

COPY

ARREST REPORT

REPORT NO: OCSO18ARR012313

Jail Booking No	Offense No OCSO18OFF016823	Other No OCSO18CAD213870	OBTS
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[SUSPECT]

<u>Last</u> BANKS	<u>First</u> TORY	<u>Middle</u> DESEAN	<u>Title</u>	<u>Race</u> B	<u>Sex</u> M	<u>DOB</u> 10/4/1995	<u>Age</u> 23	<u>Hgt</u> 6'01"	<u>Wgt</u> 160
<u>Eyes</u> BRO	<u>Hair</u> BLK	<u>MINI Number</u> OCSO14MNI000243	<u>SSN</u> [REDACTED]	<u>LD No</u> [REDACTED]	<u>St</u> FL	<u>Type</u> ID	<u>OCA/Agency ID</u> 230429		

Birth Location: City: FORT WALTON BEA County: OKALOOSA State: FLORIDA Nation: UNITED STATES

Citizenship: UNITED STATES

Address: [REDACTED] FORT WALTON BEACH FL 32548

Occupations (Current/Last Known is Listed First)

Business: SOUTHERN DREAM INC, Job Title: DETAIL, Entered: 11/23/2018
MARY ESTHER CUTOFF Suite: MARY ESTHER FL 32569

Business: SEASCAPE RESORT, Job Title: CLEANING, Entered: 2/18/2017
Suite: SANDESTIN FL

Business: HARBOR DOCKS RESTAURANT, Job Title: COOK, Phone: (850)837-2506 Entered: 11/10/2016
538 E HWY 98 Suite: DESTIN FL 32541

Business: MISSISSIPPI GULF COAST, Job Title: STUDENT, Entered: 8/23/2016
11975 SEAWAY RD STE Suite: 151 GULFPOR MS 39503

Business: FORT WALTON BEACH HIGH SCHOOL, Job Title: STUDENT, Phone: (850)833-3300 Entered: 1/10/2014
400 SW HOLLYWOOD BD FORT WALTON BEACH FL 32548

Aliases (Last, First Middle Title DOB)

* none found in MINI *

Street Names

BANKS

[INCIDENT INFORMATION]

Occurred Date Range: 11/23/2018 12:09 to 11/23/2018 12:12 Lat / Long 30.42022 / -86.65325

No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
490		MARY ESTHER BD		MARY ESTHER	FL	32569	2- 21 - -

[CHARGES]

790.01.2

CARRYING CONCEALED WEAPON
FIREARM

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Felony	Third	Principal	5200		5202	

790.07.2

WEAPON OFFENSE
USE DISPLAY ETC FIREARM DURING FELONY

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Felony	Second	Principal			5299	

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

On November 23, 2018, at approximately 1212 hours, the Defendant, Tory Banks, violated F.S.S. 790.01(2) Carrying concealed weapon (firearm) and F.S.S. 790.07(2) Use/Display of a firearm during the commission of committing or attempting to commit a felony by approaching a male, removing a firearm from his person and discharging the firearm. This incident occurred outside of the Professional Car Wash, in the vacuuming area near the vending machines.

Witness, Devyn Garret, stated in a sworn written statement, he observed the defendant get into an argument with the unknown male, remove a small firearm from his person, and shoot in the direction of the unknown male. The

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defendant and the unknown male struggled for a short time before the defendant dropped the firearm. The defendant retrieved the firearm and departed on foot across Mary Esther Boulevard while the unknown male ran on foot towards the El Paso Mexican Restaurant. Garret was able to positively identify the defendant due to the defendant being a co-worker of his.

While on scene, I reviewed the footage from the security cameras where this incident occurred. The video shows the defendant and the unknown male talking near the vending machines and outside vacuuming area. It appears the defendant and unknown male begin to argue at which time another unknown male possibly attempts to separate the two males. During the altercation, the defendant removes a firearm from his person and shoots in the direction of the unknown male. The unknown male and defendant then begin to physically fight and the defendant drops the firearm. After the altercation, the defendant retrieves the firearm and runs away from the business.

The defendant, Tory Banks, was not willing to speak to me without a lawyer therefore, an interview was not conducted.

This incident occurred while the business was open to the public and had customers as well as employees in close proximity.

Based on the above stated fact and physical evidence on scene, I have reason to believe and do believe the defendant, Tory Banks, violated Florida State Statute 790.01(2) Carrying a concealed weapon (firearm) and Florida State Statute 790.07(2) Use/Display of a firearm during the commission of committing or attempting to commit a felony. This offense occurred where I am 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.

_____	WILHELM, TONY J	248
Signature (Arresting Officer)	Name	ID/SSN

Subscribed and sworn to (or affirmed) before me this 23 day of November A.D., 2018 by _____ who is personally known to me or has produced _____ as identification.

_____	_____ Notary Public	_____ LEO	_____ CO
Signature			

Commission No: _____ My Commission Expires _____

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

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[PHYSICAL EVIDENCE] [NO PHYSICAL EVIDENCE LISTED]

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist			
11/23/2018 12:12	Within jurisdiction						
	Arrested Prior	Arrest Jurisdiction	Alcohol	Drugs			
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
490		MARY ESTHER BD		MARY ESTHER	FL	32569	30.42022 / -86.65325
Arresting Officer	Unit		(GEO)	2 - 21 - -	Officer Type		
248 WILHELM, TONY J	OCSO/FSV/SOUTH/BD/D-SHIFT						
Reporting Officer	Unit		Original Offense Jurisdiction				
248 WILHELM, TONY J	OCSO/FSV/SOUTH/BD/D-SHIFT		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	<input type="checkbox"/> None	<input type="checkbox"/> ROR/Sign
	<input type="checkbox"/> Cash	<input type="checkbox"/> PTR
	<input type="checkbox"/> Any	
	<input type="checkbox"/> Pro	
	<input type="checkbox"/> PtrIQ	
<input type="checkbox"/> Purgc	_____	
<input type="checkbox"/> SC	_____	

Return Court: _____ Date: _____ Time: _____
 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
<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

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