/4/2015 Time: 08:30  
Instructions: OKALOOSA COUNTY COURTHOUSE EXTENSION

[ 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 Disposition Type</u>	<u>Court Disposition Description</u>	

[ ADDITIONAL PERSONS ]

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COURT DISPOSITION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(right index)

☐ No Bill / Petition    ☐ Issue Warrant    ☐ Prosecution Approved

\_\_\_\_\_  
Signature of Assistant State Attorney

\_\_\_\_\_  
Date