

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

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WARRANT/OTIC SERVED

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO16ARR009211

Jail Booking No	Offense No OCSO16OFF006582	Other No OCSO16CAD088903	OBTS 4601109368
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[SUSPECT]

Last First Middle Title Race Sex DOB Age Hgt Wgt
CARNLEY ASHLEY DIANE W F 2/15/1991 25 507 160

Eyes Hair MNI Number SSN ID. No. St Type OCA/Agency ID
BLU BLN OCSO05MNI018707 [REDACTED] FL DL 162265

Birth Location: City: FT WALTON BEACH County: OKALOOSA State: FLORIDA Nation: UNITED STATES

Citizenship: UNITED STATES

Address

76 BERWICK CIRCLE SHALIMAR FL 32579

Occupations (Current/Last Known is Listed First)

Business: UNEMPLOYED, Job Title: WAITRESS, Entered: 7/1/2016

Business: JIM N' NICKS, Job Title: , Entered: 5/31/2016

Business: THE BEACH HOUSE, Job Title: , Entered: 4/12/2015
SANDESTIN FL

Business: THE FRESH MARKET, Job Title: , Entered: 4/12/2015
DESTIN FL

Business: SONIC, Job Title: SERVER, Entered: 6/1/2011

Business: PAPA JOHNS, Job Title: FOOD SERVICE, Entered: 8/21/2008
Suite:

Business: CHOCTAW HS, Job Title: STUDENT, Entered: 8/23/2005
110 NW RACETRACK RD Suite: FORT WALTON BEACH FL 32548

Aliases (Last, First Middle Title DOB)

* none found in MNI *

Street Names

* none found in MNI *

[INCIDENT INFORMATION]

Occurred Date Range: 5/31/2016 01:00 to 5/31/2016 01:42 Lat / Long 30.44772 / -86.60098

No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
806		MASSACHUSETTS AV		FORT WALTON BEAC	FL	32547	2 - 17 - PG41 - L-39

[CHARGES]

827.03.2a

CRUELTY TOWARD CHILD

AGGRAVATE CHILD ABUSE

<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	Principal	130A		3802	\$100,000.00

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

On May 31, 2016, at approximately 0140 hours, the victim, 5 month old [REDACTED] was brought to the Fort Walton Beach Medical Center Emergency Room by [REDACTED] Ashley Carnley. Medical staff advised the victim came into the emergency room unresponsive, unable to breath on his own, gray in color, and lethargic. At 0142 hours, the victim's initial vital signs were taken by the medical staff. The victim was reported to be breathing 10 breaths per minute, had facial bruising, and began having seizures. Further testing showed the victim had sustained acute severe head trauma causing bi-lateral retinal hemorrhaging and bilateral subdural hemorrhages. Treating Physician Jaimin B. Patel stated the victim had signs of "shaken baby." Due to the severity of the victim's head injuries, his initial prognosis for survival was poor.

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Emergency Medical Services immediately took the victim via ground transport (due to weather) to the Pediatric Intensive Care Unit at Sacred Heart Hospital, Pensacola, Florida. An ophthalmology report by Doctor Mickler from Sacred Heart Hospital showed findings of bilateral subdural hematomas and severe vitreous hemorrhage and retinal hemorrhages. An infant trauma survey showed the victim had a fractured right wrist. The victim's head injuries caused bleeding on his brain which ultimately led to brain and neurological damage, rendering the victim blind, deaf, and likely with spastic quadriplegia. These injuries are consistent with physical child abuse which is medically known as "Shaken Baby/Abusive Head Trauma." The victim has been taken into custody by the Department of Children and Families and placed in medical foster care.

During the course of this investigation multiple recorded interviews, sworn statements and medical documentation evidence of the victim's injuries and photograph's of the victim were collected. Multiple subpoenas and search warrants were utilized in obtaining the following evidence:

On May 31, 2016, while at the hospital [REDACTED] Ashley Carnley provided sworn written and verbal non-custodial recorded statements. In summary, Carnley stated [REDACTED] was placed in the custody of [REDACTED] by the Department of Children and Families because of a previous abuse report. Carnley stated on May 30, 2016, [REDACTED] brought [REDACTED] over to her at 1000 hours. Carnley stated she lived with her boyfriend Scott Gurney and his parents at 806 Massachusetts Avenue, FWB. Carnley stated she, Scott and his parents were at the house all day. This was later proven to be incorrect. Carnley stated she thought [REDACTED] was tired, so unless he was up eating or getting a diaper change, she let him sleep in his crib from 1000 hours, until she brought him to the hospital around 0200 hours. Carnley stated she got him up, feed him, changed his diaper and when she laid him back in the crib, he began crying. Carnley stated she picked him back up, took him over to her bed, and after 5 minutes of cuddling with him, [REDACTED] went limp. Carnley stated [REDACTED] breathing was shallow, he was unresponsive and upon checking his eyes, they were not responsive to light. Carnley stated she did not know why [REDACTED] suddenly went limp and unresponsive maybe he bumped his head and [REDACTED] forgot to tell her.

Scott Gurney provided sworn written and verbal non-custodial recorded statements. In summary, Scott stated he was asleep when [REDACTED] brought [REDACTED] over to his house at 1000 hours. Scott stated he left the residence several times throughout the day. Scott stated when he was home he was playing his video games. Scott stated right around 0030 hours to 0100 hours, he and Carnley both went outside to smoke a cigarette. Scott stated when they came back in he put his earphones back on and sat down to finish playing his video game and Carnley got [REDACTED] out of the crib to feed and change him. Scott stated Carnley then put [REDACTED] back in the crib but he started to cry so Carnley took [REDACTED] over to the bed. Scott stated while playing his video games, all of a sudden he heard Carnley yelling at him like "Hey! Hey!" Scott stated he looked over and "[REDACTED] was limp like a noodle, there is no other way to describe it to you." Scott stated he stopped playing his video game and thought because [REDACTED] had been fussy all day, maybe he had cried himself out. Scott stated he checked [REDACTED] eyes, "because he was so unresponsive!" "There is no other word for it." Scott stated he pulled [REDACTED] eyes open and shined a light in his pupils discovering they were very small. (Scott demonstrated by holding his thumb and index finger very close together). Scott stated he waved the light side to side, and [REDACTED] eyes were not following the light. Scott stated they immediately left for the hospital. Scott stated Carnley couldn't get [REDACTED] in the car seat because he was "so Jell-O," so she held him in her arms. Scott stated he doesn't know what happened to [REDACTED] as he wasn't paying close attention because he was playing his video game.

I conducted an interview with the victim's primary caregiver [REDACTED] stated on May 30, 2016, she was going to spend the day with her boys at the beach, so she contacted Ashley and advised she would be bringing [REDACTED] over at 1000 hours. [REDACTED] stated [REDACTED] was acting normal. [REDACTED] stated she feed [REDACTED] oz of cereal, prior to taking him to Ashley Carnley's residence. [REDACTED] stated while enroute to Carnley's house, [REDACTED] was being silly, babbling and playing with his feet. [REDACTED] stated [REDACTED] was not sick and he had no bruises when she turned him over to Ashley Carnley at 1000 hours. [REDACTED] stated she didn't hear from Ashley Carnley all day, so she thought everything was fine.

I executed a search warrant for Ashley Carnley's Cellular devices and the data obtained provided a time line of Ashley Carnley's activities which were not consistent with her previous sworn statement. Additional evidence was discovered consisting of a photo taken of the victim at 1810 hours, on May 30, 2016. The data also provided a GPS location of where this photo of the victim was taken, which was at Ashley Carnley's residence. The picture shows the victim lying on his back with no shirt, he has no facial bruises, nor does he appear to be in any distress. On May 31, 2016, Ashley Carnley posted this same picture of the victim on her Face Book page and noted "she took the picture of the victim at 1800 hours, and he was perfect." The recovered text messages further shows Ashley Carnley left the residence at 2218 hours, to go get

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books and returned home around 2340 hours.

On July 26, 2016, I conducted a recorded interview with Ashley Carnley at the Okaloosa County Jail. Post Miranda Ashley Carnley stated she lied to Scott as to why she had left the residence. Carnley stated she left to go shoot up Heroin. Carnley stated she began shooting Heroin the previous week (May 23, 2016) after Scott had ended their relationship. Carnley admitted she was a Heroin addict and she had used Heroin earlier that same morning (May 30, 2016). Carnley stated she fed the victim an hour prior to putting him to bed, then around 0100 hours, the victim woke up crying so she changed him, fed him, put him back in the crib and she turned on his mobile. Carnley stated she picked the victim back up because he started crying again. Carnley stated she then sat on the bed trying to calm the victim down and all of a sudden he went limp. Carnley stated Scott was in the bedroom with her but he was wearing his headphones playing his video games. Prior to being confronted with the evidence, Carnley initially tried to claim the victims current medical issues were a result from his previous medical condition (Meningitis). After being confronted with the evidence, Carnley began attempting to blame Scott as she was trying to recall some "maybe scenarios." Carnley stated "I am trying to think, did I hand him to Scott, did I walk away and smoke a cigarette, or lay him on the bed and sit him next to Scott and say hey, watch after him and go smoke a cigarette, came back and picked him up." Carnley then stated, "I don't know, I was high but not that high where I couldn't take care of my son." I showed Carnley a copy of the picture she had taken of the victim on May 30, 2016, at 1810 hours. Carnley confirmed she did take the photo. Carnley stated the victim looked exactly like that photo when she took him to the ER and he had no bruises. Carnley stated the bruises likely came from medical procedures by the medical staff. Carnley stated the victim had been very, very sick and denied hurting him.

I made contact with Dr. Sekon, Medical Director for the Child Protection Team from the Gulf Coast Kids House, Pensacola. Dr. Sekon had reviewed the victim's medical records, and consulted with his treating physicians at Sacred Heart Hospital. Dr. Sekon stated absent the victim being in a car crash, the medical findings are indicative of "Abusive Head Trauma" stemming from being shaken. Dr. Sekon provided the following facts based on her training and experience. Dr. Sekon stated that the onset of "Abusive Head Trauma" would be immediate, and some symptoms of more violent shaking are seizures, decreased level of consciousness, limp arms & legs, eyes rolling and gasping sounds, all of which are consistent with traumatic brain injury. There would have been an immediate change in the victim's normal behavior within minutes after the "Abusive Head Trauma" was inflicted.

The evidence gathered in this investigation has revealed that Ashley Carnley was under the influence of Heroin and had little to no sleep days leading up to the night the victim was injured. Carnley admitted the victim was in her care immediately before the onset of symptoms when she fed him (normal behavior) and put him in the crib. Carnley admitted the victim starting crying again so she took him out of his crib and while she was attempting to calm the victim down for five minutes, he "suddenly" became unresponsive, his arms and legs went limp, as well as, his eyes were not reactive to light. The victim displayed an immediate response to symptoms of "Abusive Head Trauma" while in the sole care and custody of Ashley Carnley who admitted she was high from shooting Heroin at the time this incident occurred.

Therefore, based on the above facts and medical evidence, I do believe the Defendant Ashley Carnley knowingly and maliciously abused 5 month old [REDACTED] by violently shaking him, which directly caused acute severe head trauma, bi-lateral Retinal Hemorrhaging, and bilateral Subdural Hemorrhages, Facial Bruises and a right (bucket) Fracture Wrist, these injuries are consistent with physical child abuse. These type of specific injuries are the cardinal manifestation of the medical term "Shaken Baby Syndrome/Abusive Head Trauma" and was immediately recognized as such after medical tests were performed by the victim's treating physicians. These findings were documented in the victim's medical records. The repeated acceleration-deceleration forces resulted in severe traumatic brain injury to the victim causing him to suffer great bodily harm and permanent disability. Defendant Ashley Carnley actions are the cause and effect which rendered the victim blind, deaf and likely spastic quadriplegia. Defendant Ashley Carnley did committed Aggravated Child Abuse in violation of F.S.S. 827.03 (2a).

This offense occurred within Okaloosa County, Florida where I am a sworn law enforcement officer.

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Signature (Arresting Officer) Name ID/SSN

Subscribed and sworn to (or affirmed) before me this 7 day of September A.D., 2016 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 9/1/2016 16:18 Residency Within jurisdiction Injured None Extent of Injury N/A Resist No
Arrested Prior Yes Arrest Jurisdiction Within jurisdiction Alcohol No Drugs Unknown
No. 76 Di Street BERWICK A/L City SHALIMAR ST FL Zip 32579 Lat / Long
Arresting Officer 302 STINSON, ERIC S Unit (GEO) - - - Officer Type
Reporting Officer 076 STEVENSON, DEBRA L Unit OCSO/FSV/INV/CID 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

Bond Set by Judge \$100,000.00 () None () ROR/Sign
(X) Cash () PTR
() Any
(X) Pro
() PrtIQ
()Purge SCANNED
()SC

Return Court: CIRCUIT COURT: FELONY Date: 10/5/2016 Time: 14:30
Instructions: 1940 LEWIS TURNER BLVD FORT WALTON BEACH FL

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[COURT INFORMATION]

Court	Judge	Date
Sent CIRCUIT		
Rcvd CIRCUIT	FLOWERS	9/1/2016
Court Case Number 16-6582		

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

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